

**FORTY-FOURTH DAY**

St. Paul, Minnesota, Friday, May 2, 1975

The House of Representatives met on Friday, May 2, 1975, which was the Forty-Fourth Legislative Day of the Sixty-Ninth Session of the Minnesota State Legislature. The Senate did not meet on this date.

### FORTY-FIFTH DAY

St. Paul, Minnesota, Monday, May 5, 1975

The Senate met at 10:00 o'clock a.m and was called to order by the President.

### CALL OF THE SENATE

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

Arnold	Conzemius	Hughes	Milton	Perpich, G.
Bang	Davies	Humphrey	Moe	Pillsbury
Berg	Doty	Keefe, S.	Ogdahl	Schmitz
Bernhagen	Dunn	Kleinbaum	Olhoft	Schrom
Blatz	Frederick	Kowalczyk	Olson, A. G.	Spear
Borden	Gearty	Larson	Olson, J. L.	Stassen
Brown	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Chmielewski	Hansen, Mel	Lewis	Patton	Stumpf
Coleman	Hanson, R.	McCutcheon	Perpich, A. J.	Willet

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

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

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

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

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 25, 1975

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

The Honorable Alec G. Olson  
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1110	50	April 24	April 25

Sincerely,  
Joan Anderson Growe,  
Secretary of State

May 1, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

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

S. F. No. 286, An act relating to towns; town levy for fire protection or police protection; removing the limitation.

S. F. No. 312, An act relating to motor vehicles; providing for bug deflectors, automobile wheel devices, and truck weighing.

S. F. No. 343, An act relating to the department of public welfare; requiring the boundaries of community mental health boards to be consistent with the boundaries of the economic development regions; changing the composition of community mental health boards.

S. F. No. 396, An act relating to certain nonprofit corporations; permitting expense reimbursement to child caring agencies for services related to adoptions.

S. F. No. 422, An act relating to town government; authorizing town boards to fix the compensation of town assessors without limitation.

S. F. No. 456, An act relating to education; defining qualified voters for school district elections.

S. F. No. 524, An act relating to health; amending the definition of review organization; confidentiality of records.

S. F. No. 587, An act relating to the Rice creek watershed district; authorizing an ad valorem tax for certain purposes.

S. F. No. 588, An act relating to the Rice creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

S. F. No. 645, An act relating to the city of Two Harbors; authorizing the issuance by the city of Two Harbors of bonds for the betterment of its municipal electric utility and the pledge of the net revenues of such utility for the payment thereof.

S. F. No. 679, An act relating to public safety; regulating the use of explosives; authorizing sheriffs and certain chiefs of police to issue permits for the use of explosives.

S. F. No. 730, An act relating to motor vehicles; application for certificate of title for a previously registered vehicle.

S. F. No. 764, An act relating to the city of Crystal; providing for the filing of candidates for primary elections.

S. F. No. 997, An act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

Sincerely,  
Wendell R. Anderson, Governor

May 2, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

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

S. F. No. 543, An act relating to public local grain warehouses; providing for the filing and posting of storage rates and other charges assessed by public local grain warehousemen; prescribing the form of storage receipts.

S. F. No. 649, An act relating to agriculture; collective bargaining; agricultural marketing and bargaining associations.

S. F. No. 690, An act relating to insurance; requiring certain group insurance policies and plans to provide certain benefits for outpatient mental health treatment.

S. F. No. 820, An act relating to education; powers of trustees of incorporated colleges; changing the duty of incorporated colleges or seminaries to report to the commissioner of education to a duty to report to the higher education coordinating commission.

Sincerely,  
Wendell R. Anderson, Governor

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Perpich, G. introduced—

S. F. No. 1716: A bill for an act relating to the city of Chisholm; increasing retirement annuities of certain retired policemen and firemen.

Referred to the Committee on Governmental Operations.

Mr. Perpich, G. introduced—

S. F. No. 1717: A bill for an act relating to the firemen's relief association and firemen's pensions in the city of Hibbing; amending Laws 1935, Chapter 192, Section 1, as amended.

Referred to the Committee on Governmental Operations.

Mr. Lewis introduced—

S. F. No. 1718: A bill for an act relating to taxation; allowing senior citizens to take both the senior citizens tax credit and the renters credit; amending Minnesota Statutes 1974, Section 290.0601, Subdivision 9; repealing Minnesota Statutes 1974, Section 290.991.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson and Chmielewski introduced—

S. F. No. 1719: A bill for an act relating to Chisago county; providing for a prototype community corrections facility; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

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

S. F. No. 1720: A bill for an act relating to taxes; providing for the performance of the functions of assessor; amending Minnesota Statutes 1974, Section 273.063.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Kirchner, Conzemius and Ashbach introduced—

S. F. No. 1721: A bill for an act relating to medical malpractice; limiting patients' recovery on malpractice claims; authorizing the commissioner of insurance to issue medical malpractice liability insurance; creating a patient's compensation fund; establishing a medical review panel; creating a study commission; defining terms; appropriating money.

Referred to the Committee on Health, Welfare and Corrections. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 1722: A bill for an act relating to courts; authorizing courts to require the posting of surety bonds in certain actions alleging medical malpractice; directing forfeiture of bonds if claims are dismissed as frivolous.

Referred to the Committee on Health, Welfare and Corrections. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 1723: A bill for an act relating to medical malpractice; establishing procedures for compulsory arbitration of certain medical malpractice disputes; authorizing enforcement of arbitration awards; providing for trial de novo in the district court under certain circumstances.

Referred to the Committee on Health, Welfare and Corrections. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 1724: A bill for an act relating to courts; restricting the size of judgments which may be rendered in certain medical malpractice actions; limiting malpractice liability for certain health care providers.

Referred to the Committee on Health, Welfare and Corrections. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Kleinbaum introduced—

S. F. No. 1725: A bill for an act relating to sales tax; providing a tax on the renting of mobile homes; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Milton, Kirchner and Keefe, S. introduced—

S. F. No. 1726: A bill for an act relating to pharmacy; requiring the manufacturer of a drug product to indicate the last date of

effectiveness of the product; requiring pharmacists to place the information on the prescription labels; amending Minnesota Statutes 1974, Sections 151.01, by adding a subdivision; 151.212; and Chapter 151, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

#### 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. 287, 845, 871, 1210, 452, 590, 1088, 311, 421, 778, 1441 and 1443.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1975

Mr. President:

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

S. F. No. 637: A bill for an act relating to county courts; establishing the manner of disposition of fines, fees and other moneys; amending Minnesota Statutes 1974, Section 487.33, Subdivision 5, and by adding a subdivision.

Senate File No. 637 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1975

Mr. Anderson moved that S. F. No. 637 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. 1442: A bill for an act relating to real estate; changing certain procedure involving mortgage discharges and release of attachment; amending Minnesota Statutes 1974, Sections 507.40 and 507.11.

Senate File No. 1442 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1975

Mr. Laufenburger moved that S. F. No. 1442 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. 1038: A bill for an act relating to certain counties; providing for the filing of surveys with the county surveyor.

Senate File No. 1038 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 2, 1975

### CONCURRENCE AND REPASSAGE

Mrs. Brataas moved that the Senate concur in the amendments by the House to S. F. No. 1038 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1038 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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Jensen voted in the negative.

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

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 911:

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

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

Novak, McCarron, Forsythe, Jaros and Spanish have been appointed as such committee on the part of the House.

House File No. 911 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 2, 1975

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 911, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: 605, 1131, 784, 858, 1127, 1146, 1191, 142, 427, 871, 982, 1058, 349, 1040, 1145, 1309, 1456 and 1519.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 1, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: 1057, 1442, 1129 and 1758.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 2, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1759, 38, 354 and 471.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 2, 1975

#### **FIRST READING OF HOUSE BILLS**

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

H. F. No. 605: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; prohibiting driving under the influence of a con-

trolled substance; providing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivision 1.

Referred to the Committee on Judiciary.

H. F. No. 1131: A bill for an act relating to the operation of state government; providing for appointment of the commissioners of education and of health by the governor with the advice and consent of the senate; amending Minnesota Statutes 1974, Sections 121.16; 144.02; 144.04 and 462A.04, Subdivision 8; Chapter 144, by adding a section; repealing Minnesota Statutes 1974, Section 144.03.

Referred to the Committee on Governmental Operations.

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

Referred to the Committee on Governmental Operations.

H. F. No. 858: A bill for an act relating to credit unions; permitting Minnesota central credit union to purchase shares of and make deposits in U. S. central credit union; permitting credit unions to deposit the reserve in balances due from U. S. central credit union; amending Minnesota Statutes 1974, Sections 52.04 and 52.17.

Referred to the Committee on Labor and Commerce.

H. F. No. 1127: A bill for an act relating to veterans; authorizing the apportionment of Vietnam veterans bonus payments between surviving parents and person in loco parentis in certain instances; amending Minnesota Statutes 1974, Section 197.971, Subdivision 4.

Referred to the Committee on Transportation and General Legislation.

H. F. No. 1146: A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; Chapter 504, by adding sections; Chapter 566, by adding a section.

Referred to the Committee on Judiciary.

H. F. No. 1191: A bill for an act relating to the city of Austin; membership of new police and firemen in the public employees retirement association.

Referred to the Committee on Governmental Operations.

H. F. No. 142: A bill for an act adding a new route to the trunk highway system.

Referred to the Committee on Transportation and General Legislation.

H. F. No. 427: A bill for an act relating to workmen's compensation; permitting inspection of employee injury reports by the certified bargaining representative; amending Minnesota Statutes 1974, Section 176.231, Subdivision 8.

Referred to the Committee on Labor and Commerce.

H. F. No. 871: A bill for an act relating to public health; providing for licensing of tourist camps; amending Minnesota Statutes 1974, Section 327.14, Subdivision 8.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 982: A bill for an act relating to motor vehicles; authorizing the issuance of personalized license plates; prescribing additional charges therefor; amending Minnesota Statutes 1974, Section 168.12, by adding a subdivision.

Referred to the Committee on Finance.

H. F. No. 1058: A bill for an act relating to state parks; adding land to Helmer Myre state park.

Referred to the Committee on Rules and Administration.

H. F. No. 349: A bill for an act relating to elections; providing for the election, date and terms of office of board members in independent school districts; amending Minnesota Statutes 1974, Sections 123.32, Subdivisions 1, 4, 5, and 23 and by adding a subdivision; 123.33, Subdivision 4; 123.34, Subdivision 1; and 200.02, Subdivision 1; and Laws 1975, Chapter 5, Section 110, Subdivision 1; repealing Minnesota Statutes 1974, Sections 123.31; and 123.32, Subdivisions 2, 3, 6, 7, 24, 25, 26, and 27.

Referred to the Committee on Transportation and General Legislation.

H. F. No. 1040: A bill for an act relating to taxation; providing for a reduction in assessed valuation of real property; amending Minnesota Statutes 1974, Section 375.192, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1145: A bill for an act relating to landlords and tenants; retaliatory evictions; amending Minnesota Statutes 1974, Section 566.03.

Referred to the Committee on Judiciary.

H. F. No. 1309: A bill for an act relating to the operation of state government; authorizing the commissioner of administration to establish on a demonstration basis a regional service center com-

prising selected state agencies and to enter into a lease for purposes of acquiring suitable space for the center.

Referred to the Committee on Governmental Operations.

H. F. No. 1456: A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

Referred to the Committee on Judiciary.

H. F. No. 1519: A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

Referred to the Committee on Rules and Administration.

H. F. No. 1057: A bill for an act relating to education; school districts; Independent School District No. 518; powers and duties; requiring a public hearing and providing for an election before closing a schoolhouse; amending Minnesota Statutes 1974, Section 123.36, by adding a subdivision.

Referred to the Committee on Education.

H. F. No. 1442: A bill for an act relating to port authorities; changing the sale of property requirements; repealing Extra Session Laws 1971, Chapter 35, Section 8.

Referred to the Committee on Rules and Administration.

H. F. No. 1129: A bill for an act relating to the cities of Bloomington in Hennepin county and South St. Paul in Dakota county; authorizing housing finance programs; providing for the issuance of limited general obligation bonds.

Referred to the Committee on Rules and Administration.

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

Referred to the Committee on Rules and Administration.

H. F. No. 1759: A bill for an act relating to the organization and

operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 308.905; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivision 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

Referred to the Committee on Rules and Administration.

H. F. No. 38: A bill for an act relating to elections; providing for party registration; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money; amending Minnesota Statutes 1974, Sections 201.071, Subdivisions 1 and 3, and by adding a subdivision; 206.01, Subdivision 8; 206.07, Subdivisions 1 and 4; and Laws 1975, Chapter 5, Section 51, Subdivision 1; Section 52, Subdivisions 1 and 7; and Section 90 by adding a subdivision; repealing Laws 1975, Chapter 5, Section 52, Subdivision 8; and Section 93, Subdivision 2.

Referred to the Committee on Transportation and General Legislation.

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.

Referred to the Committee Health, Welfare and Corrections.

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.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of S. F. Nos. 1303, 788 and 677, and reports pertaining to confirmation of appointments. The motion prevailed.

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

S. F. No. 1187: A bill for an act relating to cable communica-

tions; 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; 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, Subdivision 6, and by adding subdivisions; and 238.13; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

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

Page 1, after line 16, insert:

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

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

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

associations and organizations in developing programming for public interest; and to provide minorities with the fullest opportunity to make effective use of the medium.

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

Page 1, line 27, reinsert the stricken language

Page 1, line 28, reinsert "of administration"

Page 1, line 28, after the reinserted "administration" insert "until July 1, 1977."

Page 2, after line 4, insert:

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

238.05 [DUTIES OF THE COMMISSION.] Subdivision 1. ~~The commission shall develop and maintain a statewide plan for development of cable communications services, setting forth the objectives which the commission deems to be of regional and state concern.~~

*The commission, by January 1, 1977, shall adopt, after appropriate study and such public hearings as may be necessary, a comprehensive plan for the development of cable communications services in the state. The plan shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly development and utilization of cable communication systems, public and private, of the state. The plan shall recognize and encompass the social and economic needs of the state and those future developments which will have an impact on the state, including but not limited to such matters as health, education, law enforcement, transportation and governmental information. The commission shall continually assess the state of technology, encourage such research as may be necessary toward that end, and update from time to time its comprehensive plan to reflect changing needs, revising its standards, terms or conditions accordingly."*

Page 2, line 15, reinsert the stricken language

Page 2, line 16, reinsert "priorities"

Page 2, line 16, after the reinserted "priorities" insert "*the municipality has developed to review franchise applications*"

Page 2, line 32, reinsert "(c) prescribe a list of"

Page 2, line 32, after the reinserted "of" insert "*topics to be addressed*"

Page 2, line 32, reinsert "in"

Page 3, line 1, reinsert the stricken language

Page 3, line 2, strike "(c)" and reinsert "(d)"

Page 3, line 3, strike "twin cities"

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

Page 3, line 4, after "public" insert "*or private*"

Page 3, line 5, after "interconnection" insert "*and compatability*"

Page 3, line 8, strike "(d)" and insert "(e)"

Page 3, line 8, strike "(c)" and insert "(d)"

Page 3, line 9, insert a period after "*practice*" and strike "*, provided,*"

Page 3, strike lines 10 to 12

Page 3, line 13, strike "whole or in part, the entity so designated"

Page 3, line 30, after "from" insert "*a municipality or*"

Page 3, line 31, strike "consultation with" and insert "*a maximum 90 day period of review and comment by*"

Page 4, line 1, after "commission" insert "*and if the affected planning commission is the metropolitan council, after a period of review and comment by the metropolitan council not to exceed 90 days*"

Page 6, line 2, strike "ten" and insert "15"

Page 6, after line 2, insert:

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

Subd. 7. Any renewal of a certificate of confirmation shall be for a period of *five ten* years. *A renewal of certificate of confirmation may be issued prior to the expiration of any existing certificate.*"

Page 6, after line 31, insert:

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

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

Page 6, line 32, strike "Sections" and insert "Section"

Page 7, line 1, strike "238.05, Subdivisions 8 and 16; and"

Page 7, line 2, strike "are" and insert "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike "making the cable"

Page 1, strike line 3 and insert "extending the residence of the cable communications commission in the"

Page 1, line 8, after "Sections" insert "238.01;"

Page 1, line 9, after "Subdivisions" insert "1,"

Page 1, line 12, strike "Subdivision 6" and insert "Subdivisions 6 and 7"

Page 1, line 12, delete "and"

Page 1, line 13, after "238.13;" insert "and 238.15;"

Page 1, strike line 14 and insert "Section"

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

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

S. F. No. 1303: A bill for an act relating to crimes; prohibiting endurance contests without rest periods; amending Minnesota Statutes 1974, Section 624.66, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 540: A bill for an act relating to courts; providing for transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

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

Page 2, line 14, strike "*and filing fee*"

Page 2, after line 20, insert:

*"A party who has paid the filing fee of the county where the action originated shall not be required to pay the filing fee of the county to which the action is transferred. The transferor county may retain any filing fees received prior to the change of county, but shall in writing advise the county to which the action is transferred of any and all such filing fees paid to the transferor county."*

Amend the title as follows:

Page 1, line 2, strike "transfer" and insert "non-transfer"

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

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

H. F. No. 4: A bill for an act relating to human rights; extending protection to disabled persons using public services and public accommodations; amending Minnesota Statutes 1974, Section 363.03, Subdivisions 3 and 4, and by adding a subdivision.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1974, Section 363.02, Subdivision 5, is amended to read:

Subd. 5. [DISABILITY.] Nothing in this chapter shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate or accommodate that person. It is a defense to a complaint or action brought under this chapter that the person bringing the complaint or action suffers from a mental disability which *in the circumstances* poses a serious threat to the *health or safety of the disabled person or others*. The burden of proving this defense is upon the respondent."

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections 363.02, Subdivision 5; and"

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

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

H. F. No. 67: A bill for an act relating to handicapped persons; providing an interpreter in all proceedings.

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

Page 1, line 8, strike "and" and insert "or"

Page 1, line 16, strike "assist the" and insert "serve"

Page 1, line 17, strike "handicapped person"

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

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

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

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

Strike the Rule 49 amendments

Page 3, line 16, strike "1974" and insert "1973"

Page 5, strike lines 17 through 22

Page 7, strike lines 7 through 15

Page 14, line 19, strike "\$12.50" and insert "\$25"

Page 14, line 20, after "party" insert ", a segment of a political party,"

Page 14, line 20, after "and" insert "a"

Page 14, line 22, strike "\$25" and insert "\$50"

Page 14, line 22, strike "However, the taxpayer may take a credit for"

Page 14, strike lines 23 through 26

Page 14, line 27, strike "section 10A.01, subdivision 5."

Pages 20 and 21, strike section 14

Page 22, line 20, after "*that the*" insert "*recipient*"

Pages 28 and 29, strike section 21

Page 31, line 3, after "*month*" strike "*, provided that for employers with annual payrolls of*"

Page 31, strike line 4

Page 31, line 5, strike "*frequent than quarterly*"

Pages 38 and 39, strike section 27

Page 42, line 31, strike "*17*" and insert "*16*"

Page 42, line 31, strike "*27 and 28*" and insert "*and 25*"

Page 42, line 32, after "*enactment.*" insert "*Section 4 of this act shall be effective for taxable years beginning after December 31, 1973.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, strike "Subdivisions 4 and" and insert "Subdivision"

Page 1, line 11, after "2," insert "and"

Page 1, line 11, after "3" strike "and 5"

Page 1, line 14, strike "290.983, Subdivision 1;"

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

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 17, 1975:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

David Lebedoff

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

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for April 19, 1975:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

Mrs. Barbara Clark  
 Donald Hamerlinck  
 Mrs. Judy Hamilton  
 Jack Lynch  
 Harding C. Noblitt

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

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

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for April 14, 1975:

#### **MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

Vladimir Shipka

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

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

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

H. F. No. 1555: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 28A, by adding a section; Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16.80; 16A.129; 30.461; 30.462; 30.463, Subdivisions 1 and 5; 30.464, Subdivisions 1, 2, and 3; 30.465; 30.467; 30.468; 30.469; 30.47; 30.472; 30.473; 30.475; 30.476; 32A.-08, Subdivision 1; 34.05, Subdivision 2; 43.35; 43.09, Subdivision 2a; 50.14, Subdivision 1; 59A.03, Subdivision 3; 60A.03, Subdivision 2; 65B.06, Subdivision 2; 65B.44, Subdivision 5; 80A.15, Subdivision 2; 80C.03; 82.18; 82.30, Subdivision 2; 83.25, Subdivision 3; 84.87, Subdivision 1; 84A.07; 84A.26; 84A.36; 97.48, Subdivision 4; 111.80; 115.48, Subdivision 1; 115.51; 116.16, Subdivision 3; 116F.08; 116H.04, Subdivision 3; 121.02; 122.355, Subdivision 1; 123.78, Subdivision 1; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.41, Subdivision 1; 124.803; 145.862, Subdivision 4; 147.02; 147.22; 155.02, Subdivision 2; 179.74, Subdivision 2; 181A.07, Subdivision 6; 192.40; 197.63, Subdivision 1; 205.10; 205.11, Subdivision 1; 205.12; 205.16, Subdivisions 1 and 2; 205.17, Subdivisions 1 and 2; 243.88, Subdivision 3; 245.68; 245.77; 246.23; 251.043, Subdivision 3; 256.01, Subdivision 2; 256D.02, Subdivision 4; 260.-251, Subdivision 3; 268.04, Subdivision 12; 268.115, Subdivision 2; 270.075, Subdivision 1; 273.11, Subdivision 4; 273.111, Subdivisions 9 and 11; 273.13, Subdivision 7; 275.125, Subdivision 4; 275.161; 282.16; 285.11; 290.01, Subdivision 22; 290.02; 290.06, Subdivision 2c; 290.086, Subdivision 1; 290.09, Subdivision 15; 290.21, Subdivision 3; 290.26, Subdivision 2a; 290.92, Subdivision 2a; 291.05; 292.04; 297.13, Subdivision 1; 297B.09; 298.026; 298.027; 298.51; 298.53; 298.63; 299.013; 299B.03, Subdivision 1; 299F.77; 300.025; 301.77, Subdivision 1; 308.06, Subdivision 3; 309.581; 318.03;

354A.05; 355.11, Subdivision 2; 355.80; 362.17; 363.01, Subdivision 13; 375.471; 376.25; 412.02, Subdivision 5; 412.251; 412.861, Subdivision 1; 441.15; 463.152, Subdivision 1; 463.261; 465.19; 466.02; 488A.13, Subdivision 1; 507.291; 525.213; 525.515; 550.041; 571.47, Subdivision 2; 571.48, Subdivision 2; 609.375, Subdivision 4; 609.75, Subdivision 4; 611.14; 626.05, Subdivision 2; 631.50; 632.12; and 648.43; repealing Minnesota Statutes 1974, Sections 15.13; 148.87; 171.12, Subdivision 4; 176.061, Subdivision 10; 309.583; 359.06; and 380.24; 593.17; Laws 1969, Chapters 540, Section 5; 896, Section 1; and 1126, Section 1; Laws 1971, Chapters 32, Section 1; 74, Section 6; 226, Section 1; and 427, Section 17; Laws 1973, Chapters 388, Sections 156, 157, 158, 159, 160, 161, 162, 163, and 170; 638, Sections 22 and 23; and 725, Sections 25 and 26; Laws 1974, Chapters 62, Section 1; 161, Section 10; and 205, Section 1.

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

Page 9, line 30, strike "147.02" and insert "147.01"

Page 11, line 26, strike "as defined in" and insert a quotation mark after "city,"

Page 11, line 27, strike "section" and insert "and by deleting"

Page 11, line 27, before "261.07" insert a quotation mark

Page 17, after line 26, insert:

"Sec. 139. Minnesota Statutes 1974, Section 414.032, Subdivision 4, is amended in line 3, by deleting "one" and inserting "three" and in line 4 by deleting "one and two-thirds" and inserting "five"

In the memorandum of explanation, Page 14, after line 3, insert:

"Sec. 139. Because of a mistake in following instructions to the revisor contained in Laws 1973, Chapter 773, requiring reduction of mill rates to one-third of their former rate owing to section 273.1102, the revisor in preparing the 1974 statutes reduced the transition period in section 414.032, subdivision 4, from the former three to five years to a period of from one to one and two-thirds years."

Renumber the sections in order.

Further, amend the title as follows:

Page 1, line 26, strike "147.02" and insert "147.01"

Page 2, line 8, before "441.15;" insert "414.032, Subdivision 4;"

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

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

H. F. No. 703: A bill for an act relating to state government; revising the personnel laws; amending Minnesota Statutes 1974, Chapter 43, by adding sections; Sections 15A.083, Subdivision 1; 43.05, Subdivision 2; 43.09, Subdivision 7; 43.20, Subdivision 4; 43.22, Subdivisions 2 and 3; 43.30; 43.42; 43.43; 43.47; 84.14, Subdivision 1; 487.02, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.071; 16.027, Subdivision 8.

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

Pages 1 and 2, strike all of sections 1 and 2

Page 3, after line 24, insert:

"Sec. 2. Minnesota Statutes 1974, Section 16.173, is amended to read:

16.173 [APPROVED COMPLEMENTS.] Whenever an appropriation to any state department or agency for salaries discloses an approved complement, that department or agency, except for seasonal employees, part time employees, and service workers and *pre-service trainees* is limited in the employment of the number of persons indicated by such approved complement. The employment of seasonal employees, part time employees, and service workers and *pre-service trainees* shall be in addition to the approved complement but subject to the approval of the commissioner of administration who shall determine the need therefor. *The employment of pre-service trainees exempt from approved complement requirements shall be restricted to trainees employed pursuant to affirmative action programs approved by the commissioner of personnel.*

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished."

Page 5, after line 32, insert:

"Sec. 4. Minnesota Statutes 1974, Chapter 43, is amended by adding a section to read:

[43.056] [FILES; SECURITY.] *Subdivision 1. [PERSONNEL FILES.] Personnel files kept by any state agency on individual state employees or individual applicants for state employment are private and are not public records, unless the individual consents in writing to public disclosure, with the following exceptions:*

(a) *the individual's name and address;*

(b) *the job classification of the position held in the past, currently held, or applied for;*

(c) *the salary range of the job classification to which the employee's position is assigned.*

*Subd. 2. [TEST RECORDS.] Written test questions and other information relating to the conduct of examinations shall be kept confidential to the extent necessary to ensure that all applicants for employment have a fair and equal opportunity to demonstrate their abilities to perform the duties of the position for which they are applying. An applicant appealing or contemplating an appeal of his examination score may review written test questions or other information relating to the examination unless the questions are to be used in a future examination. In the latter case, the applicant may designate a person skilled in the evaluation of employment tests to review the materials and evaluate them for his use in deciding to pursue or withdraw an appeal.*

Sec. 5. Minnesota Statutes 1974, Section 43.09, Subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED SERVICE.] The unclassified service comprises positions held by state officers or employees who are:

- (1) Chosen by election or appointed to fill an elective office;
- (2) Heads of department required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;
- (3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;
- (4) ~~Seasonal~~ *Intermittent* help employed by the commissioner of public safety to assist in the issuance of ~~motor~~ vehicle licenses;
- (5) Employees in the offices of the governor and of the lieutenant governor, and one confidential employee for the governor in the office of the adjutant general;
- (6) Officers and employees of the senate and house of representatives of the legislature including temporary or permanent employees of legislative committees or commissions. Employees of the legislative audit commission, except for the legislative auditor, his deputy, and his confidential secretary, however, shall be employees in the classified civil service of the state;
- (7) Teachers, research assistants, student employees on less than half-time pay basis or eligible under terms of the federal

economic opportunity act work study program, presidents, deans, and administrative officers in the state colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;

(8) Officers and enlisted persons in the national guard;

(9) Attorneys, legal assistants, examiners, and three confidential employees appointed by the attorney general or employed with his authorization;

(10) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(11) Patient and inmate help in state institutions;

(12) Members of the state highway patrol; provided that selection and appointment of highway patrol officers shall be made in accordance with applicable laws governing the classified state civil service;

(13) The deputy commissioner of agriculture, and the deputy director and assistant director of the Minnesota pollution control agency;

(14) One employee of the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act;

(15) Seasonal help employed by the department of revenue ;

(16) *Employees of the department of administration permanently assigned to the ceremonial house .*

Sec. 6. Minnesota Statutes 1974, Section 43.09, Subdivision 2a, is amended to read:

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

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause ~~(3)~~ (4).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under

applicable provisions of rules and laws governing classified state employees.

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

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

(5) Funds are available.”

Page 6, after line 10, insert:

“Sec. 8. Minnesota Statutes 1974, Section 43.17, Subdivision 4a, is amended to read:

Subd. 4a. Notwithstanding any law to the contrary persons may be employed by any governmental department in the classification of service worker or *be employed as a pre-service trainee*, as defined by applicable ~~civil service~~ *service personnel* job description or *personnel rule*, in excess of any personnel limitations, quotas or complements as established by law. Said employment shall be subject to *restrictions contained in section 16.173 and shall be subject to the advance approval of the commissioner of administration.*”

Page 6, after line 24, insert:

“Sec. 10. Minnesota Statutes 1974, Section 43.21, is amended to read:

43.21 [PROBATIONARY PERIOD.] Except as in this chapter otherwise provided, all original appointments and promotions within the classified service, shall be for a probationary period the duration of which is determined by personnel rule for each class, or group of classes to be not less than 30 days and not more than two years but dismissals or demotions may be made at any time during such period, subject to the provisions of section 43.19, subdivision 3. Provided, that no employee transferred or promoted from one position in the classified service to another position in the classified service shall be dismissed, except for just cause, demoted or transferred without his consent until he shall have served a trial period of at least 30 days in his new position. At the end of the probationary period the appointing officer shall notify the commissioner, in writing, whether the probationer is a satis-

factory employee and should receive the status of a permanent appointee. Upon such notice or in the absence of notice to the commissioner, the employee; if his service during the probationary period did not fall below such minimum standards as have been prescribed by the commissioner, shall be deemed to have a permanent classified civil service status; otherwise the employee is automatically separated from the service, except as provided in section 43.19, subdivision 3. Work performance counseling evaluation shall be available provided to a probationary employee at least twice during the duration of the probationary period in a manner and frequency in accordance with rules established by the commissioner."

Page 8, after line 24, insert:

"Sec. 13. Minnesota Statutes 1974, Section 43.224, is amended to read:

43.224 [ANNUAL LEAVE ALLOWANCES.] No state officers or employees in the unclassified service shall be paid for unused portions of annual leave allowances provided for by Minnesota Statutes, Section 351.12, for any greater period of time than is permitted state officers or employees in the classified service. No elected public officer shall be paid for unused annual leave allowances or a severance pay allowance based upon unused sick leave pursuant to section 43.12, subdivision 2, upon retirement or termination of service for any reason whatsoever.

Sec. 14. Minnesota Statutes 1974, Chapter 43, is amended by adding a section to read:

[43.227] [TIME OFF IN EMERGENCIES.] At the request of a department head, and after consultation with the commissioner of public safety, the commissioner may authorize the requesting department head to excuse state employees from duty with full pay in the event of a natural or man made emergency, if continued operation would involve a threat to the health or safety of individuals. Absence with pay shall not exceed 16 working hours at any one time unless the governor authorizes a longer duration."

Page 11, line 10, before "homeowners" insert "legal insurance,"

Page 11, line 10, before "vision" insert "and"

Page 11, line 10, strike "or other"

Page 11, line 11, strike everything before the period

Page 11, strike lines 25 and 26

Pages 11 to 13, renumber the clauses in subdivision 2 in sequence

Page 17, strike all of section 14 and insert:

"Sec. 20. Minnesota Statutes 1974, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of personnel shall meet and negotiate with the exclusive representative of appropriate units

in the manner prescribed by sections 179.61 to 179.77; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition. *The positions and classes of positions in the classified service defined as managerial by the commissioner of personnel in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, shall be excluded from any appropriate unit.* Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Sec. 21. Minnesota Statutes 1974, Section 260.311, Subdivision 2, is amended to read:

Subd. 2. [SUFFICIENCY OF SERVICES.] Probation services shall be sufficient in amount to meet the needs of the county court in each county. Probation officers serving county courts in all counties of not more than 200,000 population shall also, pursuant to subdivision 3, provide probation and parole services to wards of the Minnesota corrections authority resident in their counties. To provide these probation services counties containing a city of 10,000 or more population shall, as far as practicable, have one probation officer for not more than 35,000 population; in counties that do not contain a city of such size, the commissioner of corrections shall, after consultation with the chief judge of the county court and the county commissioners and in the light of experience, establish probation districts to be served by one officer.

All probation officers appointed for any county court or community corrections agency after July 1, 1959, shall be selected from the same state civil service list of eligible candidates from which the commissioner of corrections selects probation and parole agents and for which both oral and written examinations are required a list of eligible candidates who have qualified according to the same or equivalent examining procedures as used by the commissioner of personnel to certify eligibles to the commissioner of corrections in appointing parole agents, and the department of personnel shall furnish the names of such candidates on request. *This subdivision shall not apply to a political subdivision having a civil service or merit system unless the subdivision elects to be covered by this subdivision.*

Sec. 22. Minnesota Statutes 1974, Section 487.02, Subdivision 1, is amended to read:

487.02 [PAYMENT OF EXPENSES.] Subdivision 1. The salary and traveling expenses of a judge of the county court shall be paid by the county in which the expenses were incurred from the general revenue fund of the county. If the district consists of more than one county, such expenses shall be apportioned the county of the judge's residence shall pay the judge and shall be reimbursed

*each month by the other counties of the district by apportioning the salary and expenses according to the respective population of the counties as determined by the last United States census."*

Page 17, line 26, strike "Sections" and insert "Section"

Page 17, line 26, strike "and"

Page 17, line 27, strike "16.027, Subdivision 8, are" and insert "is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "government;" insert "providing for methods of payment of certain salaries; expanding the duties of the commissioner; permitting insurance coverage for state employees; permitting time off in emergencies; providing for the security of personnel files; permitting pre-service trainees in excess of complement; excluding managerial employees from bargaining units;"

Page 1, line 5, after "Subdivision 1;" insert "16.173;"

Page 1, line 6, strike "Subdivision 7" and insert "Subdivisions 2, 2a, and 7; 43.17, Subdivision 4a"

Page 1, line 6, before "43.22," insert "43.21;"

Page 1, line 7, after "3;" insert "43.224;"

Page 1, line 8, before "487.02," insert "179.74, Subdivision 4; 260.311, Subdivision 2;"

Page 1, line 9, strike "Sections" and insert "Section"

Page 1, line 10, strike "; 16.027, Subdivision 8"

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

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

H. F. No. 527: A bill for an act relating to the purchase of surplus state property at public auction by state employees; amending Minnesota Statutes 1974, Section 15.055.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 43, is amended by adding a section to read:

[43.37] [PUBLIC EMPLOYEES NOT TO PURCHASE MERCHANDISE FROM GOVERNMENTAL AGENCIES; EXCEPTIONS; PENALTY.] *No officer or employee of the state or any of its political subdivisions shall sell or procure for sale or have in his possession or control for sale to any other officer or employee of the state or the subdivision, as appropriate, any*

*property or materials owned by the state or subdivision except pursuant to conditions provided in this section. Property or materials owned by the state or a subdivision, except real property, and not needed for public purposes may be sold to an employee of the state or the subdivision after reasonable public notice at public auction or by sealed bid if the employee is the highest responsible bidder and if he is not directly involved in the auction or sealed bid process. Requirements for reasonable public notice may be prescribed by other law or ordinance so long as at least one week's published or posted notice is specified. A state employee may purchase no more than one motor vehicle from the state in any twelve month period. A person violating the provisions of this section is guilty of a misdemeanor. This section shall not apply to the sale of property or materials acquired or produced by the state or subdivision for sale to the general public in the ordinary course of business.*

Sec. 2. *Minnesota Statutes 1974, Section 15.055, is repealed.*

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

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

*"A bill for an act relating to the purchase of surplus government property by public employees; providing a penalty; amending Minnesota Statutes 1974, Chapter 43, by adding a section; repealing Minnesota Statutes 1974, Section 15.055."*

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

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

S. F. No. 788: A bill for an act relating to public welfare; providing for cost of living adjustment in supplemental aid benefits; amending Minnesota Statutes 1974, Chapter 256D, by adding a section.

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

Page 1, after line 6 insert:

*"Section 1. Minnesota Statutes 1974, Section 256D.37, Subdivision 2, is amended to read:*

*Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled. The local agency shall apply the relevant criteria to each application. Effective July 1, 1974, the real property equity limitation for applicants other than the blind shall be \$12,000. Effective January 1, 1975, the real property equity limitation for all applicants for supplemental aid under this section shall be \$15,000. The real and personal property eligibility criteria for supplemental aid under this section for the aged and the disabled shall be the same as the real and personal property eligibility*

*criteria set forth in Chapter 256B for the medical assistance program.*

*The real and personal property eligibility criteria for supplemental aid under this section shall be:*

*(1) Real property equity limitation of \$15,000;*

*(2) Cash and liquid assets not exceeding \$2,000, if single, or \$4,000, if married, except that a maximum of \$750 of this may be in a prepaid burial contract for each person; and personal property used as a home, appropriate clothing, household furniture, and equipment and stock for the purpose of producing income shall be excluded.*

*The local agency in its discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship."*

*Page 1, line 10, strike "When benefit amounts under the federal" and insert "The standard of need for Minnesota supplemental aid shall be adjusted semi-annually by the percentage change in the cost of living. In January and July of each year, the commissioner shall effect adjustment of each item in the standard of need by the percentage established by the Consumer Price Index of the United States Department of Labor for the months of April through September and October through March. If regionally adjusted data is not available, the national average shall be applied. Adjustments to items in the standard of need shall reflect the full percentage of increases and one-half the percentage of decreases in the cost of living. In no event shall the commissioner decrease the amounts payable for any item below the dollar amounts in effect on the effective date of this section. If the adjusted dollar amounts are not a multiple of \$1, the amount shall be rounded to the next highest dollar. The standard of need computed under this section shall govern all supplemental aid benefit amounts payable under sections 256D.36 and 256D.37."*

*Page 1, strike lines 11 to 23*

*Page 2, strike line 1 and insert*

*"Sec. 3. [APPROPRIATION.] There is appropriated to the commissioner of public welfare from the general fund the sum of \$550,000 for the biennium ending June 30, 1977 for the purposes specified in section 2."*

*Page 2, line 3, strike "2" and insert "4"*

*Page 2, line 3, strike "the day following its enactment" and insert "July 1, 1975"*

*Renumber sections in sequence*

*Amend the title as follows:*

*Page 1, line 3, after "in" insert "the standard of need of"*

*Page 1, line 3, after "benefits;" insert "appropriating money;"*

Page 1, line 4, after "1974," insert "Section 256D.37, subdivision 2; and"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 677: A bill for an act relating to small business; authorizing the commissioners of administration and economic development to set aside certain state procurement from normal bidding procedures, for the exclusive use of small business concerns owned and operated by the socially and economically disadvantaged.

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

Strike everything after the enacting clause and insert:

"Section 1. [16.081] [TITLE.] Sections 1 to 9 may be cited as the "Minnesota small business procurement act."

Sec. 2. [16.082] [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 8 the following words and phrases shall have the meanings set forth in this section, except where the context clearly indicates that a different meaning is intended.

Subd. 2. "Small business" means a business entity organized for profit, including an individual, partnership, corporation, joint venture, association or cooperative which has its principal place of business in Minnesota and which is not (a) dominant in its field of operation or (b) an affiliate or subsidiary of a business dominant in its field of operation.

Subd. 3. "Dominant in its field of operation" means exercising a controlling or major influence in a business activity in which a number of businesses are engaged. In determining if a business is dominant, the following criteria, among others, shall be considered: number of employees; volume of business; financial resources; competitive status or position; ownership or control of materials, processes, patents, license agreements and facilities; sales territory; and nature of business activity. The following businesses shall be deemed dominant in their field of operation:

(a) Manufacturing businesses which employ more than 100 persons and have in the preceding three fiscal years exceeded a total of \$15,000,000 in gross receipts.

(b) General construction businesses which in the preceding three fiscal years exceeded a total of \$6,000,000 in gross receipts.

(c) Specialty construction businesses which in the preceding three fiscal years exceeded a total of \$3,000,000 in gross receipts.

(d) Nonmanufacturing businesses which employ more than 25 per-

sons and have in the preceding three fiscal years exceeded a total of \$3,000,000 in gross receipts.

Subd. 4. "Affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least 20 percent owned by a business dominant in that field of operation, or by partners, officers, directors, majority shareholders, or their equivalent of a business dominant in that field of operation.

Subd. 5. "Socially or economically disadvantaged person" means a person who has been deprived of the opportunity to develop and maintain a competitive position in the economy because of social or economic disadvantage. This disadvantage may arise from cultural, social or economic circumstances or background, physical location if the person resides or is employed in an area declared as a labor surplus area by the United States department of commerce, or other similar cause.

Sec. 3. [16.083] [PROCUREMENT FROM SMALL BUSINESSES.] Subdivision 1. [SMALL BUSINESS SET-ASIDES.] The commissioner of administration shall for each fiscal year designate and set aside for awarding to small businesses approximately ten percent of the value of anticipated total state procurement of goods and services including construction. The commissioner shall divide the procurements so designated into contract award units of economically feasible production runs in order to facilitate offers or bids from small businesses. In making his annual designation of set-aside procurements the commissioner shall attempt to vary the included procurements so that a variety of goods and services produced by different small businesses shall be set aside each year. The failure of the commissioner to set aside particular procurement shall not be deemed to prohibit or discourage small businesses from seeking the procurement award through the normal solicitation and bidding processes.

Subd. 2. [NEGOTIATED PRICE OR BID CONTRACT.] The commissioner may elect to use either a negotiated price or bid contract procedure in the awarding of a procurement contract under the set-aside program established in this act. The amount of an award shall not exceed by more than five percent the commissioner's estimated price for the goods or services, if they were to be purchased on the open market and not under this set-aside program. Surety bonds guaranteed by the federal small business administration shall be acceptable security for a construction award under this section.

Subd. 3. [DETERMINATION OF ABILITY TO PERFORM.] Before announcing a set-aside award, the commissioner shall evaluate whether the small business scheduled to receive the award is able to perform the set-aside contract. This determination shall include consideration of production and financial capacity and technical competence.

Subd. 4. [PREFERENCE TO SMALL BUSINESSES.] At least ten percent of the value of the procurements designated for set-aside awards shall be awarded, if possible, to businesses owned and operated by socially or economically disadvantaged persons. In the event small businesses owned and operated by socially or economically disadvantaged persons are unable to perform at least ten percent of

the set-aside awards, then the commissioner shall award the balance of the set-aside contracts to other small businesses.

Subd. 5. [RECOURSE TO OTHER BUSINESSES.] In the event that subdivisions 1 to 4 do not operate to extend a contract award to a small business, the award shall be placed pursuant to the normal solicitation and award provisions set forth in chapter 16. The commissioner shall thereupon designate and set aside for small businesses additional state procurements corresponding in approximate value to the contract unable to be awarded pursuant to subdivisions 1 to 4.

Subd. 6. [PROCUREMENT PROCEDURES.] All laws and rules pertaining to solicitations, bid evaluations, contract awards and other procurement matters shall apply as consistent to procurements set aside for small businesses. In the event of conflict with other rules, the provisions of sections 1 to 8 and rules promulgated pursuant thereto shall govern.

Sec. 4. [16.084] [ENCOURAGEMENT OF PARTICIPATION.] The commissioners of administration and economic development shall publicize the provisions of the set-aside program, attempt to locate small businesses able to perform set-aside procurement awards, and encourage participation. When the commissioner of administration determines that a small business is unable to perform under a set-aside contract, he shall so inform the commissioner of economic development who shall assist the small business in attempting to remedy the causes of the inability to perform a set-aside award. In assisting the small business, the commissioner of economic development in cooperation with the commissioner of administration shall use any management or financial assistance programs as may be available by or through the department of economic development, other state or governmental agencies, or private sources.

Sec. 5. [16.085] [RULES.] The commissioner of administration shall promulgate by rule standards and procedures for certifying that small businesses and small businesses owned and operated by socially or economically disadvantaged persons are eligible to participate under the requirements of this act. The procedure for determination of eligibility may include self-certification by a business, provided that the commissioner retains the ability to verify a self-certification. The commissioner shall promulgate other rules as may be necessary to carry out the duties set forth in this act.

Sec. 6. [16.086] [REPORTS.] Subdivision 1. [COMMISSIONER OF ADMINISTRATION.] The commissioner of administration shall submit an annual report pursuant to section 3.195 to the governor and the legislature with a copy to the commissioner of economic development indicating the progress being made toward the objectives and goals of this act during the preceding fiscal year. This report shall include the following information:

(a) The total dollar value and number of potential set-aside awards identified during this period and the percentage of total state procurement this figure reflects;

(b) The number of small businesses identified by and responding to the set-aside program, the total dollar value and number of set-aside contracts actually awarded to small businesses with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the total number of small businesses that were awarded set-aside contracts;

(c) The total dollar value and number of set-aside contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the percentages of the total state procurements the figures of total dollar value and the number of set-asides reflect;

(d) The number of contracts which were designated and set-aside pursuant to section 3 but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest offer or bid on each of these awards made by the small business and the price at which these contracts were awarded pursuant to the normal procurement procedures.

Subd. 2. [COMMISSIONER OF ECONOMIC DEVELOPMENT.] The commissioner of economic development shall submit an annual report to the governor and the legislature pursuant to section 3.195 with a copy to the commissioner of administration. This report shall include the following information:

(a) The efforts undertaken to publicize the provisions of the set-aside program during the preceding fiscal year;

(b) The efforts undertaken to identify small businesses including those owned and operated by socially or economically disadvantaged persons, and the efforts undertaken to encourage participation in the set-aside program;

(c) The efforts undertaken by the commissioner to remedy the inability of small businesses to perform on potential set-aside awards; and

(d) The commissioner's recommendations for strengthening the set-aside program and delivery of services to small businesses.

Sec. 7. The sum of \$25,000 is appropriated to the commissioner of administration for the purpose of implementing this act.

Sec. 8. This act is effective July 1, 1975, except section 3 which shall become effective January 1, 1976."

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

"A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and economic development to publicize the set-asides and assist small businesses; appropriating money."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. Nos. 1513, 1099 and 866 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1513	1459				
1099	1029				
866	1116				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1513 be amended as follows:

Page 1, after line 13, insert

*"Section 1. The legislature of the state of Minnesota finds that preservation of the quality of life in a major metropolitan city is dependent upon the maintenance, provision, and preservation of an adequate housing stock; that accomplishing this is a public purpose; that there are many housing units in the city of St. Paul that do not meet the applicable housing codes, some of which need to be destroyed, and some of which can be rehabilitated; that a need exists to replace housing which is destroyed; that a need exists for mortgage credit to be made available for new construction; that refinancing existing mortgages will allow owners of housing units which need rehabilitation to take advantage of existing rehabilitation programs; and that many owners, would-be purchasers or providers of housing units are either unable to afford mortgage credit at the market rate of interest or obtain mortgage credit because the mortgage credit market is severely restricted.*

*Sec. 2. Subdivision 1. The city of St. Paul is authorized to develop and administer a program to finance housing, located anywhere within its boundaries, for occupancy primarily by persons of low and moderate income to achieve the purpose set forth in section 1; provided that in developing this program, the city shall consider:*

*(a) the availability and affordability of other governmental programs;*

*(b) the availability and affordability of private market financing;*

*(c) whether refinancing existing mortgages will enable rehabilitation of housing units under a state or local housing rehabilitation program;*

(d) the need for rehabilitating housing units acquired from governmental bodies and agencies;

(e) the need for additional mortgage credit to encourage the purchase of rehabilitated housing units from governmental bodies and agencies; and

(f) the need for additional mortgage credit to encourage the purchase of housing units which are located on property which governmental bodies or agencies have acquired and made suitable for housing construction.

Subd. 2. The city council shall, by ordinance, promulgate regulations for this program. Loans shall not be made when the city determines that financing is otherwise available from private lenders upon terms and conditions which are affordable by the applicant, as provided by the city in its regulations.

Subd. 3. To finance the program authorized by this section, the city council of the city of St. Paul may by resolution, and without an election, authorize, issue, and sell general obligation bonds of the city in accordance with the provisions of Minnesota Statutes, Chapter 475. The total amount of all general obligation bonds outstanding for the program provided for in this section shall not exceed \$2,000,000, shall not constitute indebtedness of the city for the purpose of any statutory or charter debt limitation.

Subd. 4. In establishing the program provided for in this section, the city council shall make every effort to ensure that the revenues generated from the mortgage credit made available are sufficient to retire the bonds issued to finance the program and to provide for the administrative costs of the program.

Sec. 3. Subdivision 1. The city of St. Paul is authorized to develop and administer a program to finance housing in addition to that authorized in section 2, located anywhere within its boundaries, to achieve the purposes set forth in section 1, on such terms and conditions as it determines. The city council shall, by ordinance, promulgate regulations for this program. Loans shall not be made when the city determines that financing is otherwise available from private lenders upon terms and conditions which are affordable by the applicant, as provided by the city in its regulations.

Subd. 2. To finance the program authorized by this section, and by section 2, the city council of the city of St. Paul may by resolution, and without an election, authorize, issue, and sell revenue bonds or obligations, payable solely from revenues of the programs authorized by this act defined and pledged to their payment by such resolution.

Sec. 4. Subdivision 1. In the making or purchase of loans or other securities in furtherance of the programs authorized in sections 2 and 3, and in the issuance of revenue bonds or obligations pursuant to section 3, the city council may exercise, or may by ordinance authorize an existing agency or an agency created by such ordinance to exercise, within the corporate limits of the city, any and all of the powers which the Minnesota housing finance agency is authorized to exercise under the provisions of Minnesota Statutes, Chapter 462A.

*Subd. 2. The city council shall not amend the regulations adopted by ordinance and in effect at the time any revenue bonds or obligations authorized by this section are issued, to the detriment of the holders of such revenue bonds or obligations."*

Page 2, unparagraph lines 9 to 14

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 2, after "St. Paul;" insert "authorizing a housing finance program; providing for the issuance of general obligation and revenue bonds;"

And when so amended, H. F. No. 1513 will be identical to S. F. No. 1459 and further recommends that H. F. No. 1513 be given its second reading and substituted for S. F. No. 1459 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1099 be amended as follows:

Page 3, after line 4, insert

"Sec. 2. Minnesota Statutes 1974, Section 273.063, is amended to read:

273.063 [APPLICATION; LIMITATIONS.] The provisions of Extra Session Laws 1967, Chapter 32, Article 8, shall apply to all counties except Ramsey county. The following limitations shall apply as to the extent of the county assessors jurisdiction:

In counties *other than Hennepin* having a city of the first class, the powers and duties of the county assessor within such city shall be performed by the duly appointed city assessor. In all other cities having a population of 30,000 persons or more, according to the last preceding federal census, except in counties having a county assessor on January 1, 1967, the powers and duties of the county assessor within such cities shall be performed by the duly appointed city assessor, provided that the county assessor shall retain the supervisory duties contained in section 273.061, subdivision 8."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semi-colon insert "assessing procedures;"

Page 1, line 3, after "amending" insert "Minnesota Statutes 1974, Section 273.063; and"

And when so amended, H. F. No. 1099 will be identical to S. F. No. 1029 and further recommends that H. F. No. 1099 be given its second reading and substituted for S. F. No. 1029 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 866 be amended as follows:

Page 2, line 14, after "thereof." insert the following language:

*"At the beginning of the first payroll period after January 1, 1976, the maximum salaries of district court reporters covered by this section shall be adjusted, to reflect any cost of living changes as established by the consumer price index for urban wage earners and clerical workers published by the United States Department of Labor, Bureau of Labor Statistics, for the Minneapolis-St. Paul metropolitan area, by the percentage which such index reported for October of 1975 differs from such index for October of the previous calendar year. Such adjustment shall be applied annually thereafter."*

And when so amended, H. F. No. 866 will be identical to S. F. No. 1116 and further recommends that H. F. No. 866 be given its second reading and substituted for S. F. No. 1116 and that the Senate File be indefinitely postponed.

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

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

H. F. Nos. 745 and 596 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

<b>CALENDAR OF</b>					
<b>GENERAL ORDERS</b>		<b>ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
745	1539				
596	560				

and that the above Senate Files be indefinitely postponed.

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

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

H. F. No. 235 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

<b>CALENDAR OF</b>					
<b>GENERAL ORDERS</b>		<b>ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
235	135				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 235 be amended as follows:

Strike everything after the enacting clause and insert:

*"Section 1. Notwithstanding Laws 1974, Chapter 521, Section 33, districts qualifying for increased foundation aid calculated*

*pursuant to the provisions of Laws 1974, Chapter 521, Section 18, shall be eligible to receive such foundation aid for the 1973-74 school year.*

*Sec. 2. Notwithstanding section 124.17, subdivision 2, pupils enrolled in the Minnesota National Guard junior enlistment program shall be construed to be in attendance for purposes of computing average daily membership during any period of the regular school year, but not to include summer school, during which the pupil is attending military active duty training pursuant to that program. During that period of military active duty training, the pupil shall earn all aid for the district of residence or attendance which would be otherwise earned by his presence. This section shall expire October 1, 1975.*

*Sec. 3. [STATE AID FOR EXTRAORDINARY TAX DELINQUENCY OF INDEPENDENT SCHOOL DISTRICT NO. 272.] Subdivision 1. For any calendar year in which Independent School District No. 272 receives, in real property tax proceeds of any kind, including collections of delinquencies from previous years, resulting from levies certified pursuant to section 275.125, subdivision 2a, and its predecessor and successor general school purpose levy authorization statutes, less than 97 percent of the amount certified in October of the preceding calendar year, the school district may apply to the department of education within 30 days after the end of the calendar year and the state shall pay aid to the school district by the following February 28, in the amount by which the receipts are less than 97 percent of the amount levied.*

*Subd. 2. If the school district has previously received state aid pursuant to subdivision 1, foundation aid for the school district shall be reduced in any fiscal year which begins in a calendar year in which the school district has received more than 97 percent in real property tax proceeds as described in subdivision 1, by the amount of the excess, or the amount of state aid previously paid pursuant to subdivision 1, whichever is lesser. In the event the excess is lesser, the reduction in state aid shall be deemed to offset first the state aid that was paid earliest in time, pursuant to subdivision 1. The reduction in state aid shall be made, as equally as possible, from four aid installments beginning no earlier than February.*

*Subd. 3. Any aid so paid shall constitute an advance to the district without interest and in the fiscal year six years after the fiscal year in which state aid has been paid to the school district pursuant to subdivision 1, foundation aid for the school district shall be reduced by the amount of such state aid paid six years previous, to the extent the aid payment has not been offset by any prepayment made by the school district.*

*Subd. 4. The application, aid payments, and repayments made pursuant to this section shall be based upon the best information available, subject to correction by the department of education in the next succeeding year. The provisions of subdivision 1 shall expire June 30, 1981; but shall be effective with respect to real property taxes received in calendar year 1975 and thereafter.*

Sec. 4. Minnesota Statutes 1974, Section 3.9271, Subdivision 1, is amended to read:

3.9271 [EARLY CHILDHOOD IDENTIFICATION AND EDUCATION PROGRAMS.] Subdivision 1. For the 1974-75 1975-76 and 1976-1977 school year~~s~~ years, the council on quality education shall make grants to no fewer than ~~six~~ ten pilot early childhood identification and education programs. Early childhood identification and education programs are programs for children before kindergarten and below age six which may include the following: identification of potential barriers to learning, education of parents on child development, libraries of educational materials, family services, education for parenthood programs in secondary schools, in-center activity, home-based programs, and referral services.

Notwithstanding section 3.926, subdivision 2, every early childhood identification and education program proposal shall be submitted to the council on quality education not less than six weeks before the planned commencement of the program. These programs or grants shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area. Each pilot program shall serve one elementary school attendance area in the local school district.

The council on quality education shall prescribe the form and manner of application and shall determine the participating pilot programs. In the determination of pilot programs, programs shall be given preference for their ability to coordinate their services with existing programs and other governmental agencies. The council on quality education shall report on the programs annually to the committees on education of the senate and house of representatives.

Sec. 5. Minnesota Statutes 1974, Section 120.03, Subdivision 3, is amended to read:

Subd. 3. Every child who by reason of an emotional disturbance, or a learning disability, or a special behavior problem needs special instruction and services, but who is educable, as determined by the standards of the state board is a handicapped child.

Sec. 6. Minnesota Statutes 1974, Section 120.17, Subdivision 1, is amended to read:

120.17 [HANDICAPPED CHILDREN.] Subdivision 1. [SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE.] Every district and unorganized territory shall provide special instruction and services, either within the district or in another district, for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03, subdivisions 1, 2, and 3, and 4 after July 1, 1972 programs shall be provided either within the district or in another district for trainable mentally retarded as defined in section 120.03, subdivision 4. When the provision of instruction, training, and services may result in hardship or injury to the child, the school board may appeal the mandatory provisions of Laws 1971, Chapter 689 to the commissioner of education who shall

determine what provisions shall be made by the district for the education of the child. Through July 1, 1972 every district and unorganized territory may provide special training and services for school age residents of the district who are handicapped as set forth in section 120.03, subdivision 4. School age means the ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children handicapped as set forth in section 120.03 ; and shall not extend beyond secondary school or its equivalent. Every district and unorganized territory may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in section 120.03, subdivisions 1 to 3. A district that decides to maintain programs for trainable handicapped children is encouraged to cooperate with other districts to maintain a full sequence of programs.

*Every district may provide summer programs for handicapped children living within the district, including nonresident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 and 7. Notwithstanding subdivisions 6 and 7, the school district providing the special instruction and services shall apply for all state aid for the summer program, including special state aid pursuant to section 124.32, foundation aid and transportation aid. For the purposes of computing foundation aid for these programs, all pupils enrolled in these programs shall be construed to be residents of the district providing the programs. The unreimbursed actual cost of providing the program for nonresident handicapped children may be billed to the district of the child's residence and shall be paid by the resident district.*

Sec. 7. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 1a. School districts may provide special instruction and services through the school year in which the pupil reaches age 25 for trainable mentally retarded pupils as defined in section 120.03, subdivision 4, who have attended public school less than nine years prior to September, 1975.*

Sec. 8. Minnesota Statutes 1974, Section 120.76, is amended to read:

120.76. [POST-SECONDARY INSTRUCTIONAL PROGRAMS.] Sections 120.71 to 120.76 shall not be construed to prohibit a school board from charging reasonable fees for goods and services provided in connection with any post-secondary instructional program, including but not limited to vocational-technical, adult veterans, continuing education, and community services ; evening school and general educational development programs.

Sec. 9. Minnesota Statutes 1974, Section 120.80, Subdivision 1, is amended to read:

120.80 [EARLY GRADUATION.] Subdivision 1. Notwithstanding any law to the contrary, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to section 124.212, plus that portion of the amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under section 275.125, subdivision 3 6, ~~clause (5)~~ shall continue to be earned by the district.

Sec. 10. Minnesota Statutes 1974, Section 121.21, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of such petition, the state board shall examine the petition and any supporting evidence which it may require. The state board ~~may~~ shall conduct hearings, and may investigate school records and such other facts relating to vocational-technical training as it may deem appropriate.

Sec. 11. Minnesota Statutes 1974, Section 121.21, Subdivision 6, is amended to read:

Subd. 6. The ~~commissioner, subject to approval by the state board~~ ; for vocational education shall ~~make promulgate, pursuant to chapter 15,~~ such rules and regulations governing the operation and maintenance of schools so classified as will afford the people of the state an equal opportunity to acquire public vocational and technical education.

The rules shall provide for, but are not limited to, the following:

(a) The area to be served by each school, which may include one or more districts or parts thereof, including unorganized territory ; ;

(b) Curriculum and standards of instruction and scholarship ; ;

(c) Attendance requirements, age limits of trainees, *Minnesota non-resident attendance, tuition payments by non-residents, the determination of the actual costs of providing individual programs, and attendance for which no tuition shall be charged, all to be determined in accordance with the provisions of sections 50 to 53 of this act;*

(d) *The distribution and apportionment to the local districts of all funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of post-secondary vocational-technical education as provided by this section, shall be apportioned and distributed by the state board for vocational education to the various local school districts as additional aid for use in helping such local school districts in defraying the cost involved in maintaining and operating approved vocational training courses or departments, subject to such reasonable rules and regulations as may be prescribed by the state board for vocational education and in accordance with law and the approved state plan for vocational education ; ;*

(e) Transportation requirements and payment of aid therefor; ;

(f) Attendance by graduates of secondary schools and by adults, for which no tuition shall be charged. If no tuition is charged for such non-resident student, the district maintaining the school shall be entitled to any aid calculated on a pupil basis for such student, Payment by the state board of tuition to school districts or post-secondary vocational-technical schools in another state;

(g) General administrative matters.

Sec. 12. Minnesota Statutes 1974, Section 121.89, is amended to read:

121.89 [REIMBURSEMENT BY STATE.] Subject to the limitations imposed by section 121.87, subdivision 2, the state board of education shall reimburse each school district operating a community school program in compliance with the rules and regulations established by the state board an amount which is equal to one-half of the salary up to , but not to exceed \$5,000 , of each one community school director and or coordinator employed by the district. During the fiscal years 1972 and 1973, 1975-1976 school year, reimbursement shall be paid for no more than 67 the equivalent of 125 directors and coordinators employed during the 1974-1975 school year positions shall be subject to reimbursement , no more than one-third of which may be allocated to school districts in each one-third of the total number of school districts ranked according to size of enrollment, provided that any such positions remaining unfilled may be reallocated at the discretion of the state board. In order to insure the maximum use of school facilities and insure the efficient application of funds appropriated by Laws 1971, Chapter 900 this act , the department of education is encouraged to give priority to the funding of those community school programs which have been jointly planned and developed under the terms of a cooperative agreement or program between the school district and the park board, recreation department or other similar agency having jurisdiction within the school district.

*This section shall expire June 30, 1976.*

Sec. 13. Minnesota Statutes 1974, Section 123.80, is amended to read:

123.80 [SAFETY EDUCATION FOR TRANSPORTED STUDENTS.] *Subdivision 1.* Not later than January 1, 1975 the state board of education shall provide by rule or regulation a program of safety education for students who are transported to school. Each district receiving aid under the provisions of section 124.222 shall implement the program for the school year beginning in September 1975. In drafting said regulations, the board shall give particular attention to procedures for loading, unloading, vehicle lane crossing and emergency evacuation procedures as they affect school buses.

*Subd. 2.* Not later than January 1, 1976, the state board of education shall promulgate rules and regulations which will assure the safe and efficient transportation of handicapped pupils who

*because of their special handicapping conditions require special transportation arrangements. In drafting these regulations, the board shall give particular attention to standards for vehicles used in transporting handicapped pupils, equipment to assure the safety of these pupils, and the qualifications of the drivers and aides providing transportation services.*

Sec. 14. Minnesota Statutes 1974, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount such that the sum of the levy and attached machinery aid for capital outlay purposes calculated pursuant to section 273.138, subdivision 3, clause (1), shall not exceed \$65 the greater of \$75 per pupil unit or \$75 per 1974-1975 pupil unit or, in districts where the pupil unit count for the school year preceding the year in which the levy is certified was increased pursuant to section 124.17, subdivision 1, clause (7), \$85 per pupil unit . No levy under this section shall exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7) ) the levy under this section in the previous year and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of six mills not to exceed \$65 per pupil unit in 1974. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites , and to equip, re-equip, repair and improve buildings and permanent attached fixtures , to pay leasing fees for computers and computer services, and to pay the installation and continuing connection charges portion of telephone services . Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 15. Minnesota Statutes 1974, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated *elementary and secondary* foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be made in the following August. *Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid*

shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year. If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the commissioner of finance and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to six percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the commissioner of finance, with the six percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated *elementary and secondary* foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final *elementary and secondary* final pupil unit figures shall be made in the August payment of aids.

Sec. 16. Minnesota Statutes 1974, Section 124.14, Subdivision 1, is amended to read:

124.14 [DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.] Subdivision 1. The state board shall supervise distribution of the school aids in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids. *It shall require that the pupil unit count of a minimum of 25 school districts be audited each fiscal year. The audits shall be conducted at random throughout the state with no prior notice to any district. Disparities between pupil unit counts reported by the school districts and those found by the auditors shall be reported to the commissioner who shall order an increase or reduction of foundation aids accordingly. A reduction of foundation aid under this section may be appealed to the state board of education and its decision shall be final.* Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the state auditor, or the state board.

Sec. 17. Minnesota Statutes 1974, Section 124.14, is amended by adding a subdivision to read:

*Subd. 3. Any school district officer or employee who intention-*

*ally misrepresents a pupil unit count violates Minnesota Statutes, Section 609.43, and shall be dismissed from his position upon conviction.*

Sec. 18. Minnesota Statutes 1974, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle school~~ *any school, including middle schools and elementary schools*, shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units. *This clause shall expire June 30, 1976.*

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. *By April 1 of each year the department of public welfare is directed to furnish to the department of education, and to each school district to the extent the information pertains to it, that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.*

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~nine~~ *five* percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional ~~35/100~~ *one-tenth* of a pupil unit for each percent of concentration, over five percent of such pupils in the district. *The percent of concentration shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of concentration is less than five, no additional pupil units shall be counted under this clause for pupils from families receiving aid to dependent children or its successor program and provided further that no such pupil shall be counted as more than one and one-tenth additional pupil units pursuant to clauses (4) and (5). † for those districts where the number of such pupils is more than eight percent but not more than nine percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil*

shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighing weighting shall be in addition to the weighing weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents. *Each district receiving aids on account of both clauses (4) and (5) shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all such aids received.*

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of pupil units for the prior year minus one-third of the difference between the actual pupil units for the prior and current years.

(7) Where the actual number of pupil units has increased from the prior year by more than three percent, a number of pupil units equal to one-fourth of the difference between the units as computed in clauses (1) and (2) for the two years shall be added to the other units for the district. *In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by more than two percent, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over two percent over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than six-tenths.*

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 19. Minnesota Statutes 1974, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve, for pupils in area vocational-technical schools and for handicapped prekindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school

without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. ~~Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction.~~ *Foundation aid for shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to this section, were added to the district's total pupil units used in determining its foundation aid.* A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student. *This section of this act shall be effective July 1, 1975 as applied to shared time foundation aid and July 1, 1976 as applied to pupils in area vocational-technical schools.*

Sec. 20. Minnesota Statutes 1974, Section 124.18, Subdivision 2, is amended to read:

Subd. 2. [TUITION.] Every district which provides instruction in other districts and which receives foundation program aid, and the county which pays tuition aid shall pay to the district furnishing this elementary and secondary or area vocational-technical school instruction on account of such instruction, the actual cost thereof chargeable to maintenance exclusive of transportation costs or the legal maximum prescribed in section 124.211, subdivision 2, clause (1).

There shall also be paid for capital outlay and debt service to the district providing such instruction \$10 per pupil unit in average daily attendance membership for each non-resident pupil unit, except that every district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount per pupil unit in average daily attendance membership based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily attendance membership in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the district receiving such funds may use them for any purpose for which it is authorized to spend money, provided further that, if a district invests capital moneys to remodel existing facilities or to build new facilities for the primary purpose of providing provides instruction for nonresident handicapped and trainable children, tuition shall be as specified in Minnesota Statutes 1961, Sections

*Section 120.17 and 120.18, Subdivision 4* such district may charge and include in its tuition for capital outlay and debt service an amount per pupil unit in average daily attendance determined by dividing such expenditure over a period of years mutually agreeable to the districts concerned, and by dividing each annual amount so determined by the total number of pupil units in average daily attendance enrolled in this area of handicap instruction in the district.

Sec. 21. Minnesota Statutes 1974, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] *State Foundation aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, and (2) inter-session classes of flexible school year programs and summer school classes in elementary and secondary schools, and (3) summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school, shall be paid at a proportionate rate for foundation aids paid during for the preceding regular school term year, provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs. Payments of aid for summer classes at a proportionate rate to foundation aid pursuant to this section in 1972 and preceding years is hereby sanctioned. The provision in this section for payment of aid for summer classes at a proportionate rate to foundation aid for the preceding school year shall apply to summer classes in 1973 and subsequent years.*

Sec. 22. Minnesota Statutes 1974, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for school years ~~1973-1974~~ 1975-1976 and ~~1974-1975~~ 1976-1977 shall be governed by the terms and provisions of this section.

Sec. 23. Minnesota Statutes 1974, Section 124.212, Subdivision 2, is amended to read:

Subd. 2. Except as may otherwise be provided in this section, the following words and phrases when used in this section shall have the meanings herein ascribed to them.

(1) "Adjusted maintenance cost" means the state and local current expense for pupils in elementary and secondary schools, exclusive of transportation, veterans training program, community services, and after reduction for receipts from the sale of other authorized items sold to the individual pupil by the school such as lunches, paper, workbooks, and other materials used in the instructional program items of personal use, or other items specifically authorized by law or under the procedures set forth in sections 120.71 to 120.76, and after reduction for receipts from quasi-school activities when the school board has assumed direction and control of same. For purposes of determining the adjusted mainte-

nance costs, the state department of education shall use only figures from the annual financial reports of the districts for the prior year and any supplementary documents received by it on or before August 1 of the current year ; ~~(November 1, in 1971 only)~~ . For any district which has not transmitted to the department of education before August 1, ~~(November 1, in 1971 only)~~ its annual financial report for the prior year, the figures from the most recent financial report of that district received on or before August 1, ~~(November 1, in 1971 only)~~ shall be used for purposes of calculating its certified levy and foundation aid. ~~In calculating the adjusted maintenance cost in 1970-1971, a district may include for calculating its certified levy and foundation aid under this article salaries paid in the 1971-1972 school year which are for services rendered in 1970-1971.~~

(2) "Adjusted assessed valuation" shall mean the assessed valuation of the taxable property notwithstanding the provisions of section 275.49 of the school district as adjusted by the equalization aid review committee.

Sec. 24. Minnesota Statutes 1974, Section 124.212, Subdivision 3a, is amended to read:

Subd. 3a. Notwithstanding any of the other provisions of this section, for the ~~1973-1974~~ 1975-1976 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes ~~1971~~ 1974 , Section 275.125, Subdivision 2 2a, Clause (2) and for the ~~1974-1975~~ 1976-1977 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for ~~1973~~ 1975 by section 275.125, subdivision 2a 2b , clause (1), shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units *except units computed in section 124.17, clause (3)* . For purposes of this computation pupil units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) ~~to (3)~~ and (2) .

Sec. 25. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 6b. For the 1975-1976 school year a district shall receive in foundation aid the lesser of (1) \$890 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to Minnesota Statutes 1974, Section 124.212, Subdivision 7a, clause (2), and the greater of (a) one half of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$890, or (b) \$65, bears to \$890. This section shall not*

*be construed as in any instance authorizing the levy of total amounts of taxes for school purposes in excess of the amount allowed by law on October 15, 1974.*

Sec. 26. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid the lesser of (1) \$950 per pupil unit less 28 mills times the 1974 adjusted assessed valuation of the district or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 124.212, subdivision 6b, clause (2), and the greater of (a) two-thirds of the difference that results when such greater sum is subtracted from \$950, or (b) \$60, bears to \$950.*

Sec. 27. Minnesota Statutes 1974, Section 124.212, Subdivision 8a, is amended to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; ~~and 124.28; and~~ any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a 2b , to the total levy allowed by section 275.125, but not to exceed ~~35 45~~ percent in ~~1973-1974 1975-1976~~ and 40 50 percent in ~~1974-1975 1976-1977~~ of the previous year's payment.

Sec. 28. Minnesota Statutes 1974, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) The committee shall not increase the adjusted assessed valuation, exclusive of property valuation added, improved, reclassified, or reassessed since the prior assessment, of taxable property for 1962 or any subsequent year in any school district by more than eight percent over the certified valuation established for the year immediately preceding.

~~(b) Whenever the adjusted assessed valuation of any district is more than eight percent less than the adjusted assessed valuation of the preceding year, the state board of education may, upon application by the district prior to June 30 of such school year, authorize payment of additional foundation aid in the August adjustment following such school year in the amount of 30 mills times the difference in the said two successive adjusted assessed valuations.~~

~~(c) (b) The sales ratio studies, or any part thereof, or any copy of the same, or records accumulated in preparation thereof, which are prepared by the commissioner of revenue for the equalization~~

aid review committee for use in determining school aids pursuant to this section shall not be admissible in evidence in any proceeding, except actions for review of the determination of the school aids payable under this section.

Sec. 29. Minnesota Statutes 1974, Section 124.222, Subdivision 1, is amended to read:

124.222 [TRANSPORTATION AID ENTITLEMENT.] Subdivision 1. [COMPUTATION.] For the 1974-1975 *each* school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either

(a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year *in which payment is made* times the number of eligible pupils transported during the 1975 fiscal year *in which payment is made* ; or

(b) ~~115~~ 110 percent of the actual net operating cost per eligible pupil transported during the *fiscal year ending June 30, 1973 two years prior to the end of the fiscal year in which payment is made* , times the number of eligible pupils transported during the 1975 fiscal year *in which payment is made* ;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in *the calendar year 1974 of the beginning of the fiscal year* ;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ~~ten~~  $12\frac{1}{2}$  percent per year of the net cost of the fleet. *The cost of all equipment added to or installed in a school bus specifically to meet special needs of handicapped individuals shall be added to the remaining undepreciated value of that bus and depreciated over the remainder of the depreciation term for that bus.*

Sec. 30. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

*Subd. 2a. In addition to the amounts authorized in subdivision 1, if the actual net operating cost per eligible handicapped pupil transported during the fiscal year in which payment is made exceeds 120 percent of the actual net operating cost per eligible handicapped pupil transported during the fiscal year ending two years prior to the end of the fiscal year in which payment is made, the state shall pay to the district all costs for handicapped transportation in excess of this 120 percent. Transportation aid for handicapped pupils shall not be computed on an average daily attendance basis.*

Sec. 31. Minnesota Statutes 1974, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible

school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year. *For the purposes of subdivisions 1 and 2a, the fiscal year in which payment is made shall be the fiscal year in which the September, December, and March payments are made.*

Sec. 32. Minnesota Statutes 1974, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 \$1,000,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;

(2) Transportation to *and from* or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to *and from* a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to *and from* a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

(5) Transportation of resident handicapped persons who fulfill the eligibility requirements of section 252.23(1) to *and from* licensed daytime activity centers attended by these persons;

(6) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(7) *Transportation from one educational facility to another within the district for resident pupils enrolled on a shared time basis in educational programs approved by the commissioner of education;*

~~(7)~~ (8) Services described in clauses (1) to ~~(6)~~ (7) when provided in conjunction with a state board approved summer school program.

Sec. 33. Minnesota Statutes 1974, Section 124.26, is amended to read:

124.26 [EDUCATION PROGRAMS FOR ADULTS.] *Subdivision 1.* For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. *Beginning July 1, 1975, the state shall not reimburse expenditures from the 1974-1975 school year programs, but shall pay aids for the 1975-1976 school year programs and for each year thereafter on a current funding basis.* The portion of such compensation from state appropriation shall ~~not exceed three-fourths~~ *be 100 percent* of the compensation paid each teacher for his services in such programs up to ~~\$5,300~~ *\$8,000* per year based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section; ~~but this and there shall not preclude charging a reasonable be no charge for registration, fee and charging for necessary materials and supplies, or G.E.D. tests.~~ Evening school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

*Subd. 2.* Each district providing evening school and continuing education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these programs. All aid received pursuant to this section shall be utilized solely for the purposes of evening school and continuing education programs. In no case shall a district pursuant to this section receive more than the actual cost of providing these programs.

*Subd. 3.* The state department of education shall reimburse each G.E.D. testing center the sum of \$10 for each battery of G.E.D. tests or \$2 for each individual test administered by that center.

Sec. 34. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.271] [COMMUNITY SCHOOL PROGRAMS AID.] *Subdivision 1.* In fiscal year 1977 and each year thereafter, the state shall pay to each qualifying district the greater of either

(a) an amount equal to 50 cents for each \$2 certified to be levied for that year by a qualifying district pursuant to section 275.125, subdivision 7; or

(b) an amount which is equal to 50 percent of the current salary, but not to exceed \$5,000, of one community school director or coordinator employed by a school district operating a com-

*munity school program in compliance with the rules and regulations established by the state board of education.*

*Subd. 2. In fiscal year 1977, the state shall not reimburse school districts for past expenditures for salaries of community school directors and coordinators employed by the districts in the 1975-76 school year.*

*Subd. 3. Each district providing community school programs pursuant to sections 121.85 to 121.88 shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these community school programs. All funds received pursuant to this section and to the levy authorized in section 275.125, subdivision 7, shall be utilized solely for the purposes of community school programs.*

*Subd. 4. All community school programs aid shall be distributed by the state aids, statistics and research section of the state department of education. Aid shall be distributed prior to November 1, 1976 and each year thereafter.*

Sec. 35. Minnesota Statutes 1974, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, ~~60~~ 70 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,600~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, ~~60~~ 70 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,600~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 36. Minnesota Statutes 1974, Section 124.32, is amended by adding a subdivision to read:

*Subd. 3a. The purpose of this subdivision is to change the method of funding of educational programs for handicapped children from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1976, the state shall not reimburse expenditures from the 1975-76 school year programs, including 1976 summer school programs, but shall pay aids for the 1976-77 school year programs and for each year thereafter on a current funding basis.*

Sec. 37. Minnesota Statutes 1974, Section 124.32, Subdivision 5, is amended to read:

*Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational pro-*

gram is approved by the commissioner, the state shall pay to the resident district not to exceed 60 70 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. ~~Not more than \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.~~

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 38. Minnesota Statutes 1974, Section 124.38, Subdivision 4, is amended to read:

Subd. 4. "~~Sinking~~ Debt service fund" means the aggregate of all funds maintained by a district which are appropriated to payment of principal of and interest on its debts as required by Minnesota Statutes, Chapter 475.

Sec. 39. Minnesota Statutes 1974, Section 124.38, Subdivision 5, is amended to read:

Subd. 5. "Debt service levy" means the levy for all ~~sinking debt service~~ fund purposes in accordance with Minnesota Statutes, Chapter 475.

Sec. 40. Minnesota Statutes 1974, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. "Maximum effort debt service levy" means a levy in a total dollar amount computed as ~~2-1~~ 20 mills on the ~~market adjusted assessed~~ value; except that the maximum effort debt service levy of any school district having received a debt service or capital loan from the state before January 1, 1965, shall be computed as ~~1-30~~ ~~2/3~~ 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, shall be computed as 5½ mills on the market value in each year, until and unless the district receives an additional loan; and except that the maximum effort debt service loan of any school district granted a debt service or capital loan between July 1, 1969 and July 1, 1975 shall be computed as 6.3 mills on market value on each year until and unless the district has received an additional loan.

Sec. 41. Minnesota Statutes 1974, Section 124.38, Subdivision 8, is amended to read:

Subd. 8. *“Adjusted assessed valuation” means, as of any date, the valuation of all taxable property most recently determined by the equalization aid review committee in accordance with the provisions of 124.212. “Market value” means the value of all taxable property in the district on which its net debt limit is based as provided in section 475.53, subdivision 4.*

Sec. 42. Minnesota Statutes 1974, Section 124.42, Subdivision 1, is amended to read:

124.42 [DEBT SERVICE LOANS.] Subdivision 1. Any school district in which the required levy for debt service in any year will exceed its maximum effort debt service levy by ten percent or by \$5,000, whichever is less, is qualified for a debt service loan hereunder in an amount not exceeding the amount applied for, and not exceeding one percent of the sum of the net debt of the district and the aggregate amount of all state loans to the district outstanding on the date granted, and not exceeding the difference between the required and the maximum effort debt service levy in such year. Applications shall be filed with the committee in each calendar year up to and including September 15. The committee shall determine whether the applicant is entitled to such loan and the amount thereof, and on or before October 1 shall certify to each applicant district the amount granted and its due date. A copy of each such certificate shall be filed with the commissioner. Upon receipt by the commissioner of a copy of the committee's certificate that the loan is granted, the commissioner shall notify the county auditor or county auditors in which the district is located that the amount so certified is available and appropriated for payment of principal and interest on its outstanding bonds and such auditors shall reduce by that amount the taxes otherwise leviable as the district's debt service levy on the tax rolls for such year, which taxes shall nevertheless be increased by the amount necessary to pay interest on this and any other state loans, as herein provided. Each debt service loan shall be for a term of 30 years, prepayable at par at any time, and shall bear interest from its date at a rate determined by the commissioner of finance, not less annually, at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district from time to time outstanding, but in no event less than 3½ percent per annum on the principal amount from time to time remaining unpaid, payable on December 15 of the year next following that in which the loan is received and annually thereafter.

Sec. 43. Minnesota Statutes 1974, Section 124.42, Subdivision 2, is amended to read:

Subd. 2. Each debt service loan shall be evidenced by a note which shall be executed in behalf of the district by the signatures of its chairman or vice chairman and the school district clerk, shall be dated November 1 of the year in which executed, and shall

state its principal amount, ~~due date,~~ interest rate, and that it is payable at the commissioner's office. It shall have printed thereon, or the commissioner shall attach thereto, a grill for entry of the date and amount of each payment and allocations of each payment to accrued interest or principal, and a certificate to be executed by the county auditor of each county in which any portion of the school district is situated, prior to the delivery of the note, stating that such county auditor has entered the debt service loan evidenced thereby in his bond register. Such notes shall be delivered to the committee not later than November 15 of the year in which executed. The secretary shall cause a record to be made and preserved showing the obligor district and the date ; *and* principal amount ; *and* due date of each note, and shall then deliver it to the commissioner who shall make suitable record thereof.

Sec. 44. Minnesota Statutes 1974, Section 124.42, Subdivision 4, is amended to read:

Subd. 4. Each district receiving a debt service loan shall levy ~~in that year for debt service its required debt service levy as reduced by the amount of the loan in that year and each year thereafter in which it shall not have received a debt service loan~~, until all its debts to the fund are paid, ~~the district is hereby obligated to levy for debt service~~ (a) the amount of its maximum effort debt service levy, or (b) the amount of its required debt service levy *less the amount of any debt service loan in that year*, whichever is greater. Whenever the maximum effort debt service levy is greater the district shall remit to the commissioner, within ten days after its receipt of the last regular tax distribution in the year in which it is collected, that portion of the *maximum effort* debt service tax collections, including penalties and interest, which ~~exceeded exceeds~~ the principal and interest payable on its bonded debt in the period for which the levy was made *required debt service levy*. In addition to the foregoing, the district shall levy in each year, commencing in the year a debt service loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its debt service note, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all debt service notes and capital loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan.

Sec. 45. Minnesota Statutes 1974, Section 124.43, Subdivision 1, is amended to read:

124.43 [CAPITAL LOANS.] Subdivision 1. To the extent moneys are from time to time available hereunder, the committee is authorized, *after review and recommendation by the state board of education*, to effect capital loans to school districts. Proceeds of such loans shall be used only for sites for school houses *buildings* and for acquiring, bettering, furnishing, or equipping school houses *buildings* under contracts to be entered into within 12 months from and after the date on which each loan is granted. Applications with the accompanying data specified in subdivision 2 shall be filed between October 1 of any year and June 1 next following. *No application shall be approved unless the state board of education certifies that the loan is needed to replace facilities dangerous to the health and safety of pupils, or to provide for pupils for whom no adequate facilities exist; that such facilities could not be made available by consolidating the district with an adjacent district without substantially lowering the fiscal capacity of that district or so increasing its area that it would no longer be viable; and that existing institutions or facilities within the area could not be acquired or leased to provide the needed facilities safely and at a lower cost. The state board shall make recommendations to the committee.* No loan shall be approved for any district exceeding an amount computed as follows:

(1) The amount voted by the district under subdivision 2;

(2) Plus the aggregate principal amount of general obligation bonds of the district outstanding on the date of approval, not exceeding the limitation on net debt of the district in section 475.53, subdivision 4;

(3) Less the maximum net debt permissible for the district on the date of approval, under the limitation in section 475.53, subdivision 4; and

(4) Less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted, as estimated in accordance with subdivision 4, provided that the loan may be approved in an amount computed as provided in clauses (1) to (3), subject to subsequent reduction in accordance with this clause (4).

Sec. 46. Minnesota Statutes 1974, Section 124.43, Subdivision 2, is amended to read:

Subd. 2. The school board of any district desiring a loan shall adopt a resolution stating the amount proposed to be borrowed, the purpose for which the debt is to be incurred, and an estimate of the dates when the facilities for which the loan is requested will be contracted for and completed. The question of authorizing the borrowing shall then be submitted to the voters of the district at a regular or special election. The question submitted shall state the entire amount to be borrowed and that application will be made for a loan from the maximum effort school loan fund of such amount as may be available and allowable to the district and the remainder will be borrowed on bonds sold at a public sale within the limitations prescribed by law. A majority of those voting on the question shall be sufficient to authorize the district to effect

the state loan and also to issue the bonds on public sale in accordance with chapter 475. Applications for loans shall be accompanied by (a) a copy of such resolution, (b) a certificate by the clerk showing the vote at the election, (c) a certificate by the clerk and treasurer showing the then outstanding indebtedness of the district, and (d) a certificate by the county auditor of each county in which a portion of the district lies showing the information in his official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4. The clerk's and treasurer's certificate shall show, as to each outstanding bond issue, the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution, and the interest rates and due dates and amounts of principal thereon. Applications shall be in such form and accompanied by such additional data as the committee *and state board of education* shall prescribe, which may include a statement from the state department of education as to the district's need of the proposed schoolhouses in comparison with needs of other districts. When an application is received, the committee shall obtain from the commissioner of revenue, and from the public service commission when required, the information in their official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4.

Sec. 47. Minnesota Statutes 1974, Section 124.43, Subdivision 3, is amended to read:

Subd. 3. The committee shall examine and consider all applications for capital loans *which have been recommended by the state board of education*, and if any applicant district is found not qualified it shall be promptly notified thereof. On January 1 and July 1 of each year, the committee shall make its determination on all pending applications which have been on file with it more than one month. If an applicant is qualified in the opinion of the committee and the aggregate of the amounts applied for does not exceed the amount available or which can be made available in the capital loan account, all loans so applied for shall be granted, subject to acceptance by the respective districts as specified below. If the aggregate exceeds the amount which is or can be made available, the committee shall allot the available amount among the qualified applicant districts, or any of them, according to the committee's judgment and discretion based upon their respective needs. The committee shall promptly certify to each qualified applicant district the amount, if any, of the capital loan granted to it, subject to adjustment under subdivision 1, clause (4).

Sec. 48. Minnesota Statutes 1974, Section 124.43, Subdivision 4, is amended to read:

Subd. 4. Each capital loan shall be for a ~~term~~ of 30 years and evidenced by a contract between the school district and the state acting through the committee. It shall obligate the state to pay to the district, out of the maximum effort school loan fund, an amount computed as provided in subdivision 1, upon receipt by the committee of a certified resolution of the school board reciting

that contracts for construction of the facilities for which the loan is granted have been awarded and that bonds of the district have been issued and sold in the amount necessary to pay all costs thereof in excess of the amount of the loan, and estimating such costs. It shall obligate the district ~~on its full faith and credit~~ to repay the ~~entire principal of the state~~ loan out of the excesses of its maximum effort debt service levy over its required debt service levy, ~~and also to pay including interest at a rate determined annually by the commissioner of finance, not less at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district,~~ but in no event less than  $3\frac{1}{2}$  percent per annum on the principal amount from time to time unpaid. The district shall each year, as long as it is indebted to the state, levy for debt service (a) the amount of its maximum effort debt service levy or (b) the amount of its required debt service levy, whichever is greater, except as such required debt service levy may be reduced by a loan under section 124.42. Whenever the maximum effort debt service levy is greater, the district shall remit to the commissioner within ten days after its receipt of the last regular tax distribution in each year, that portion of the debt service tax collections, including penalties and interest, which exceeded the required debt service levy. The commissioner shall supervise the collection of outstanding accounts due the fund and may, by notice to the proper county auditor require the maximum levy to be made as required hereunder. Interest on capital loans shall be paid on December 15 of the year next following that in which the loan is granted and annually thereafter. ~~In addition to the levies otherwise required by this subdivision, the district shall levy in each year, commencing in the year a capital loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its capital loan contract, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all capital and debt service loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan. In the event that any capital loan is not paid within 30 years after it is granted from maximum effort debt service levies in excess of required debt service levies, the liability of the school district thereon shall be satisfied and discharged and interest thereon shall cease. After a district's capital loan has been outstanding for 20 years, the district shall not issue bonds on the public market except for the purpose of refunding such a loan.~~

Sec. 49. Minnesota Statutes 1974, Section 124.45, is amended to read:

124.45 [APPLICATIONS OF PAYMENT.] The commissioner shall apply payments received from *collections of maximum effort debt service levies in excess of required debt service levies of a district on its debt service notes and capital loan contracts as follows: First, to payment of interest accrued on its notes, if any; second, to interest on its contracts, if any; third, toward principal on of its notes, if any; and last, toward payment of principal of its contracts, if any. While more than one note or more than one contract is held, priority of application payment of interest shall be given to the one of earliest date of the instrument, and after interest accrued on all notes is paid, similar priority shall be given in the application of any remaining amount to the payment of principal. In any year when the receipts from a district are not sufficient to pay the interest accrued on any of its notes or contracts, the deficiency shall be added to the principal, and the commissioner shall notify the district and each county auditor concerned of the new amount of principal of the note or contract.*

Sec. 50. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.561] [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] *Subdivision 1. [PURPOSE.] The purpose of sections 50 to 53 of this act is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.*

*Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. Beginning July 1, 1976, all post-secondary vocational foundation aid and post-secondary vocational categorical aid shall be paid for the current fiscal year in accordance with sections 51 and 52 of this act.*

*Subd. 3. [BUDGETS.] Before January 1, 1976, and before January 1 of each year thereafter post-secondary vocational-technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve the state and federal portion of the budgets for each district at a consolidated public hearing held pursuant to Minnesota Statutes, Chapter 15, which shall be held prior to May 15 of each year and which shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. The total amount of reimbursement payments approved for fiscal year 1975 payable in fiscal year 1976 shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for payment in fiscal year 1975. No district shall increase its indebtedness during fiscal year 1976 or any year thereafter unless authorized to do so by the state board for vocational education. Any such increase in indebtedness shall be the sole responsibility of the school district and the state shall have no responsibility or liability for any such indebtedness. The state board for vocational education shall before January 1, 1975*

*promulgate rules and regulations which establish the approval criteria for budgets, including responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which area vocational-technical institutes shall submit financial requests.*

*Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational-technical education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1975 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before September 1, 1975 and September 1 of each year thereafter.*

Sec. 51. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.562] [POST-SECONDARY VOCATIONAL FOUNDATION AID.] *Subdivision 1. For the 1976-77 school year a district shall receive post-secondary vocational foundation aid in the amount of \$2,500 times the number of Minnesota resident post-secondary vocational-technical pupils in average daily membership, as defined in subdivision 3, less any amounts received as tuition for Minnesota resident post-secondary vocational-technical pupils.*

*Subd. 2. If the sum of the post-secondary vocational foundation aid to a district plus the amount raised by the levy allowable in Minnesota Statutes, Section 275.125, Subdivision 12, exceeds the sum of (1) the total allowable expenditures for the district as approved by the state board for vocational education, (2) debt service, and (3) fixed costs, the post-secondary vocational foundation aid shall be reduced by the amount of the excess.*

*Subd. 3. Membership for pupils in post-secondary vocational-technical schools shall mean the number of Minnesota resident pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Average daily membership shall equal the sum for all Minnesota resident pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in a district divided by 175. Average daily membership for pupils who are enrolled on a part time basis, but not including adult vocational pupils, shall equal (a) the sum for all Minnesota resident pupils of the number of days of the school year each pupil is enrolled in a*

*post-secondary vocational-technical school in the district times the number of hours per day each student is enrolled divided by the number of hours the school is in session per day (b) divided by 175. For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by Minnesota Statutes, Section 124.19, Subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs to meet individual student needs.*

*Subd. 4. All funds, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. All post-secondary vocational foundation and categorical aids shall be paid to the school district where the pupil is in attendance.*

*Subd. 5. Each district providing post-secondary vocational-technical education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs. All post-secondary vocational foundation and categorical aids and all funds received pursuant to the levy authorized by Minnesota Statutes, Section 275.125, Subdivision 12, shall be utilized solely for the purposes of post-secondary vocational-technical education programs.*

*Subd. 6. The provisions of Minnesota Statutes, Section 124.212, Subdivisions 10 to 18, shall apply to this section.*

*Subd. 7. None of the provisions of Minnesota Statutes, Chapter 16, shall apply to appropriations enacted to carry out the provisions of this section.*

*Subd. 8. This section shall be effective July 1, 1976.*

*Sec. 52. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:*

**[124.563] [POST-SECONDARY VOCATIONAL CATEGORICAL AID.]** *Subdivision 1. "Post-secondary vocational categorical aid" means all state and federal funds, exclusive of post-secondary vocational foundation aid, apportioned by the state board for vocational education to local school districts for the purpose of assisting in the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational categorical aid unless it has certified the maximum levy permitted it by section 275.125, subdivision 12. In the apportionment of this aid, priority shall be given to districts conducting high cost programs which require funds in addition to the post-secondary vocational foundation aid provided.*

*Subd. 2. Post-secondary vocational categorical aid shall be apportioned by the state board for vocational education at a consol-*

idated public hearing held pursuant to Minnesota Statutes, Chapter 15. One such public hearing shall be held in February and one in August of each year. All aid approved at the public hearings shall be distributed to the districts on March 15 and September 15 of each year. On the date of each post-secondary vocational categorical aid payment, the state board shall report to the appropriate committees of the legislature on the distribution of post-secondary vocational categorical aid. The report shall include (a) the recipients of the aid; (b) the amounts distributed; and (c) the reasons for these distributions.

*Subd. 3. Sixteen and two-thirds percent of all discretionary federal money received by the state for vocational education shall be distributed to local school districts as post-secondary vocational categorical aid for the purpose of assisting in the conduct of post-secondary vocational-technical training.*

*Subd. 4. This section shall be effective July 1, 1976.*

Sec. 53. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.564] [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] *Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school without tuition, provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.*

*Subd. 2. Any person who has attained his 21st birthday and who would, but for that fact, qualify under subdivision 1 to attend a post-secondary vocational-technical school without tuition, may attend the school without tuition subject to the other provisions of this subdivision, if he entered active military service in any branch of the armed forces of the United States before his 21st birthday, and who has then been separated or discharged from active military service under conditions other than dishonorable, and if he applies for admission to the school before his 29th birthday. Time after separation or discharge from military service spent as an inpatient in a hospital or similar institution for treatment of an illness or disability or in recovery from an illness or disability that prevents gainful occupation or study shall be added to the time allowed for application.*

*Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil who does not come within the exemptions provided in subdivisions 1 and 2, shall be \$2 per day for each school day the pupil is enrolled.*

*Subd. 4. Unless covered by a higher education reciprocity agreement relating to nonresident tuition, entered into by the Minnesota higher education coordinating commission and approved by the state board for vocational education, tuition at a post-secondary vocational-technical school for a pupil who is not a resident of Minnesota shall be \$6 per day for each school day the pupil is enrolled.*

*Subd. 5. The state board for vocational education may pay a school district or post-secondary vocational-technical school in another state for tuition charges for Minnesota pupils who meet the qualifications of subdivisions 1 and 2 and who are enrolled in post-secondary vocational-technical schools in that state. This payment may not exceed the amount specified for post-secondary vocational foundation aid in section 51 of this act. This subdivision shall expire June 30, 1976.*

Sec. 54. Minnesota Statutes 1974, Section 124.57, is amended to read:

124.57 [AID FOR VOCATIONAL EDUCATION.] Whenever any district shall have established a vocational school, department, or classes in accordance with the rules and regulations established by the state board adopted by that board, and the plan for vocational education, and approved by the United States office of education or other federal agency to which its functions are assigned, the state board shall reimburse such district or state tax supported institution for its expenditures for salaries and necessary travel of vocational teachers or other reimbursable expenditures from federal funds and may supplement such federal funds with such state aid as it may deem desirable under such rules as it may adopt, provided, however, that in the event of such funds not being sufficient to make such reimbursement in full, the state board shall prorate the respective amounts available to the various districts entitled to receive reimbursement. All instruction may be given at the place of the abode of the pupils, and adults may be given instruction in adjoining or nearby districts.

In like manner the state board shall have power to reimburse other governmental agencies for expenditures for salaries and necessary travel expenses of vocational teachers from federal funds, according to rules and regulations adopted by the state board.

When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

*Sixteen and two-thirds percent of all discretionary federal money received by the state for vocational education shall be distributed under this section as aid to local school districts for secondary vocational education programs. Sixteen and two-thirds percent of all discretionary federal money received by the state for vocational education shall be distributed under this section as aid to local school districts for adult vocational education programs.*

*This section shall apply only to secondary and adult vocational education programs. Sections 50 to 53 of this act shall not apply to secondary and adult vocational education programs. This section of this act shall be effective July 1, 1976.*

Sec. 55. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.807] [DECREASED ASSESSED VALUATION.] *If in any year the assessed value of any district is less than the assessed value of the immediate preceding year, the equalization aid review committee shall, upon notification by the county assessor prior to October 16 of that assessment year, redetermine the adjusted assessed value of the immediate preceding year taking into account the decrease in assessed value. On or before November 1 of the assessment year, the equalization aid review committee shall file the redetermined adjusted assessed value with the commissioner of education who shall thereupon certify to the county auditors and school districts affected the appropriate levy limits of the school districts affected pursuant to section 275.125, subdivision 9. Notwithstanding section 275.07, the districts affected may certify the taxes voted to the county auditor on or before December 1.*

Sec. 56. Minnesota Statutes 1974, Section 128.04, is amended to read:

128.04 [DUTIES OF BOARD.] It shall be the duty of the board to furnish school facilities to every child of school age residing in any part of the county district, either by building school houses, leasing schoolrooms, transporting the children to the nearest school, boarding the children within convenient distance of school at the expense of the board, or otherwise, and to provide necessary supplies and text and library books.

The annual meeting as held in ~~ten or more townships independent~~ districts need not be held, but the clerk of the board shall publish once in a legal newspaper published in the county the annual report required by law to be made by the district treasurer.

When not otherwise provided in sections 128.01 to 128.06, the school board of any such county district shall have and exercise all of the powers and be subject to the same laws and regulations as boards of ~~ten or more townships independent~~ districts, and all laws applicable to ~~ten or more townships independent~~ districts; and all laws applicable to state aid for equalizing educational opportunities in unorganized territory shall apply to the county district including Laws 1921, Chapter 467.

Sec. 57. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

*Subd. 2b. (1) In 1975, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1974 adjusted assessed valuation of the district times the number of mills, not to exceed 28, that bears the same relation to 28, as the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), bears to \$950.*

*(2) In 1976, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1975 adjusted assessed valuation of the district times the number of mills, not to exceed 28, that bears the same relation to 28, as the*

sum of the greater sum computed pursuant to section 124.212, subdivision 7b, clause (2), and the greater of (a) two thirds of the difference that results when such greater sum is subtracted from \$1010, or (b) \$60, bears to \$1010.

(3) For any district levying less than the maximum levy allowable in clauses (1) and (2) of this subdivision, beginning with the levy certified in 1975, payable in 1976, the foundation aid to that district, calculated pursuant to section 124.212, shall be reduced by the amount of the difference between the actual levy and the maximum levy allowable under clauses (1) and (2).

(4) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 58. Minnesota Statutes 1974, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a 2b , a qualifying district may levy additional amounts as follows: provided in subdivisions 4 to 13 of this section.

(1) Subd. 4. The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision section 275.125, subdivision 3, as it read on January 1, 1975 , and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 , and the amount authorized for liabilities of dissolved districts pursuant to section 122.45 and the amounts necessary to pay the district's obligations under section 268.06, subdivision 25 .

(2) *Subd. 5.* For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that . A district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation; and provided further that beginning with the levy certified in 1974, a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid because of extraordinary traffic hazards but for which no state aid is receivable for the current fiscal year pursuant to section 124.223, clause (1).

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the adjusted assessed valuation of the district shall be allowed to levy 1.0 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) *Subd. 6.* For the 1974 levy, collectible in 1975, In 1975 and each year thereafter, any district, other than a district with boundaries coterminous with the boundaries of a city of the first class, in which the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership was greater than \$663 per pupil unit, may levy the greater of (1) an amount per pupil unit which is equal to or less than the difference between the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership and \$663 per pupil unit, reduced by two and one-half percent each year or (2) an amount which is equal to or less than that amount raised by the number of EARC mills levied in 1974 pursuant to Minnesota Statutes 1974, Section 275.125, Subdi-

vision 3, Clause (5), reduced by two and one-half percent each year, times the adjusted assessed valuation of the taxable property in the district for the preceding year. No district may levy under this clause an amount which exceeds the sum of the levy permitted under section 275.125, subdivision 3 (3) and the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year. Provided, however, that a district with boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy 2.0 mills.

(6) For districts in cities of the first class, maintaining post-secondary vocational schools, one half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by those laws, as amended.

(7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its cost in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district

as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) *Subd. 7.* In 1973 1975, and each year thereafter, for a district which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, an amount of money raised by the greater of (A) \$1 \$2 per capita, or (B) the number of mills not to exceed the number of mills necessary in 1973 1975 to raise \$1 \$2 per capita in 1973 1975 for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.

*A school district shall be authorized to make this additional levy only after it has filed a certificate of compliance with the commissioner of education, certifying that members of the school board have met with members of the governing bodies of the county and city or township in which the school district, or any part thereof, is located, in order to discuss methods of increasing mutual cooperation between such bodies.*

The population of the district for purposes of this clause is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

(9) *Subd. 8.* Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, shall reduce the permissible levies authorized by this subdivision subdivisions 3 to 13 of this section by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) *Subd. 9.* The commissioner shall certify to the county auditors the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 14 as well as adjustments to final pupil unit counts.

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

The county auditor shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in

excess levies may at the discretion of the school district be spread over not to exceed two calendar years.

(11) *Subd. 10.* The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

(12) *Subd. 11.* When a district finds it economically advantageous to rent or lease existing school buildings for instructional purposes, and the proceeds of the levy permitted under section 124.04 are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building for approved purposes.

Sec. 59. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

*Subd. 12. Districts maintaining a post-secondary vocational-technical school shall levy for post-secondary vocational-technical purposes as follows:*

(1) *For districts in cities of the first class, a minimum of one-half mill up to a maximum of two mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

(2) *For districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060 as amended, a*

*minimum of one-half mill up to a maximum of two mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

*(3) For other districts maintaining post-secondary vocational schools, a minimum of one mill up to a maximum of three mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

Sec. 60. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

*Subd. 13. Districts maintaining a post-secondary vocational-technical school may levy additional amounts as follows:*

*(1) A district maintaining a post-secondary vocational-technical school shall assume responsibility for a local share of the district post-secondary vocational deficit. The local share shall be 30 percent of the district post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education pursuant to section 50, subdivision 4 of this act, for post-secondary vocational-technical schools established prior to December, 1971. For post-secondary vocational-technical schools established subsequent to November, 1971, the local share of the district post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner, shall be 15 percent.*

*(2) For the purpose of eliminating the local share of its post-secondary vocational deficit, a district may petition the commissioner of education for authority to make an additional levy. Before such a levy can be made, it must be approved by the commissioner. The approval shall specify the years in which the additional levy may be made and shall specify its dollar amount. No levy so approved shall be made in more than four successive years, beginning with the levy certified in 1975, and shall not annually exceed .25 mills in a district in a city of the first class, 1.5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or three mills in any other district maintaining a post-secondary vocational-technical school times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee. Under no circumstances may a district, other than a district with a post-secondary vocational-technical school established subsequent to November, 1971, levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education. Under no circumstances may a district with a post-secondary vocational-technical school established subsequent to November, 1971 levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner of education.*

*(3) If the additional levy allowed in clause (2) of this subdivision would be insufficient to eliminate the local share of the*

*district's post-secondary vocational deficit as of July 1, 1975, or as of July 1, 1976 in the case of a district with a post-secondary vocational-technical school established subsequent to November, 1971, as certified to the commissioner of education, it may petition the commissioner of education for authority to issue general obligation bonds in an amount sufficient to meet the deficiency. Before the bonds may be issued, they must be authorized by the commissioner. The authorization shall specify a term not to exceed seven years and the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not annually exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or six mills in any other district maintaining a post-secondary vocational-technical school times the 1973 adjusted assessed valuation of the district as determined by the equalization aid review committee; provided, however, that the mill limitation is subject to the provisions of Minnesota Statutes, Section 475.74. The bonds authorized by this section shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as otherwise provided herein. The bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.*

(4) A district may not be authorized an additional levy under both clauses (2) and (3) of this subdivision.

(5) The state shall assume responsibility for 70 percent of a district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education, for post-secondary vocational-technical schools established prior to December, 1971. The state shall assume 85 percent of a district's post-secondary vocational deficit as of July 1, 1976, as certified to the commissioner of education, for post-secondary vocational-technical schools established subsequent to November, 1971. The state portion of the deficit shall be paid to each district in fiscal years 1977 and 1978 in two equal payments, provided that the levy for the district's portion of the deficit has been approved by the commissioner and the required portion for the 1975 levy has been certified to the county auditor.

Sec. 61. Minnesota Statutes 1974, Section 275.125, Subdivision 4, is amended to read:

Subd. 4 14 . Any district which in any year levies an amount which is greater than the amount allowed by subdivisions 2 2b and 3 to 13 , shall lose an amount of state foundation aid equal to one-half of the excess in the levy, provided that any levy which is found to be excessive as a result of a decision of the tax court or a redetermination by the equalization aid review committee under section 124.212, subdivisions 11 to 20, shall not be compensated for in the next levy of the district. The amount of aid lost shall be deducted from the aid which would otherwise have been received for the school year which commences in the calendar year during which the excessive levy is being collected. Any foundation aid so

withheld shall be withheld in accordance with the procedures specified in section 124.15. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31, Article 20 shall be reviewed, and may be modified, by the appropriate authority of the district for the purpose of reducing such levy to conform to the limitation imposed by Extra Session Laws 1971, Chapter 31, Article 20. Any reduction in such levy made prior to December 15, 1971 shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy.

Sec. 62. Minnesota Statutes 1974, Section 275.125, Subdivision 5, is amended to read:

Subd. 5 15 . For the purposes of this section, the number ~~by~~ of pupil units in average daily membership shall be computed in accordance with section 124.17, provided that the district may use an estimated average daily membership for the current school year. Any district which increased its pupil units, exclusive of consolidation, or merger of districts, or change of definition of pupil units by more than five percent from one year to another may use an estimated pupil unit count for the next succeeding school year for determining a levy certified in the current year. If as a result of such estimate the levy is different from the amount that could actually have been levied under this section had such levy been based upon the pupil units computed under section 124.17 for that school year, then in that event the authorized levy for the following year shall be adjusted for the difference.

Sec. 63. Minnesota Statutes 1974, Section 275.125, Subdivision 6, is amended to read:

Subd. 6 16 . Notwithstanding any other charter provision, general or special laws to the contrary, every school district in the state shall abide by the terms and provisions of this section.

Sec. 64. Minnesota Statutes 1974, Section 275.125, Subdivision 7, is amended to read:

Subd. 7 17 . By November 1 of each year each district shall submit to the commissioner of education a certificate of compliance with the levy limitations of this section. The commissioner of education shall prescribe the form of this certificate.

Sec. 65. Minnesota Statutes 1974, Section 275.48, is amended to read:

275.48 [ADDITIONAL TAX LEVIES IN CERTAIN MUNICIPALITIES.] Whenever *by virtue of chapter 278, sections 270.07, 375.192, or otherwise*, the assessed valuation of any city, township or school district for any taxable year is reduced after the taxes for such year have been spread by the county auditor and whenever the mill rate as determined by the county auditor based upon the original assessed valuation is applied upon such reduced valuations and does not produce the full amount of taxes as actually levied and certified for such taxable year upon the original assessed valuations, such city, township or school district may include in its tax levy made following *final determination and*

*notice of such reduction in assessed valuation, an amount equal to the difference between the total amount of taxes actually levied and certified for such taxable year upon the original assessed valuation, not exceeding the maximum amount which could be raised upon such assessed valuation as reduced, within existing mill limitations, if any, and the amount of taxes collected for such taxable year upon such reduced valuations.*

*The amount of taxes so included shall be levied separately and shall be levied in addition to all limitations permitted by section 275.11, as other applicable laws limiting levies in cities, towns or school districts imposed by law; and further shall not result in any penalty in the nature of a reduction in state aid of any kind .*

Sec. 66. Minnesota Statutes 1974, Section 475.54, Subdivision 2, is amended to read:

Subd. 2. A serial maturity schedule conforming to subdivision 1 may be established for each new issue of obligations of a municipality, or the governing body may in its discretion adjust such schedule so that the combined maturities of the new issue and any other designated issue or issues will conform to subdivision 1, provided that all such issues are general obligations or all are payable from a common fund. Notwithstanding the provisions of any other general or special law, any school district having an outstanding state loan or loans, if it issues and sells bonds on the public market for any purpose other than refunding such loans, or refunding outstanding bonds as provided herein shall adjust the schedule of the maturities thereof so that the total amount of principal and interest to become due on these bonds and on all other bonds of the school district, during each of the 30 fiscal or calendar years next following, will be as nearly equal as practicable, provided that the annual amounts of maturing principal may be fixed at multiples of \$5,000. A school district which has an outstanding state loan or loans may refund outstanding bonds, provided that the school loan committee established in section 124.41 approves such refunding. The committee shall approve refunding outstanding bonds only if such refunding results in lower annual debt service payments than the district made prior to the refunding.

Sec. 67. Laws 1967, Chapter 822, Section 7, as amended by Laws 1969, Chapter 945, Section 2, is amended to read:

Sec. 7. [TAX LEVIES.] If so provided in the agreement, The joint school board may shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district a the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in Minnesota Statutes, Section 275.125, Subdivision 12, Clause (2) . Additional tax levies may be certified which shall not in any year exceed two .6 mills on each dollar of assessed valuation for expenses for the following: special education ; and driving of motor vehicles. Of the amount so levied, however, not to exceed one-half of one mill shall be for the driving of motor vehicles, it being contemplated that 50 percent of

the cost thereof be paid by the student. Each participating school district shall include such tax levy levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section 275.12 275.125. The board may, any time after such levy has levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy levies, but in aggregate amounts such as will not exceed the portion of the levy levies which is are then not collected and not delinquent.

Sec. 68. Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended by Laws 1971, Chapter 267, Section 3, is amended to read:

Subd. 2. The intermediate school board may shall in each year for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred certify to each county auditor of each county in which said intermediate school district shall lie, as a single taxing district, a the tax levy which shall never in any year exceed five mills, exclusive of debt service, on each dollar of assessed valuation of all taxable property within said intermediate school district specified in Minnesota Statutes, Section 275.125, Subdivision 12, Clause (2). An additional tax levy may be certified which shall not in any year exceed .6 mills on each dollar of assessed valuation for expenses for special education. Said annual tax levy levies shall be certified pursuant to Minnesota Statutes 1969, Section 124.02. Upon such certification the county auditor or auditors and other appropriate county officials shall levy and collect such levies and remit the proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levy shall not be included in computing the limitations, if any, upon the levy of the intermediate district or any of the participating districts under Minnesota Statutes 1967, Section 275.12 275.125. After such levies have been certified to the appropriate county officials the intermediate school board may issue and sell by negotiation or at public sale its certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amount such as will not exceed the portion of such tax levy which is then not collected and not delinquent.

Sec. 69. Laws 1969, Chapter 1060, Section 7, is amended to read:

Sec. 7. [TAX LEVIES.] If so provided in the agreement, The joint school board may shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district a the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in Minnesota Statutes, Section 275.125, Subdivision 12, Clause (2). Additional tax levies may be certified which shall not in any year exceed .6 mills on each dollar of assessed valuation for expenses for special edu-

*ation.* Each participating school district shall include such tax levy levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section ~~275.12~~ 275.125 . The board may, any time after such levy has levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy levies , but in aggregate amounts such as will not exceed the portion of the levy levies which is *are* then not collected and not delinquent.

Sec. 70. Laws 1971, Chapter 722, Section 1, is amended to read:

Section 1. [SPECIAL SCHOOL DISTRICT NO. 1; TAX LEVY.] To provide moneys to pay any administrative, operational, planning or capital expenses of an area vocational-technical school established pursuant to the provisions of Minnesota Statutes, Section 121.21, the board of directors of special school district No. 1 of Minneapolis ~~may shall~~ levy annually upon all taxable property in the district a the tax specified in Minnesota Statutes, Section 275.125, Subdivision 12, Clause (1) in excess of the limitation contained in Minnesota Statutes, Section ~~275.12~~ 275.125 .

Sec. 71. Laws 1973, Chapter 683, Section 26, Subdivision 17, is amended to read:

Subd. 17. The provisions of this section shall expire July 1, ~~1977~~ 1979 . At any time the experimental school may be terminated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Sec. 72. Laws 1974, Chapter 521, Section 9, is amended to read:

Sec. 9. Notwithstanding any law to the contrary, in Independent School Districts No. 93 and No. 99 where the adjusted assessed valuation is under contest in a Minnesota court as of February 1, 1974, foundation aid payments for the 1972-73 and 1973-74 school years and for any future school years until such time as the valuation is finally decided shall be made on the basis of the uncontested portion of the valuation of these districts. If as a result of the pending litigation these districts experience an increase in the adjusted assessed value as determined by the equalization aid review committee and recover tax revenues in excess of those which would have been raised on the uncontested adjusted assessed value as determined by the equalization aid review committee, any excess in foundation aid payments which resulted from the use of this uncontested adjusted assessed value in the aid determination shall be returned to the state by these districts.

Sec. 73. Laws 1975, Chapter 13, Section 110, Subdivision 1, is amended to read:

473.633 [SCHOOL DISTRICTS.] Subdivision 1. [ALLOCATION FROM PROCEEDS OF INCOME TAXES.] When the properties of any school district in this state are detached from such school district because they comprise a part of or are located on a major airport, such district shall receive annually an allocation from the proceeds of income taxes in the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district. *In fiscal year 1976, the district shall receive 75 percent of the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district. In fiscal year 1977, 50 percent of such amount; in fiscal year 1978, 25 percent of such amount.*

Sec. 74. Laws 1975, Chapter 13, Section 110, is amended by adding a subdivision to read:

*Subd. 6. This section shall expire on June 30, 1978.*

Sec. 75. Laws 1975, Chapter 13, Section 111, is amended to read:

473.635 [APPROPRIATION IN LIEU OF TAXES ON AIRPORT PROPERTY.] *In fiscal year 1976, there is hereby appropriated annually to Independent School District No. 16 of Anoka County the sum of \$15,000 \$11,250, of which \$9,750 65 percent of this amount is appropriated from the state airports account within the special revenue fund in the state treasury and \$5,250 35 percent of this amount is appropriated from the general fund in the state treasury, all as payment in lieu of taxes upon real property owned by the Minneapolis-St. Paul metropolitan airports commission. In fiscal year 1977, there is appropriated \$7,500 to Independent School District No. 16 with the same percentages appropriated from the same funds. In fiscal year 1978, there is appropriated \$3,750 to Independent School District No. 16 with the same percentages appropriated from the same funds. This section shall expire June 30, 1978.*

Sec. 76. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

	<i>For the year ending June 30</i>	
	<i>1976</i>	<i>1977</i>
(1) <i>Foundation Aid . . . . .</i>	<i>\$592,572,000</i>	<i>\$632,822,000</i>
<i>The appropriation in (1) includes not to exceed \$300,000 in 1976 for emergency aid.</i>		
(2) <i>Transportation Aid . . . . .</i>	<i>60,448,000</i>	<i>71,130,000</i>
(3) <i>Special Education Aid . . . .</i>	<i>42,000,000</i>	<i>45,125,000</i>
(4) <i>Secondary Vocational Aid . .</i>	<i>12,000,000</i>	<i>13,000,000</i>

	<i>For the year ending June 30</i>	
	<i>1976</i>	<i>1977</i>
(5) Adult Vocational Aid . . . . .	\$3,100,000	\$3,700,000
(6) Veteran Farmer Cooperative Training Programs . . . . .	900,000	1,000,000
(7) Post-Secondary Vocational Foundation Aid . . . . .	0	66,000,000
(8) Post-Secondary Vocational Categorical Aid . . . . .	36,000,000	4,650,000
(9) Post-Secondary Vocational Deficit Payment . . . . .	0	1,540,000
(10) Adult Education Aid . . . . .	340,000	360,000
(11) G.E.D. Reimbursement Aid If the appropriation for this purpose in either year is insufficient, the reimbursement shall be prorated among all qualifying testing centers.	60,000	60,000
(12) Council on quality education . . . . .	500,000	500,000
<i>This appropriation shall be used for funding ten early childhood identification and education programs pursuant to sections 3.9271 to 3.9275. No more than \$15,000 may be expended each year for administration of these programs by the council on quality education and no more than \$15,000 may be expended each year for evaluation of these programs.</i>		
(13) Community Education Aid	625,000	1,835,000
(14) Flexible School Year Incentive Grants . . . . .	200,000	
<i>The appropriation in (14) shall be used by the state board of education as incentive grants for school districts which begin operation of flexible school year programs pursuant to sections 120.59 to 120.67, after July 1, 1975. Not more than 10 percent of the appropriation in (14) may be expended for evaluation of these programs. Any unexpended balance remaining</i>		

	<i>For the year ending June 30</i>	
	1976	1977
<i>from the appropriations in (1) to (14) for 1976 shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) to (14).</i>	\$	\$
(15) <i>Extraordinary Tax Delinquency Advances to Independent School District No. 272</i>	140,000	160,000
(16) <i>For gross earnings and pursuant to Section 124.28 . . . . .</i>	800,000	700,000
(17) <i>Exempt Land Special School Aid Pursuant to Section 124.30 . . . . .</i>	400,000	400,000
(18) <i>For Aid to School Districts pursuant to Laws 1975, Chapter 13, Section 110 . . . . .</i>	108,750	72,500
(19) <i>For Aid to School Districts pursuant to Laws 1975, Chapter 13, Section 111 . . . . .</i>	11,250	7,500
(20) <i>School Aid — Counties A/C of Non Tax Areas . . . . .</i>	48,000	48,000

*The amount appropriated in (20) shall be expended in 1976 and 1977, as provided in Laws 1971, Chapter 966, Section 16, for 1971 and 1972. If the appropriations made in (15) to (20) in either year are insufficient, the aids shall be prorated among all qualifying districts.*

*None of the amounts appropriated in (1) to (20) of this section shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) to (20).*

Sec. 77. [REPEALER.] *Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.50, are repealed. This section of this act shall be effective June 30, 1976.*

Sec. 78. [REPEALER.] *Laws 1919, Chapter 271; Laws 1951, Chapter 659; Minnesota Statutes 1974, Sections 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a, are repealed. "*

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

“A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers to school districts, the state board of education, and the state board for vocational education; providing state aid for extraordinary tax delinquency to Independent School District No. 272; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1 and by adding a subdivision; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2 and 6; 121.89; 123.80; 124.04; 124.11; 124.14, Subdivision 1 and by adding a subdivision; 124.17, Subdivisions 1, 2, and 2a; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, and by adding subdivisions; 124.222, Subdivisions 1, 3, and by adding a subdivision; 124.223; 124.26; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7, and 8; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 128.04; 275.125, Subdivisions 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1975, Chapter 13, Section 110, Subdivision 1 and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.”

And when so amended, H. F. No. 235 will be identical to S. F. No. 135 and further recommends that H. F. No. 235 be given its second reading and substituted for S. F. No. 135 and that the Senate File be indefinitely postponed. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35, S. F. No. 1684

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

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

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

Reports the same back with the recommendation that the report from the Committee on Education shown in the Journal for April 23,

1975 that "when so amended the bill do pass and be re-referred to the Committee on Finance" be adopted. Amendments adopted. Report adopted.

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

H. F. Nos. 1442, 1758, 1759 and 471 for proper reference, recommends the above House Files be re-referred to their respective Committees as follows:

H. F. Nos. 1758 and 1759 to the Committee on Finance.

H. F. No. 471 to the Committee on Labor and Commerce.

H. F. No. 1442 to the Committee on Metropolitan and Urban Affairs.

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

#### **SECOND READING OF SENATE BILLS**

S. F. No. 1187 was read the second time.

#### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 540, 4, 67, 229, 1555, 703, 527, 1513, 1099, 866, 745, 596 and 235 were read the second time.

#### **MOTIONS AND RESOLUTIONS**

Mr. Doty moved that S. F. No. 72 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Doty moved that the recommendations and Conference Committee Report as printed in the Journal May 1, 1975 on S. F. No. 72 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. 72: A bill for an act relating to elections; permitting the use of a petition in lieu of filing fees; amending Laws 1975, Chapter 5, Section 15, by adding a subdivision.

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 38 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1697, No. 170 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1697: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

Mr. Anderson moved to amend S. F. No. 1697 as follows:

Pages 6 and 7, strike Section 4

Renumber the sections in sequence

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

S. F. No. 1697 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 55 and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Chmielewski	Knutson	Olson, A. G.	Schrom
Blatz	Kleinbaum	Ogdahl	O'Neill	Sillers
Brataas				

So the bill passed and its title was agreed to.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Chmielewski moved that the name of Mr. Willet be added as co-author to S. F. No. 479. The motion prevailed.

Mr. Hughes moved that the report from the Committee on Education, reported May 1, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

#### **CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 1, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

#### **STATE BOARD OF EDUCATION**

Daniel Burton, 512 Hickory, Mankato, Blue Earth County, appointed July 1, 1974, for a term expiring July 1, 1980.

The motion prevailed. So the appointment was confirmed.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Hughes moved that the report from the Committee on Education, reported May 1, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

#### **CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 1, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

#### **MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY**

Robert Bonine, 2376 Pagel Road, Mendota Heights, Dakota County, effective January 1, 1975, for a term expiring January 1, 1981.

The motion prevailed. So the appointment was confirmed.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Hughes moved that the report from the Committee on Education, reported May 1, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

**CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 1, 1975, the Senate, having advised with, do now consent to and confirm the appointments of:

**ADVISORY COMMISSION ON FLUCTUATING SCHOOL ENROLLMENTS**

Jerome Daily, 414 North 2nd, East Grand Forks, Polk County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Russel Parta, New York Mills, Otter Tail County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Dr. Van Mueller, 3609 Maplewood Drive, St. Anthony Village, Hennepin County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Duane W. Kronke, 3139 Irving Avenue South, Minneapolis, Hennepin County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Mrs. Larry Lambert, 105 North 4th, Montevideo, Chippewa County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Erling O. Johnson, 832 Eastwood Lane, Anoka, Anoka County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Mrs. Duane Ditlevson, 1716 - 14th Avenue South, St. Cloud, Stearns County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Robert Whaley, Rochester John-Marshall, Rochester, Olmsted County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Tom Lykins, 411 West Middle, Redwood Falls, Redwood County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Char Mitau, 1787 Bohland Avenue, St. Paul, Ramsey County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

Mary Drenckhan, Lewiston, Winona County, appointed effective August 2, 1974, for a term expiring June 30, 1977.

The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Conzemius moved that the names of Messrs. Stassen and Brown be added as co-authors to S. F. No. 1642. The motion prevailed.

Mr. Schaaf moved that the name of Mr. Merriam be added as co-author to S. F. No. 1330. The motion prevailed.

**SUSPENSION OF RULES**

Mr. Anderson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minne-

sota, with respect to H. F. No. 235 and that the rules of the Senate be so far suspended as to give H. F. No. 235, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 235: A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education and of education of handicapped children to a current funding basis; providing for changes in the maximum effort school aid law; granting certain powers and duties to school districts and the state board of education; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, Subdivision 1; 121.21, Subdivisions 2, 4, and 6; 121.89; 124.04; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 3a, 8a, and 11, and by adding subdivisions; 124.215, by adding a subdivision; 124.222, Subdivisions 2 and 3; and by adding subdivisions; 124.223; 124.28, Subdivision 2; 124.32, Subdivision 1, and by adding a subdivision; 124.38, Subdivisions 4, 5, 6, and 7; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 275.125, Subdivisions 2a and 3, and by adding subdivisions; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; and Laws 1974, Chapter 521, Section 9; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.215, Subdivision 2a; 124.222, Subdivision 1; 124.25; 124.30; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; and Laws 1969, Chapters 945, Section 3; 1060, Section 8; and Laws 1975, Chapter 13, Sections 110 and 111.

Mr. Nelson moved to amend H. F. No. 235, as amended pursuant to rule 49, adopted on May 5, 1975, as follows:

Page 6, line 20, strike "*state aid pursuant to section 124.32,*" and insert "*education categorical aid,*"

Page 15, strike lines 10 through 32.

Page 16, strike lines 1 through 29.

Renumber the clauses in sequence

Page 19, after line 3, insert:

"Sec. 20. Minnesota Statutes 1974, Section 124.17, Subdivision 3, is amended to read:

Subd. 3. In computing pupil units for a prior year, the number of pupil units shall be adjusted to reflect any change for the current year in relative weightings by grade level or category of special assistance and any change in measurement from average daily attendance to average daily membership; ~~but not for the addition for the first time in the current year of a specified category of special assistance as provided in subdivision 1, clause (4).~~"

Page 23, after line 5, insert:

"Sec. . . . . This act may be cited as "The Child Centered School Finance Act."

Sec. . . . . The purpose of this act is to set out an understandable school finance formula for the people of Minnesota. The formula is child centered and relates state and local funding to the actual programs for our school aged children. Under this formula school districts will be encouraged to identify children with special educational needs and provide quality programs for them."

Page 23, strike lines 8 through 21 and insert:

"Subd. 6b. For the 1975-1976 school year a district shall receive in foundation aid \$910 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district."

Page 23, after line 21, insert:

"Sec. . . . . Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 6c. In addition to the aids paid in subdivision 6b, for the 1975-76 school year, the following aids for handicapped children, as defined in section 120.03 shall be paid to each district for each pupil served in the following categories: speech impaired, \$355; educable mentally retarded, \$1,825; trainable mentally retarded, \$2,670; crippled, \$3,920; hearing impaired, \$2,745; visually impaired, \$2,460; children with special learning and behavior problems, \$1,100; and, hospital and homebound instruction, \$520."

Page 23, strike lines 24 through 32 and insert:

"Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid \$970 per pupil unit less 28 mills times the 1974 adjusted assessed valuation of the district."

Page 23, after line 32, insert:

"Sec. . . . . Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 7c. In addition to the aids paid in subdivision 7b, for the 1976-1977 school year, the following aids for handicapped children, as defined in section 120.03, shall be paid to each district for each pupil served in the following categories; speech impaired, \$375; educable mentally retarded, \$1,935; trainable mentally retarded, \$2,830; crippled, \$4,155; hearing impaired, \$2,910; visually impaired, \$2,610; children with special behavior and learning problems, \$1,165; and, hospital and homebound instruction, \$550.

Sec. . . . . Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

Subd. 8. Each district providing the programs specified in subdivisions 6c and 7c shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to the eight specified programs.

*Ninety percent of funds received pursuant to subdivisions 6c and 7c shall be utilized solely for the purposes of the eight specified programs."*

Page 25, after line 13, insert:

"Sec. . . . . Minnesota Statutes 1974, Section 124.215, is amended by adding a subdivision to read:

*Subd. 9. In addition to regular foundation aid payments, any district having one or more full time equivalent classroom teachers with an M.A. degree of M.A. equivalency or whose experience level is above the statewide average experience level shall be eligible for advanced teacher training and experience aid. The statewide average experience level is seven years. The aid for advanced teacher experience shall be computed by multiplying the number by which the district experience index exceeds the statewide average experience index by \$500, to a maximum of \$2,500 for a 12 year index. The result of that calculation is the amount of aid granted to the school district by the department of education. The district experience index is obtained by adding the number of years of experience of all full time equivalent classroom teachers in the district and dividing by the number of full time equivalent classroom teachers in the district. The aid for advanced teacher training shall be computed by multiplying the percentage of full time equivalent classroom teachers in the district having an M.A. degree or M.A. equivalency by \$1,000. The result of that calculation is the amount of aid granted to the school district by the department of education."*

Pages 30 and 31, strike sections 35 and 36

Page 32, after line 24, insert:

"Sec. . . . . Minnesota Statutes 1974, Section 124.32, subdivision 6, is amended to read:

*Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 120.17, subdivisions 7 or 8a, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.*

*Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid to handicapped children, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in section 124.32, subdivision 4."*

Page 53, line 14, strike "*the number of mills*"

Page 53, line 14, after "28" strike the comma and insert "*mills.*"

Page 53, strike lines 15, 16 and 17

Page 53, line 21, strike "*the number of mills,*"

Page 53, line 21, strike "*, that*" and insert "*mills.*"

Page 53, strike lines 22 through 26.

Renumber the sections accordingly.

Page 74, line 30, strike "\$592,572,000" and "\$632,822,000" and insert "\$554,350,000" and "\$591,689,000"

Page 75, line 5, strike "\$42,000,000" and "\$45,125,000" and insert "\$82,495,000" and "\$87,931,000"

Page 74, after line 5, insert:

*"If the appropriation for this purpose in either year is insufficient, the payment shall be prorated among the qualifying school districts.*

(4) Veteran Teacher Aid.....\$ 66,595,000    \$ 70,983,000

*If the appropriation for this purpose in either year is insufficient, the payment shall be prorated among the qualifying school districts."*

Renumber the clauses and internal clause references accordingly.

Page 78, line 15, after "659;" insert "*Laws 1975, Chapter 46, Section 1;*"

Page 78, line 16, after "*Subdivision 2;*" insert "*124.32, Subdivisions 1 and 2;*"

Further, amend the title as follows:

Page 1, line 20, after the first "2," insert "3,"

Page 1, line 22, after "subdivisions;" insert "*124.215, by adding a subdivision;*"

Page 1, line 24, strike " and 5" and insert ", 5 and 6"

Page 2, line 4, before the period insert "*Laws 1975, Chapter 46, Section 1;*"

Page 1, line 41, after "*Subdivision 2;*" insert "*124.32, Subdivisions 1 and 2;*"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 20 and nays 44, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Frederick	Kowalczyk	Pillsbury
Bang	Brown	Jensen	Larson	Renneke
Bernhagen	Dunn	Keefe, J.	Nelson	Stassen
Blatz	Fitzsimons	Kirchner	Patton	Ueland

Those who voted in the negative were:

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

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

### CALL OF THE SENATE

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

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

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

Mr. Nelson moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted May 5, 1975, as follows:

Page 23, after line 21 insert:

"Sec. 26. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 6c. In addition to the aids paid in subdivision 6b, for the 1975-1976 school year, the following aids for handicapped children, as defined in section 120.03, shall be paid to each district for each pupil served in the following categories: speech impaired, \$355; educable mentally retarded, \$1,825; trainable mentally retarded, \$2,670; crippled, \$3,920; hearing impaired, \$2,745; visually impaired, \$2,460; children with special learning and behavior problems, \$1,100; and, hospital and homebound instruction, \$520."*

Page 23, after line 32, insert:

"Sec. 28. Minnesota Statutes 1974, Section 124.212, is amended by adding subdivisions to read:

*Subd. 7c. In addition to the aids paid in subdivision 7b, for the 1976-1977 school year, the following aids for handicapped children, as defined in section 120.03, shall be paid to each district for each pupil served in the following categories: speech impaired, \$375; educable mentally retarded, \$1,935; trainable mentally retarded,*

\$2,830; crippled, \$4,155; hearing impaired, \$2,910; visually impaired, \$2,610; children with special learning and behavior problems, \$1,165; and, hospital and homebound instruction, \$550.

*Subd. 8. Each district providing the programs specified in subdivisions 6c and 7c shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to the specified programs. Ninety percent of the funds received pursuant to subdivisions 6c and 7c shall be utilized solely for the purposes of the eight specified programs."*

Pages 30 and 31, strike Sections 35 and 36.

Page 32, after line 24 insert:

"Sec. 39. Minnesota Statutes 1974, Section 124.32, Subdivision 6, is amended to read:

*Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 120.17, subdivisions 7 or 8a, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.*

*Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education *categorical* aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in section 124.32, subdivision 4."*

Renumber the sections accordingly

Page 75, line 5, after "*Education*" insert "*Categorical*"

Page 75, line 5, strike "\$42,000,000" and "\$45,125,000" and insert "\$82,495,000" and "\$87,931,000"

Page 75, after line 5 insert:

*"If the appropriation for this purpose in either year is insufficient, the payment shall be prorated among the qualifying school districts."*

Page 78, line 16, after "*Subdivision 2;*" insert "*124.32, Subdivisions 1 and 2;*"

Further, amend the title as follows:

Page 1, line 24, strike "and 5" and insert ", 5 and 6"

Page 1, line 41, after "*Subdivision 2;*" insert "*124.32, Subdivisions 1 and 2;*"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 18 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Josefson	Olson, J. L.	Stassen
Bang	Brown	Keefe, J.	Patton	Ueland
Berg	Fitzsimons	Kirchner	Pillsbury	
Bernhagen	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Mel	Lewis	Olson, H. D.	Sillers
Arnold	Hughes	Merriam	O'Neill	Solon
Borden	Humphrey	Milton	Perpich, A. J.	Spear
Chmielewski	Keefe, S.	Moe	Perpich, G.	Stokowski
Davies	Kleinbaum	North	Purfeerst	Stumpf
Dunn	Knutson	Ogdahl	Schaaf	Tennessee
Gearty	Larson	Olhoff	Schmitz	Wegener
Hansen, Baldy	Laufenburger	Olson, A. G.	Schrom	Willet

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

Mr. Stassen moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted by the Senate May 5, 1975, as follows:

Page 23, after line 32, insert:

“Sec. 27. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 7c. Aid for each school district, as computed in accordance with subdivisions 6b or 7b, shall be adjusted as follows:*

*(1) For each certificated staff person with 10 or more years of experience as credited by the school district, with a bachelor of arts degree, the additional sum of \$200;*

*(2) For each certificated staff person, with 10 or more years of experience as credited by the school district, with a master of arts degree or equivalent as determined by the school district in its salary schedule, the additional sum of \$600.”*

Page 77, after line 10, insert:

“(16) *Veteran teachers training aid \$21,000,000 \$21,000,000”*

Renumber the clauses and internal references

Renumber the sections in sequence

The question being taken on the adoption of the amendment.

And the roll being called, there were yeas 23 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hansen, Baldy	Merriam	O'Neill	Stokowski
Arnold	Hansen, Mel	Milton	Perpich, A. J.	Stumpf
Berg	Hughes	Moe	Perpich, G.	Tennessee
Chmielewski	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Ogdahl	Schmitz	Willet
Davies	Kleinbaum	Olhoft	Schrom	
Doty	Laufenburger	Olson, A. G.	Sillers	
Gearty	McCutcheon	Olson, H. D.	Spear	

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

Mr. Stassen then moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted by the Senate May 5, 1975, as follows:

Page 23, after line 32, insert:

"Sec. 27. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 7c. Aid for each school district, as computed in accordance with subdivisions 6b or 7b shall be adjusted as follows:*

*(1) In districts having 25 percent or more of their certified staff with a master of arts degree or equivalent as determined by the school district in its salary schedule, the additional sum of \$1,000 for each such certified staff person;*

*(2) In districts having 50 percent or more of their certified teaching staff with 11 years or more of experience as credited by the school district, the additional sum of \$1,000 for each such certified staff person."*

Page 77, after line 10, insert:

"(16) Veterans teachers training aid \$12,500,000 \$12,500,000"

Renumber the clauses and internal references

Renumber the sections in sequence

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 21 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Keefe, J.	Nelson	Ueland
Bang	Dunn	Kirchner	Patton	
Bernhagen	Fitzsimons	Knutson	Pillsbury	
Blatz	Hansen, Mel	Kowalczyk	Renneke	
Brataas	Hanson, R.	Larson	Stassen	

Those who voted in the negative were:

Anderson	Humphrey	Merriam	O'Neill	Solon
Arnold	Jensen	Milton	Perpich, A. J.	Spear
Berg	Josefson	Moe	Perpich, G.	Stokowski
Borden	Keefe, S.	North	Purfeerst	Stumpf
Chmielewski	Kleinbaum	Ogdahl	Schaaf	Tennessee
Coleman	Laufenburger	Olson, A. G.	Schmitz	Wegener
Doty	Lewis	Olson, H. D.	Schrom	Willet
Hansen, Baldy	McCutcheon	Olson, J. L.	Sillers	

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

Mr. Bernhagen moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted on May 5, 1975, as follows:

Page 22, line 18, after "school" insert "*and Independent School District No. 427*"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted on May 5, 1975, as follows:

Page 17, line 2, strike the new language and reinsert the stricken language

Page 17, line 3, strike the new language

Page 17, line 4, strike the new language

Page 74, line 30, strike "\$592,572,000" and "\$632,822,000" and insert "\$590,241,000" and "\$630,271,000"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 11 and nays 47, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kowalczyk	Pillsbury	Renneke
Bernhagen	Jensen	Nelson		
Brown	Knutson	Patton		

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Solon
Arnold	Fitzsimons	Larson	Olson, H. D.	Spear
Bang	Frederick	Laufenburger	Olson, J. L.	Stokowski
Berg	Gearty	Lewis	O'Neill	Stumpf
Blatz	Hansen, Baldy	Merriam	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	Milton	Perpich, G.	Wegener
Brataas	Humphrey	Moe	Purfeerst	Willet
Chmielewski	Josefson	North	Schmitz	
Coleman	Keefe, S.	Ogdahl	Schrom	
Davies	Kirchner	Olhoft	Sillers	

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

Mr. Jensen moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted May 5, 1975, as follows:

Page 75, line 7, strike "\$12,000,000" and "\$13,000,000" and insert "\$14,828,000" and "\$17,749,000"

Page 75, after line 7, insert:

*"The amount appropriated in (4) shall constitute a 50 percent direct cost reimbursement to school districts."*

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Josefson	Nelson	Stassen
Bang	Dunn	Keefe, J.	Olson, H. D.	Ueland
Berg	Fitzsimons	Kirchner	Olson, J. L.	
Bernhagen	Hansen, Mel	Knutson	Patton	
Blatz	Hanson, R.	Kowalczyk	Pillsbury	
Brataas	Jensen	Larson	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Moe	Purfeerst	Stumpf
Arnold	Humphrey	North	Schaaf	Tennessee
Borden	Keefe, S.	Ogdahl	Schmitz	Wegener
Chmielewski	Kleinbaum	Olhoff	Schrom	Willet
Coleman	Lewis	Olson, A. G.	Sillers	
Davies	McCutcheon	O'Neill	Solon	
Doty	Merriam	Perpich, A. J.	Spear	
Gearty	Milton	Perpich, G.	Stokowski	

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

Mrs. Brataas moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted May 5, 1975, as follows:

Page 23, strike lines 8 through 21 and insert:

*"Subd. 6b. For the 1975-1976 school year a district shall receive in foundation aid \$925 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district. This section shall not be construed as in any instance authorizing the levy of total amounts of taxes for school purposes in excess of the amount allowed by law on October 15, 1974."*

Page 23, strike lines 24 through 32 and insert:

*"Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid \$1,025 per pupil unit less 28 mills times the 1974 adjusted assessed valuation of the district."*

Page 53, line 14, strike "the number of mills,"

Page 53, line 14, after "28" strike the comma and insert "mills."

Page 53, strike lines 15, 16 and 17

Page 53, line 21, strike "the number of mills,"

Page 53, line 21, strike ", that" and insert "mills."

Page 53, strike lines 22 through 26

Page 74, line 30, strike "\$592,572,000" and "\$632,822,000" and insert "\$627,572,000" and "\$732,822,000"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 40, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Patton moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted May 5, 1975, as follows:

Page 23, strike lines 8 through 21 and insert:

*"Subd. 6b. For the 1975-1976 school year a district shall receive in foundation aid \$920 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district. This section shall not be construed as in any instance authorizing the levy of total amounts of taxes for school purposes in excess of the amount allowed by law on October 15, 1974."*

Page 23, strike lines 24 through 32 and insert:

*"Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid \$1,015 per pupil unit less 28 mills times the 1974 adjusted assessed valuation of the district."*

Page 53, line 14, strike *"the number of mills,"*

Page 53, line 14, after "28" strike the comma and insert *"mills."*

Page 53, strike lines 15, 16 and 17

Page 53, line 21, strike *"the number of mills,"*

Page 53, line 21, strike *"," that"* and insert *"mills."*

Page 53, strike lines 22 through 26

Page 74, line 30, strike *"\$592,572,000"* and *"\$632,822,000"* and insert *"\$622,600,000"* and *"\$707,800,000"*

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Frederick	Knutson	Renneke
Bang	Brown	Hanson, R.	Kowalczyk	Stassen
Berg	Chmielewski	Jensen	Nelson	Ueland
Bernhagen	Dunn	Josefson	Patton	
Blatz	Fitzsimons	Kirchner	Pillsbury	

Those who voted in the negative were:

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

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

Mr. Stassen moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted May 5, 1975, as follows:

Page 23, strike lines 8 through 21 and insert:

*"Subd. 6b. For the 1975-1976 school year a district shall receive in foundation aid \$910 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district. This section shall not be construed as in any instance authorizing the levy of total amounts of taxes for school purposes in excess of the amount allowed by law on October 15, 1974."*

Page 23, strike lines 24 through 32 and insert:

*"Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid \$970 per pupil unit less 28 mills times the 1974 adjusted assessed valuation of the district."*

Page 53, line 14, strike *"the number of mills,"*

Page 53, line 14, after *"28"* strike the comma and insert *"mills."*

Page 53, strike lines 15, 16 and 17

Page 53, line 21, strike *"the number of mills,"*

Page 53, line 21, strike *"," that"* and insert *"mills."*

Page 53, strike lines 22 through 26

Page 74, line 30, strike *"\$592,572,000"* and *"\$632,822,000"* and insert *"\$604,200,000"* and *"\$655,800,000"*

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 40, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Conzemius	Hughes	Laufenburger	Moe
Arnold	Davies	Humphrey	Lewis	North
Chenoweth	Doty	Keefe, S.	McCutcheon	Ogdahl
Chmielewski	Gearty	Kleinbaum	Merriam	Olhoff
Coleman	Hansen, Baldy	Larson	Milton	Olson, A. G.

Olson, H. D.	Perpich, G.	Schmitz	Spear	Tennessee
O'Neill	Purfeerst	Schrom	Stokowski	Wegener
Perpich, A. J.	Schaaf	Solon	Stumpf	Willet

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

Mr. O'Neill moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted on May 5, 1975, as follows:

Page 2, after line 21, insert:

*"Sec. 3. Subdivision 1. [HIGH POTENTIAL CHILD DEFINED.] A child who has superior intellectual ability, high academic aptitude, special creative talents, or special talents and abilities other than special athletic ability, to the degree that he requires special instruction or services beyond those normally provided by the regular school program, is a high potential child. Standards for identification of a high potential child shall be set by the local school district, combinations of districts, or educational service area, relative to the particular school and its environment, with the assistance of guidelines established by the state board of education.*

*Subd. 2. [PROGRAMS.] Programs shall be subject to approval by the state board, these continuing programs shall be conducted by local school districts, combinations of districts, or educational service areas, beginning with the 1975-1976 school year, for kindergarten through grade 12, and may include: (a) identification of high potential children, (b) specific curriculum enrichment within the regular classroom, (c) special classes, (d) release from class hours for special projects, (e) staff development programs for all professional personnel in each district or educational service area, (f) utilization of community personnel and organizations as resources, and (g) use of noncertified post-secondary personnel to instruct elementary and secondary high potential children either on campuses or local school sites.*

*Subd. 3. [QUALIFICATION AND EVALUATION.] The state board shall set standards for content and evaluation of programs, and eligibility for the grant funds provided in this subdivision. Following grant application, funds shall be distributed by the state board to districts or cooperating districts, up to a limit of 25 districts or cooperating districts. The state board shall consider geographic and demographic data in distributing these funds as equitably as possible throughout the state.*

*Subd. 4. [COMPOSITION OF PROGRAM.] School districts shall make every reasonable effort to assure that the composition of these high potential programs reflects the composition of the district student population as a whole as to race, sex and ethnic background, and shall file a certificate of compliance with this section, when it applies for grant funds to the state board."*

Renumber the sections and internal section references accordingly  
Page 75, after line 30, insert:

*"(12) Programs for high potential children \$250,000 \$250,000"*

Renumber the clauses and internal clause references accordingly

Further, amend the title as follows:

Page 1, line 8, after "basis;" insert "establishing programs for high potential children;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 24 and nays 35, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Josefson	Milton	Renneke
Berg	Fitzsimons	Keefe, J.	Nelson	Solon
Bernhagen	Frederick	Kirchner	Ogdahl	Stassen
Blatz	Hansen, Mel	Knutson	O'Neill	Ueland
Brown	Hanson, R.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, H. D.	Schrom
Arnold	Doty	McCutcheon	Olson, J. L.	Sillers
Ashbach	Gearty	Merriam	Perpich, A. J.	Spear
Borden	Hansen, Baldy	Moe	Perpich, G.	Stokowski
Chenoweth	Humphrey	North	Purfeerst	Stumpf
Chmielewski	Keefe, S.	Olhoft	Schaaf	Tennessee
Coleman	Kowalczyk	Olson, A. G.	Schmitz	Willet

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

Mr. Bang moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted on May 5, 1975, as follows:

Page 15, line 28, strike "*five*" and reinsert the stricken language

Page 15, line 31, strike "*one-tenth*" and reinsert the stricken language

Page 15, strike line 32

Page 16, strike lines 1 through 8

Page 16, line 9, strike "*to clauses (4) and (5)*" and reinsert the stricken language

Page 16, lines 10 through 18, reinsert the stricken language

Page 16, line 19, reinsert the stricken language "pupil unit"

Page 74, line 30, strike "\$592,572,000" and "\$632,822,000" and insert "\$578,939,000" and "\$618,274,000"

The question being taken on the adoption of the amendment,

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	McCutcheon	O'Neill	Stokowski
Arnold	Gearty	Merriam	Perpich, A. J.	Stumpf
Borden	Hansen, Baldy	Milton	Perpich, G.	Tennessee,
Chenoweth	Hansen, Mel	Moe	Purfeerst	Wegener
Chmielewski	Hughes	North	Schmitz	Willet
Coleman	Humphrey	Ogdahl	Schrom	
Conzemius	Keefe, S.	Olhoft	Solon	
Davies	Lewis	Olson, A. G.	Spear	

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

Mr. Renneke moved to amend H. F. No. 235, as amended pursuant to Rule 49, adopted on May 5, 1975, as follows:

Page 74, after line 23, insert:

"Sec. 76. Laws 1975, Chapter 46, Section 1, Subdivision 3, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of ~~8.3~~ 10.66 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) For the year 1975 and subsequent years, the commissioner of revenue shall pay to the school district the amount certified by the commissioner to be due to the district. One half of the amount due shall be paid on or before July 15, but no earlier than July 1 May 15, and the remainder shall be paid on or before November 15.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of revenue shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c)

shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made."

Renumber the sections accordingly

Page 78, after line 5, insert:

“(21) 10.66 Agricultural Land Tax Differential Aid	\$3,700,000    \$4,500,000
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*The amount appropriated in (21) shall be distributed in 1976 and 1977, as provided in section 76 of this bill, and shall be in addition to any other amounts appropriated pursuant to Minnesota Statutes 1974, Section 124.03, Subdivision 3.*

Page 78, line 6, strike “(20)” and insert “(21)”

Page 78, line 8, strike “(20)” and insert “(21)”

Further, amend the title as follows:

Page 1, line 38, after “Section 111;” insert “Laws 1975, Chapter 46, Section 1, Subdivision 3;”

Mr. Renneke requested division of the amendment as follows:

First portion: Page 74, after line 23, insert:

“Sec. 76. Laws 1975, Chapter 46, Section 1, Subdivision 3, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of ~~8.3~~ 10.66 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) For the year 1975 and subsequent years, the commissioner of revenue shall pay to the school district the amount certified by the commissioner to be due to the district. One half of the amount due shall be paid on or before July 15, but no earlier than July 1, and the remainder shall be paid on or before November 15.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of revenue shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made."

Renumber the sections accordingly

Page 78, after line 5, insert:

"(21) 10.66 Agricultural Land  
Tax Differential Aid . . . . . \$ 3,700,000      \$ 4,500,000

*The amount appropriated in (21) shall be distributed in 1976 and 1977, as provided in section 76 of this bill, and shall be in addition to any other amounts appropriated pursuant to Minnesota Statutes 1974, Section 124.03, Subdivision 3."*

Page 78, line 6, strike "(20)" and insert "(21)"

Page 78, line 8, strike "(20)" and insert "(21)"

Further, amend the title as follows:

Page 1, line 38, after "Section 111;" insert "Laws 1975, Chapter 46, Section 1, Subdivision 3;"

Second portion:

Page 74, after line 23, insert:

"Sec. 76. Laws 1975, Chapter 46, Section 1, Subdivision 3, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 8.3 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and season-

al residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) For the year 1975 and subsequent years, the commissioner of revenue shall pay to the school district the amount certified by the commissioner to be due to the district. One half of the amount due shall be paid on or before ~~July 15, but no earlier than July 1~~ *May 15*, and the remainder shall be paid on or before November 15.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of revenue shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made."

Renumber the sections accordingly

Further, amend the title as follows:

Page 1, line 38, after "Section 111;" insert "Laws 1975, Chapter 46, Section 1, Subdivision 3;"

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

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

And the roll being called, there were yeas 25 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gearly	Lewis	Olson, A. G.	Solon
Arnold	Hansen, Baldy	McCutcheon	O'Neill	Spear
Borden	Hansen, Mel	Merriam	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Milton	Perpich, G.	Stumpf
Coleman	Humphrey	Moe	Purfeerst	Tennessee
Conzemius	Keefe, S.	North	Schaaf	Wegener
Davies	Kleinbaum	Ogdahl	Schmitz	Willet
Doty	Larson	Olhoft	Schrom	

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

H. F. No. 235 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 14, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Olhoft	Solon
Arnold	Gearly	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Stumpf
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Humphrey	Merriam	Perpich, G.	Ueland
Conzemius	Josefson	Milton	Purfeerst	Wegener
Davies	Keefe, J.	Moe	Schmitz	Willet
Doty	Keefe, S.	North	Schrom	
Fitzsimons	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Ashbach	Blatz	Dunn	Nelson	Renneke
Bang	Brataas	Jensen	Patton	Schaaf
Berg	Brown	Knutson	Pillsbury	

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that the name of Mr. Anderson be added as co-author to S. F. No. 1263. The motion prevailed.

### THIRD READING OF SENATE BILLS

S. F. No. 1251: A bill for an act relating to insurance; regulating acquisition by certain parent corporations of minority interests in certain subsidiary insurance companies; providing certain rights and procedures for dissenting shareholders; amending Minnesota Statutes 1974, Chapter 60D, 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 22 and nays 39, as follows:

Those who voted in the affirmative were:

Borden	Fitzsimons	Milton	Perpich, G.	Stumpf
Brown	Hughes	Moe	Pillsbury	Tennessen
Coleman	Humphrey	North	Solon	
Conzemius	Keefe, S.	Olhoft	Spear	
Davies	Kleinbaum	Perpich, A. J.	Stokowski	

Those who voted in the negative were:

Anderson	Chenoweth	Jensen	Merriam	Renneke
Arnold	Doty	Keefe, J.	Nelson	Schmitz
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Frederick	Knutson	Olson, A. G.	Sillers
Berg	Gearty	Kowalczyk	Olson, H. D.	Ueland
Bernhagen	Hansen, Baldy	Larson	O'Neill	Wegener
Blatz	Hansen, Mel	Laufenburger	Patton	Willet
Brataas	Hanson, R.	McCutcheon	Purfeerst	

So the bill failed to pass.

S. F. No. 1138: A bill for an act relating to municipalities; authorizing the financing of solid waste disposal and recycling facilities through the municipal industrial development act; amending Minnesota Statutes 1974, Section 474.02, Subdivisions 1 and 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 276: A bill for an act relating to elections; prohibiting unions and other associations from contributing funds from dues or membership fees to political campaigns; amending Minnesota Statutes 1974, Section 10A.01, Subdivision 16; repealing Minnesota Statutes 1974, Section 10A.12, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 18, as follows:

Those who voted in the affirmative were :

Anderson	Conzemius	Kirchner	Olson, H. D.	Schmitz
Ashbach	Doty	Kleinbaum	Olson, J. L.	Sillers
Bang	Dunn	Knutson	O'Neill	Stassen
Berg	Fitzsimons	Kowalczyk	Patton	Tennessen
Bernhagen	Frederick	Larson	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Lewis	Perpich, G.	Wegener
Borden	Hansen, R.	Moe	Pillsbury	Willet
Brataas	Hughes	Nelson	Purfeerst	
Brown	Jensen	Olhoft	Renneke	
Chenoweth	Keefe, J.	Olson, A. G.	Schaaf	

Those who voted in the negative were :

Arnold	Gearty	Laufenburger	North	Stokowski
Chmielewski	Hansen, Baldy	McCutcheon	Schrom	Stumpf
Coleman	Humphrey	Merriam	Solon	
Davies	Keefe, S.	Milton	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1098: A bill for an act relating to natural resources; clarifying the authority of the commissioner of natural resources to designate and manage certain waters for wildlife use; reporting of game taken; providing certain limitations on the taking of fox; and altering certain seasons for the taking of deer; amending Minnesota Statutes 1974, Sections 97.48, Subdivision 11; 98.51, Subdivision 1; 100.26, Subdivision 1; and 100.27, 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 47 and nays 20, as follows:

Those who voted in the affirmative were :

Anderson	Dunn	Kirchner	Nelson	Spear
Arnold	Fitzsimons	Kleinbaum	North	Stassen
Bang	Gearty	Kowalczyk	Ogdahl	Stokowski
Berg	Hansen, R.	Larson	Olhoft	Stumpf
Blatz	Hughes	Laufenburger	Olson, H. D.	Tennessen
Brown	Humphrey	Lewis	Olson, J. L.	Wegener
Chmielewski	Jensen	McCutcheon	O'Neill	Willet
Coleman	Josefson	Merriam	Schaaf	
Davies	Keefe, J.	Milton	Sillers	
Doty	Keefe, S.	Moe	Solon	

Those who voted in the negative were :

Ashbach	Chenoweth	Hansen, Mel	Perpich, A. J.	Renneke
Bernhagen	Conzemius	Knutson	Perpich, G.	Schmitz
Borden	Frederick	Olson, A. G.	Pillsbury	Schrom
Brataas	Hansen, Baldy	Patton	Purfeerst	Ueland

So the bill passed and its title was agreed to.

S. F. No. 633: A bill for an act relating to taxation; inheritance taxes; exemptions; amending Minnesota Statutes 1974, Section 291.05.

With the unanimous consent of the Senate, Mr. Merriam moved to amend S. F. No. 633 as follows:

Page 10, line 2, after "1975" insert "*and for gifts made after July 1, 1975*"

The motion prevailed. So the amendment was adopted.

S. F. No. 633 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 56 and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brown	Merriam	Olson, A. G.	Schaaf	Stumpf
Chmielewski	Milton	Perpich, G.	Schrom	Willet
McCutcheon				

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

S. F. No. 990: A bill for an act relating to pollution; imposing fees for the deposit of certain materials in Lake Superior; providing penalties; appropriating money.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Spear
Arnold	Dunn	Kirchner	Olhoft	Stassen
Borden	Gearty	Kleinbaum	Olson, A. G.	Stokowski
Brown	Hansen, Mel	Lewis	Olson, H. D.	Stumpf
Chenoweth	Hughes	McCutcheon	Purfeerst	Tennessee
Coleman	Humphrey	Merriam	Schaaf	Wegener
Conzemius	Josefson	Milton	Schmitz	Willet
Davies	Keefe, J.	Moe	Schrom	

Those who voted in the negative were:

Ashbach	Chmielewski	Knutson	Olson, J. L.	Renneke
Bang	Fitzsimons	Kowalczyk	O'Neill	Sillers
Berg	Frederick	Larson	Patton	Solon
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Ueland
Blatz	Hanson, R.	Nelson	Perpich, G.	
Brataas	Jensen	Ogdahl	Pillsbury	

So the bill passed and its title was agreed to.

#### NOTICE OF RECONSIDERATION

Mr. Stassen gave notice of intention to move for reconsideration of S. F. No. 990.

Mr. Stokowski moved that the vote whereby S. F. No. 990 passed the Senate on May 5, 1975 be now reconsidered. The motion did not prevail. So the vote was not reconsidered.

S. F. No. 1305: A bill for an act relating to intoxicating liquor; places where sale prohibited; amending Minnesota Statutes 1974, Section 340.14, 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 52 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kowalczyk	Olson, H. D.	Spear
Arnold	Gearty	Larson	O'Neill	Stassen
Ashbach	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stokowski
Bang	Hanson, R.	Lewis	Perpich, G.	Stumpf
Blatz	Hughes	McCutcheon	Pillsbury	Tennessee
Brataas	Humphrey	Merriam	Purfeerst	Ueland
Chenoweth	Jensen	Moe	Schaaf	Wegener
Coleman	Keefe, J.	Nelson	Schmitz	Willet
Conzemius	Keefe, S.	North	Schrom	
Davies	Kleinbaum	Ogdahl	Sillers	
Fitzsimons	Knutson	Olson, A. G.	Solon	

Those who voted in the negative were:

Berg	Brown	Dunn	Kirchner	Patton
Bernhagen	Chmielewski	Hansen, Mel	Olhoft	Renneke
Borden	Doty	Josefson	Olson, J. L.	

So the bill passed and its title was agreed to.

S. F. No. 1404: A bill for an act relating to unemployment compensation; excluding from benefits those persons employed by a municipality for a school year; amending Minnesota Statutes 1974, Section 268.08, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1114: A bill for an act relating to the operation of state government; providing for salary setting authority and classification for certain positions in the office of attorney general; amending Minnesota Statutes 1974, Sections 8.02; 15A.081, Subdivision 1; and 43.064.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Laufenburger	Olson, H. D.	Spear
Berg	Gearty	Lewis	O'Neill	Stassen
Bernhagen	Hansen, Mel	McCutcheon	Patton	Stokowski
Blatz	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Borden	Hughes	Milton	Perpich, G.	Tennessee
Brown	Humphrey	Moe	Pillsbury	Ueland
Chmielewski	Jensen	Nelson	Purfeerst	Wegener
Coleman	Keefe, J.	North	Renneke	Willet
Conzemiuss	Keefe, S.	Ogdahl	Schaaf	
Davies	Kleinbaum	Olhoff	Schmitz	
Doty	Larson	Olson, A. G.	Solon	

Those who voted in the negative were:

Anderson	Brataas	Frederick	Kirchner	Olson, J. L.
Ashbach	Chenoweth	Hansen, Baldy	Knutson	Schrom
Bang	Dunn	Josefson	Kowalczyk	

So the bill passed and its title was agreed to.

S. F. No. 867: A bill for an act relating to state employees; authorizing training, development and compensation of state personnel designated as managerial; amending Minnesota Statutes 1974, Section 15.56, Subdivision 3; and Chapter 43, 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 46 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoft	Stassen
Arnold	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Ashbach	Hansen, Mel	Laufenburger	Perpich, A. J.	Stumpf
Bang	Hanson, R.	Lewis	Perpich, G.	Tennessee
Blatz	Hughes	McCutcheon	Pillsbury	Ueland
Borden	Humphrey	Merriam	Purfeerst	Willet
Brataas	Jensen	Moe	Schaaf	
Brown	Keefe, S.	Nelson	Schmitz	
Chenoweth	Kirchner	North	Solon	
Fitzsimons	Kleinbaum	Ogdahl	Spear	

Those who voted in the negative were:

Berg	Conzemius	Josefson	Olson, A. G.	Renneke
Bernhagen	Doty	Keefe, J.	Olson, H. D.	Schrom
Chmielewski	Dunn	Larson	Olson, J. L.	Sillers
Coleman	Frederick	Milton	Patton	Wegener

So the bill passed and its title was agreed to.

S. F. No. 726: A bill for an act relating to drainage; authorizing county boards and district courts to order the filing of amended viewers' reports to correct certain deficiencies; amending Minnesota Statutes 1974, Section 106.161.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1355: A bill for an act relating to Cook county; creating an upper northeast recreational authority and establishing its duties and powers; authorizing the levy of taxes and the issuance of bonds.

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 55, and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Brown	Keefe, J.	Renneke	Stassen
Bernhagen	Hansen, Mel	Pillsbury	Spear	

So the bill passed and its title was agreed to.

Mr. Schaaf moved that the vote whereby S. F. No. 276 passed the Senate on May 5, 1975 be now reconsidered. The motion did not prevail. So the vote was not reconsidered.

## CALENDAR OF ORDINARY MATTERS

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

With the unanimous consent of the Senate, Mr. Frederick moved to amend S. F. No. 1446 as follows:

Pages 1 and 2, strike all of subdivision 2

Page 2, line 4, strike "3" and insert "2"

The motion prevailed. So the amendment was adopted.

S. F. No. 1446 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 62 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Olson, A. G., Perpich, G. and Willet voted in the negative.

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

S. F. No. 1507: A bill for an act relating to Ramsey county; reestablishing the office of county surveyor and abolishing the plat commission; amending Laws 1974, Chapter 435, Section 3.18, and by adding a section; and repealing Laws 1974, Chapter 435, Section 3.15.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 5:00 o'clock p.m., Tuesday, May 6, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

## FORTY-SIXTH DAY

St. Paul, Minnesota, Tuesday, May 6, 1975

The Senate met at 5:00 o'clock p.m. and was called to order by the President.

### CALL OF THE SENATE

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

Arnold	Doty	Humphrey	North	Purfeerst
Ashbach	Dunn	Josefson	Ogdahl	Renneke
Berg	Fitzsimons	Keefe, S.	Olhoft	Schmitz
Bernhagen	Frederick	Kirchner	Olson, A. G.	Stassen
Borden	Gearty	Larson	Olson, J. L.	Stumpf
Brown	Hansen, Baldy	Laufenburger	O'Neill	Tennessee
Coleman	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Conzemius	Hanson, R.	Milton	Perpich, G.	Willet
Davies	Hughes	Moe	Pillsbury	

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

Prayer was offered by the Chaplain, Rev. Myron E. Nysether.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Messrs. Jensen, Kleinbaum, Kowalczyk and Patton were excused from the Session of today.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson  
President of the Senate

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

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	31	51	April 30	May 1
	51	52	April 30	May 1
	87	53	April 30	May 1
	111	54	April 30	May 1
	138	55	April 30	May 1
	202	56	April 30	May 1
	203	57	April 30	May 1
	241	58	April 30	May 1
	286	59	April 30	May 1
	319	60	April 30	May 1
	412	61	April 30	May 1
	641	62	April 30	May 1
	648	63	April 30	May 1
	740	64	April 30	May 1
	923	65	April 30	May 1
	1093	66	April 30	May 1
286		67	April 30	May 1
312		68	April 30	May 1
343		69	April 30	May 1
396		70	April 30	May 1
422		71	April 30	May 1
456		72	April 30	May 1
524		73	April 30	May 1
587		74	April 30	May 1
588		75	April 30	May 1
645		76	April 30	May 1
679		77	April 30	May 1
730		78	April 30	May 1
764		79	April 30	May 1
997		80	April 30	May 1

Sincerely,

Joan Anderson Growe  
Secretary of State

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

The Honorable Alec G. Olson  
President of the Senate

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

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	114	81	May 2	May 2
	130	82	May 2	May 2
	594	83	May 2	May 2
	967	84	May 2	May 2
	988	85	May 2	May 2
	1465	86	May 2	May 2
543		87	May 2	May 2
649		88	May 2	May 2
690		89	May 2	May 2
820		90	May 2	May 2

Sincerely,

Joan Anderson Growe  
Secretary of State

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Schaaf; Keefe, S. and Olhoft introduced—

S. F. No. 1727: A bill for an act relating to elections; defining political parties; providing for placement of candidates' names on the state white ballot and certain city ballots; providing for arrangement of the ballot on mechanical voting machines; appropriating money; amending Minnesota Statutes 1974, Sections 200.02, Subdivision 7; 206.07, Subdivision 1, and by adding a subdivision; 205.17, Subdivision 2; Laws 1975, Chapter 5, Sections 43, Subdivision 2; and 55, Subdivision 4; repealing Laws 1975, Chapter 5, Section 43, Subdivision 4.

Referred to the Committee on Transportation and General Legislation.

Messrs. Keefe, S. and Schaaf introduced—

S. F. No. 1728: A bill for an act relating to courts; providing for recovery of attorney's fees in certain situations.

Referred to the Committee on Judiciary.

Mr. Keefe, S. introduced—

S. F. No. 1729: A bill for an act relating to metropolitan govern-

ment; providing for election of council members; amending Minnesota Statutes 1974, Section 473B.02, Subdivision 2, and by adding subdivisions.

Referred to the Committee on Metropolitan and Urban Affairs.

Mr. Olhoft introduced—

S. F. No. 1730: A bill for an act relating to fair labor standards; excluding conservation officers from the operation of certain laws; amending Minnesota Statutes 1974, Section 177.23, Subdivision 7.

Referred to the Committee on Governmental Operations.

Mr. Olhoft introduced—

S. F. No. 1731: A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1974, Section 500.22.

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. 115 and 1101.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 5, 1975

Mr. President:

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

S. F. No. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

Senate File No. 476 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 5, 1975

Mr. Stokowski moved that S. F. No. 476 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendment to House File No. 235.

H. F. No. 235: A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education and of education of handicapped children to a current funding basis; providing for changes in the maximum effort school aid law; granting certain powers and duties to school districts and the state board of education; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, Subdivision 1; 121.21, Subdivisions 2, 4, and 6; 121.89; 124.04; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 3a, 8a, and 11, and by adding subdivisions; 124.215, by adding a subdivision; 124.222, Subdivisions 2 and 3, and by adding subdivisions; 124.223; 124.28, Subdivision 2; 124.32, Subdivision 1, and by adding a subdivision; 124.38, Subdivisions 4, 5, 6, and 7; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 275.125, Subdivisions 2a and 3, and by adding subdivisions; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; and Laws 1974, Chapter 521, Section 9; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.215, Subdivision 2a; 124.222, Subdivision 1; 124.25; 124.30; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; and Laws 1969, Chapters 945, Section 3; 1060, Section 8; and Laws 1975, Chapter 13, Sections 110 and 111.

And the House respectfully requests that a Conference Committee of five members be appointed thereon: Graba; Johnson, C.; Adams, S.; Berg and Vento have been appointed as such committee on the part of the House.

House File No. 235 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 5, 1975

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 235, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 72, and repassed said bill in accordance with the report of the Committee, so adopted.

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

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1975

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideration Senate File No. 1183.

S. F. No. 1183: A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

Edward A. Burdick, Chief Clerk, House of Representatives

May 6, 1975

Mr. Bernhagen moved that S. F. No. 1183 be recalled from the Governor and returned to the House for further consideration. 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. 1290: A bill for an act relating to licensing and registration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1974, Sections 326.07; 326.09; 326.10; 326.11, Subdivisions 1, 2, and 4; 326.13; and 326.14.

Senate File No. 1290 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1975

Mr. Laufenburger moved that S. F. No. 1290 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 184, 474, 525, 925, 999, 1050 and 1009.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 5, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 332 and 1488.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1975

### FIRST READING OF HOUSE BILLS

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

H. F. No. 184: A bill for an act relating to education; providing for a reduction of state aid to school districts permitting violation of state laws prohibiting discrimination; directing the filing of assurances of compliance with state and federal law; amending Minnesota Statutes 1974, Section 124.15, Subdivisions 2 and 3, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Rules and Administration.

H. F. No. 525: A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

Referred to the Committee on Governmental Operations.

H. F. No. 925: A bill for an act relating to natural resources, monuments, recreation reserves, and waysides; increasing motor vehicle permit fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 2.

Referred to the Committee on Rules and Administration.

H. F. No. 999: A bill for an act relating to state banks; authorizing state banks to take second liens on real estate; amending Minnesota Statutes 1974, Section 48.19, Subdivision 1, and by adding a subdivision; and repealing Minnesota Statutes 1974, Section 48.19, Subdivision 3.

Referred to the Committee on Rules and Administration.

H. F. No. 1050: A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1974, Chapter 500,

by adding a section; repealing Minnesota Statutes 1974, Section 500.22.

Referred to the Committee on Rules and Administration.

H. F. No. 1009: A bill for an act relating to health and welfare; providing for increasing service levels under the nutrition for the elderly program; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

H. F. No. 332: A bill for an act relating to taxation; providing for filing and disclosure requirements for certain tax exempt property; providing a penalty; amending Minnesota Statutes 1974, Section 272.02, Subdivision 1; and Chapter 272, by adding a section.

Referred to the Committee on Rules and Administration.

H. F. No. 1488: A bill for an act relating to education; school districts; authorizing the leasing of schoolhouses; providing for termination of tax exempt status of schoolhouses leased for nonpublic purposes; amending Minnesota Statutes 1974, Sections 123.36, by adding a subdivision; and 272.02, Subdivision 2.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of the report on S. F. No. 1508 be now adopted. The motion prevailed.

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

S. F. No. 1508: A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

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

Page 3, strike all of section 5

Page 4, line 7, strike "*The president of the Ramsey county bar association,*"

Page 4, strike lines 8 to 9 and insert:

*"One member learned in the law appointed by the chief judge of the second judicial district."*

Page 4, line 24, before "*The*" insert "*When it appears to the court that the person to be represented is unable, by reason of poverty, to procure counsel,*"

Page 5, line 1, strike "*, when it*" and insert a period

Page 5, strike lines 2 to 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike "and particularly to courts"

Page 1, line 9, strike "and"

Page 1, line 10, strike "508.74, Subdivision 2;"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1494: A bill for an act relating to insurance; providing for use of life insurance mortality tables and interest rates by fraternal beneficiary associations; amending Minnesota Statutes 1974, Sections 64A.21; 64A.24, Subdivision 1; 64A.25, Subdivision 4.

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

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

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

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

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

Page 1, line 9, after "21." insert "*Until July 1, 1976,*"

Page 1, strike lines 15 through 19

Page 1, after line 14 insert:

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

Amend the title as follows:

Page 1, line 5, strike "subdivisions" and insert "a subdivision"

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

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

H. F. No. 661: A bill for an act relating to labor; occupational safety and health; defining terms; requiring minimum posting time of citations; enforcement; notice to employee representative; amending Minnesota Statutes 1974, Sections 182.651, Subdivision 12; 182.66, Subdivision 2; and 182.661, Subdivisions 1 and 3.

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

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

H. F. No. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

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

Page 19, strike new language in lines 1 to 3

Page 19, line 9, after "exceeds" insert "*the lesser of \$6,500 or*"

Page 21, strike new language in lines 24 to 26

Page 24, strike lines 6 to 21, and insert:

"Sec. 8. Minnesota Statutes 1974, Section 268.06, Subdivision 8, is amended to read:

Subd. 8. [DETERMINATION OF CONTRIBUTION RATES.]  
For the year ~~1974~~ 1976 and for each calendar year thereafter the commissioner shall determine the contribution rate of each employer by adding the ~~experience ratio to the minimum rate~~ *minimum rate to the experience ratio, except that if the ratio for the current calendar year exceeds the experience ratio for the preceding calendar year by more than one and one half percentage points, the increase for the current year shall be limited to one and one half percentage points.* The minimum rate for all employers shall be nine tenths of one percent if the amount in the unemployment compensation fund is less than \$90,000,000 on June 30 of the preceding

calendar year; or eight tenths of one percent if the fund is more than \$90,000,000 but less than \$110,000,000; or seven tenths of one percent if the fund is more than \$110,000,000 but less than \$130,000,000; or six tenths of one percent if the fund is more than \$130,000,000 but less than \$150,000,000; or five tenths of one percent if the fund is more than \$150,000,000 but less than \$170,000,000; or three tenths of one percent if the fund is more than \$170,000,000 but less than \$200,000,000; or one tenth of one percent if the fund is \$200,000,000 or more; provided that no employer shall have a contribution rate of more than five percent *except that in the case of an employer whose experience ratio in each of the immediately preceding three calendar years was in excess of five percent, the maximum contribution rate shall be six percent.*"

Page 27, line 6, strike "50 percent" and insert "60 percent of the first \$85, 40 percent of the next \$85 and 50 percent of the remainder"

Page 27, line 8, after the stricken "\$85" insert "\$100"

Page 27, line 8, reinsert the stricken "per"

Page 27, line 9, reinsert the stricken language

Page 27, strike the new language in lines 9 to 27

Page 32, strike lines 12 to 32

Page 33, strike lines 1 to 32

Page 34, strike lines 1 to 28

Page 35, line 19, strike ", or a political subdivision for service with"

Page 35, line 20, strike "respect to a school,"

Page 55, strike lines 2 to 8 and insert:

"Sec. 25. Sections 2 and 13 of this act shall become effective on July 1, 1977."

Renumber sections in sequence

Amend the title as follows:

Page 1, line 2, strike "unemployment"

Page 1, line 3, strike "compensation;"

Page 1, line 3, after "defining" insert "employment,"

Page 1, line 4, after "employment;" insert "determination of contribution rates;"

Page 1, line 5, after "\$1;" insert "eliminating consideration of delinquent reports in determining"

Page 1, line 8, after "benefits;" insert "benefits for private school employees;"

Page 1, line 9, after "strike;" insert "permitting"

Page 1, line 11, after "strike;" insert "modifying"

Page 1, line 11, after "appeals" insert "procedures"

Page 1, line 11, strike "notice of hearings;"

Page 1, line 13, strike "benefits paid through error or"

Page 1, line 14, strike "fraud;" and insert "shortening the time required for the keeping of"

Page 1, line 16, after "6," strike "21" and insert "8"

Page 1, line 18, strike "Subdivisions 1, 3," and insert "Subdivision"

Page 1, line 19, strike "and"

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

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

H. F. No. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04;

294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

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

Strike everything after the enacting clause and insert:

### “ARTICLE I

Section 1. Minnesota Statutes 1974, Section 124.03, Subdivision 2, is amended to read:

Subd. 2. The limitation imposed on the tax ratio by this section does not apply to the additional tax levy for maintenance made in excess of either of the following amounts:

(a) In any district formed under the reorganization or consolidation statutes or having an area of at least 18 sections or having acquired the rights and privileges of a consolidated district: The total amount of revenue available to the district, including state aid, that will be raised by a ~~5.553~~<sup>1</sup>/<sub>3</sub> 20 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and personal property having a taxable situs on farms and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes; and

(b) In any district not included in (a): The total amount of revenue available to the district, including state aid, that will be raised by a ~~4.44~~<sup>1</sup>/<sub>3</sub> 16 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes.

Sec. 2. Minnesota Statutes 1974, Section 124.03, Subdivision 3, as amended by Laws 1975, Chapter 46, Section 1, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of ~~8.3~~ *ten* mills on the January 2, ~~1972~~ 1975 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but

not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) For the year 1975 and subsequent years, the commissioner of revenue shall pay to the school district the amount certified by the commissioner to be due to the district. One half of the amount due shall be paid on or before July 15, but no earlier than July 1, and the remainder shall be paid on or before November 15.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of revenue shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

Sec. 3. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by this article is annually appropriated from the general fund to the commissioner of revenue.*

## ARTICLE II

Section 1. Minnesota Statutes 1974, Section 256.01, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and such other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children, as defined in section 250.02, in facilities other than those located and available at state hospitals when it is not feasible to provide ~~such~~ *the* service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431 ; ~~including the establishment of an efficient working relationship with the director of institutions relating to the care and supervision of individuals both prior to and after departure from institutions under the supervision of said director of institutions .~~

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules and regulations making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain ~~such~~ *any* administrative units as ~~may~~ reasonably be necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise ~~such~~ *any* additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a

legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.

(10) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(11) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(12) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid by ~~county welfare boards~~ for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under the medical assistance program.

(13) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory committee and filed with the commissioner of administration.

(14) In accordance with federal requirements establish procedures to be followed by ~~county~~ local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) *Promulgate, by rule and regulation, standards of administration to be applied by local welfare boards administering state and county financed programs of aid to families with dependent children, medical assistance, general assistance, and supplemental assistance.*

*The rules and regulations shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.*

(16) *Develop a quality assurance monitoring plan for the programs of general assistance and supplemental assistance.*

(17) *Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare.*

Sec. 2. Minnesota Statutes 1974, Section 256.72, is amended to read:

256.72 [DUTIES OF LOCAL AGENCIES.] ~~The county~~ local agencies shall:

(1) Administer the provisions of sections 256.72 to 256.87 in the respective counties subject to the rules and regulations prescribed by the ~~state agency~~ commissioner pursuant to the provisions of those sections;

(2) Report to the state agency at ~~such the~~ times and in ~~such the~~ manner and form as the ~~state agency~~ commissioner may from time to time direct; and

(3) Submit quarterly and annually to the county board of commissioners a budget containing an estimate and supporting data setting forth the amount of money needed to carry out the provisions of those sections.

(4) In addition to providing financial assistance, provide ~~and appropriate money for such~~ services as ~~will~~ which help to maintain and strengthen family life and promote the support and personal independence of parents and relatives insofar as ~~such the~~ help is consistent with continuing parental care and protection.

Sec. 3. Minnesota Statutes 1974, Section 256.73, Subdivision 2, is amended to read:

Subd. 2. [ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.] The ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under sections 256.72 to 256.87:

(1) Real estate used as a home the market value of which less encumbrances exceeds \$7,500; provided that real estate used as a home in excess of this amount will not be a bar to eligibility where the county local welfare board determines, according to guidelines set by the commissioner of public welfare, that such the real estate is not available for support of the family.

(2) Personal property of a reasonable market value in excess of \$300 for a one child recipient or \$500 for more than one child recipient, exclusive of personal property used as the home, insurance carried by a parent which does not exceed a cash surrender value of \$500, appropriate clothing and necessary household furniture and equipment, and of such tools, implements, and domestic animals as which in the opinion of the county local agency, following guidelines set by the commissioner of public welfare, it is expedient to retain for the purpose of reducing the expense or increasing the income of the family, and the earnings of a dependent child which are placed in a savings account to be used for a future purpose approved by the county local agency in accordance with the rules and regulations of the commissioner of public welfare; or

(3) Real estate not used as a home, provided that if such the real estate does not produce net income sufficient to meet the family budget and there is no available market for the sale of such the property, or if the price which can be obtained on the prevailing market is not fair and reasonable considering the applicant's interest therein and the possibilities of sale of said property for a greater amount within a reasonable length of time thereafter then in that event, in the discretion of the county local agency, following guidelines set by the commissioner of public welfare, ownership of the same shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property; provided that. In computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that. The net income thus derived shall be applied on the family budget.

Sec. 4. Minnesota Statutes 1974, Section 256.73, Subdivision 4, is amended to read:

Subd. 4. [COUNTY TO ADMINISTER PAYMENT.] The county responsible for the payment of assistance under sections 256.72 to 256.87 shall be the county in which said child has resided for the year preceding resides at the time of making application for assistance; provided, that if said child has not resided continually in any one county for the year preceding said application, then the county in which said child has resided for the longest

period of time during said year shall be responsible for the payment of assistance under sections 256.72 to 256.87, subject to the provisions of section 256.79. The time during which a child has been an inmate of a hospital, a home of detention, a licensed boarding or foster home, or of any public or private institution, shall be excluded in determining the time of residence of such child.

Sec. 5. Minnesota Statutes 1974, Section 256.82, is amended to read:

256.82 [PAYMENTS BY STATE.] Based upon estimates submitted by the county local agency to the state agency, which shall state the estimated required expenditures for the succeeding month, upon the direction of the state agency payment shall be made monthly in advance by the state to the counties of all federal funds available for that purpose for such the succeeding month, together with an amount of state funds equal to 50 90 percent of the difference between the total estimated cost and the federal funds so available. Adjustment of any overestimate or underestimate made by any county shall be made upon the direction of the state agency in any succeeding month.

Sec. 6. Minnesota Statutes 1974, Section 256.871, Subdivision 6, is amended to read:

Subd. 6. [ESTIMATED EXPENDITURES; PAYMENTS.] The county local agency shall submit to the state agency an estimate of expenditures for each succeeding month in such the form as required by the state agency. Payment shall be made monthly in advance by the state agency to the counties, of federal funds available for that purpose for each succeeding month, together with an amount of state funds equal to ten 90 percent of the difference between the total estimated cost and the federal funds so available. Adjustment of any overestimate or underestimate made by any county shall be made upon the direction of the state agency in any succeeding month.

Sec. 7. Minnesota Statutes 1974, Section 256.98, is amended to read:

256.98 [WRONGFULLY OBTAINING ASSISTANCE; THEFT.] Whoever obtains, or attempts to obtain, or aids or abets any person to obtain by means of a wilfully false statement or representation, or by impersonation or other fraudulent device, assistance to which he is not entitled, or assistance greater than that to which he is entitled, or knowingly aids or abets in buying or in any way disposing of the property of a recipient of assistance without the consent of the county local agency with intent to defeat the purposes of Minnesota Statutes 1971, Sections 256.451 to 256.475, 256.13 to 256.43, 256.49 to 256.71, 256.72 to 256.87, or chapter 256B, shall be guilty of theft and punished in accordance with section 609.52, subdivision 3, clauses (1), (2) and (5). The amount of any assistance paid incorrectly by way of the aforementioned means and established by judicial determination shall be recoverable from the recipient or his estate by the county or the state as a debt due the county or the state or both in proportion to

*the contribution of each . Any amounts recovered shall be paid to the appropriate units of government in the same manner as provided in section 256.863. To prosecute or to recover assistance wrongfully obtained under this section, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal or civil action.*

Sec. 8. Minnesota Statutes 1974, Section 256B.02, Subdivision 3, is amended to read:

Subd. 3. "County of financial responsibility" means : (a) For an applicant who resides in this state, the county in which he last resided for one year of unexcluded time. If he does not have one year of unexcluded time, the county in which he resided for the longest period of unexcluded time.

(b) For an applicant who has not resided in this state for a full year, the county in which he has resided the longest period of unexcluded time.

(c) For an applicant who has not resided in this state for any period of unexcluded time, the county in which he the applicant resides at the time of making application.

(d) The above provisions notwithstanding, the county of financial responsibility for medical assistance shall always be the same county as that from which a recipient is receiving a maintenance grant or money payment under the aid to families with dependent children program.

Sec. 9. Minnesota Statutes 1974, Section 256B.041, Subdivision 5, is amended to read:

Subd. 5. If required by federal law or rules promulgated thereunder, or by authorized regulation of the state agency, each county shall pay to the state treasurer the portion of medical assistance paid by the state for which it is responsible. The county's share of cost shall be 50 ten percent of that portion not met by federal funds.

Sec. 10. Minnesota Statutes 1974, Section 256B.07, is amended to read:

256B.07 [EXCEPTIONS IN DETERMINING RESOURCES.] A county local agency may, within the scope of regulations set by the commissioner of public welfare, waive the requirement of liquidation of excess assets when the liquidation would cause undue hardship. Household goods and furniture in use in the home, wearing apparel, insurance policies with cash surrender value not in excess of \$1,000 per insured person, personal property used as a regular abode by the applicant or recipient, and a lot in a burial plot shall not be considered as resources available to meet medical needs.

Sec. 11. Minnesota Statutes 1974, Section 256B.12, is amended to read:

256B.12 [LEGAL REPRESENTATION.] The attorney general or the appropriate county attorney appearing at the direction of the attorney general shall be the attorney for the state agency, and the county attorney of each the appropriate county shall be the attorney for the county local agency of such county in all matters pertaining hereto.

Sec. 12. Minnesota Statutes 1974, Section 256B.19, Subdivision 1, is amended to read:

256B.19 [DIVISION OF COST.] Subdivision 1. The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. *Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be shared equally paid by the state and county; except that where the recipient is a child who has been surrendered for adoption pursuant to section 259.25, or has been committed to the guardianship of a licensed child placing agency pursuant to section 260.241, and a bona fide dispute regarding the county of residence of the child exists, the commissioner of public welfare, pursuant to rules and regulations adopted by him, may pay the entire expense of assistance not paid by federal funds from state funds. The director of the child placing agency or his appointed agent shall be designated as the applicant for medical assistance benefits on behalf of the child and ten percent shall be paid by the county of financial responsibility.*

Sec. 13. Minnesota Statutes 1974, Section 256D.03, Subdivision 2, is amended to read:

Subd. 2. State aid shall be paid to local agencies for 50 90 percent of all general assistance grants up to the standards of section 256D.01, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of section 256D.01, subdivision 1.

Sec. 14. Minnesota Statutes 1974, Section 256D.07, is amended to read:

256D.07 [TIME OF PAYMENT OF ASSISTANCE.] An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by Laws 1973, Chapter 650, Article 21 and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such a presumptively eligible applicant without the necessity of first securing action by the board of the local agency.

If upon verification and due investigation it appears that the applicant swore falsely and such the false information materially affected his eligibility for general assistance or the amount of his

general assistance grant, the local agency shall refer the matter to the county attorney or to the attorney general. The county attorney either independently or at the direction of the attorney general, or the attorney general may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 15. Minnesota Statutes 1974, Section 256D.18, Subdivision 2, is amended to read:

Subd. 2. "County of financial responsibility" means ~~(a)~~ the county in which an individual resides ; or ~~(b)~~ if an individual is a patient in a hospital, nursing home, or boarding care home, as defined in section 144.50, or is placed in a county as a result of a correctional program or a treatment plan for health, rehabilitation, foster care, child care or training, at the time of making application ; and immediately prior thereto resided in another county, then that other county, or ~~(c)~~ the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance .

Sec. 16. Minnesota Statutes 1974, Section 256D.36, Subdivision 1, is amended to read:

256D.36 [1973 CATEGORICAL AID RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. Commencing January 1, 1974, the commissioner shall certify to each local agency the names of all county residents who were eligible for and did receive aid during December, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974 the effective date of this act , the state and the county shall each pay one half of 90 percent and the county shall pay ten percent of the supplemental aid calculated for each county resident certified under this section who is an applicant for or recipient of supplemental security income. The amount of supplemental aid for each individual eligible under this section shall be calculated pursuant to the formula prescribed in Title II, Section 212 (a) (3) of Public Law 93-66, as amended.

Sec. 17. Minnesota Statutes 1974, Section 256D.37, Subdivision 1, is amended to read:

256D.37 [NEW APPLICANTS AND RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. For all applicants for or recipients of supplemental security income who did not receive aid pursuant to any categorical aid program referred to in section 256D.36 during December, 1973, and who make application to the appropriate local agency, the local agency shall determine whether the individual meets the eligibility criteria prescribed in subdivision 2. For each individual who meets the relevant eligibility criteria prescribed in subdivision 2, the local agency shall certify to the commissioner the amount of supplemental aid to which the individual is entitled in accordance with all of the standards in effect December 31, 1973, for the appropriate categorical aid program. In computing the amount of supplemental aid under this section, the local agency shall deduct

from the gross amount of the individual's determined needs all income, subject to the criteria for income disregards in effect December 31, 1973, for the appropriate categorical aid program. From and after the first of the month in which an effective application is filed, the state and the county shall each pay one half of 90 percent and the county shall pay ten percent of the supplemental aid to which the individual is entitled under this section.

Sec. 18. Minnesota Statutes 1974, Section 393.08, Subdivision 1, is amended to read:

**393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.]**  
Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, subdivision 3, shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such those counties shall be such as is for the amount required for public assistance, poor relief and categories of aid under the federal social security act, social services, and administration of those and all other programs of assistance, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for institutional requirements as authorized by such the home rule charter, on the real and personal property within the corporate limits of such the city. Such The tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program programs.

Sec. 19. [APPROPRIATION.] *There is annually appropriated from the general fund in the state treasury to the commissioner of public welfare, a sum sufficient to discharge the duties imposed by this article.*

Sec. 20. [EFFECTIVE DATE.] *This article shall be effective January 1, 1976.*

### ARTICLE III

Section 1. Minnesota Statutes 1974, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section, all property described in this section to the extent herein limited shall be exempt from taxation ; *provided that if any portion of a parcel of exempt property exceeding two percent of the total valuation of that property is used for a non-exempt purpose, the portion so used shall be subject to ad valorem taxes :*

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1, (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures.

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 2. [EFFECTIVE DATE.] *This article is effective for property taxes assessed in 1975 and thereafter and due and payable in 1976 and thereafter.*

#### ARTICLE IV

Section 1. Minnesota Statutes 1974, Section 273.011, Subdivision 2, is amended to read:

Subd. 2. [QUALIFIED HOME OWNER.] The term "qualified home owner" means:

- (a) (i) A person 65 years of age or older; or
- (ii) The surviving spouse of a decedent, if such decedent was 65 years of age or older at his death, and such spouse has not remarried; and
- (b) Who owns property as his homestead, and title to the property so used is held:
  - (i) In his name as owner of the fee; or
  - (ii) Only in his name and that of his spouse as joint tenants or tenants in common; or
  - (iii) Only in his name, or his name and that of his spouse as owner of an estate for life or an estate for years; or
  - (iv) In the name of two or more joint tenants or tenants in common where each of such joint tenants or tenants in common would meet the requirements of a "qualified home owner" set out in this subdivision if he were the sole owner of the fee; and
- (c) *Who, together with his spouse, if any, has a federal adjusted gross income of less than \$15,000 in the year for which the claim is made.*

Sec. 2. Minnesota Statutes 1974, Section 273.011, Subdivision 5, is amended to read:

Subd. 5. [CURRENT TAX.] The term "current tax" means the ad valorem tax *which except as provided in section 3 would otherwise be* legally due and payable on "qualified property" in the year following the year of assessment.

Sec. 3. Minnesota Statutes 1974, Section 273.012, Subdivision 2, is amended to read:

Subd. 2. Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, ~~there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax as hereinafter provided under chapter 290 the property tax as otherwise determined by law to be paid by the "qualified home owner" thereof shall be reduced by an amount equal to the excess of "current tax" over "base tax"~~. In the event that a "qualified home owner" entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.

Sec. 4. Minnesota Statutes 1974, Section 273.012, is amended by adding a subdivision to read:

*Subd. 3. The county auditor shall notify the county assessor of each qualified property for which the credit provided for in this section is claimed.*

Sec. 5. Minnesota Statutes 1974, Section 273.061, is amended by adding a subdivision to read:

*Subd. 11. [ADDITIONAL SPECIFIC DUTIES.] The county assessor shall notify the county auditor when qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed, loses its status as qualified property.*

Sec. 6. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.013] [ALLOWANCE OF CREDIT.] *Subdivision 1. A person entitled to a reduction of ad valorem taxes as provided by section 273.012, subdivision 2, may submit an application for the reduction provided to the county auditor prior to October 1 of the year preceding the year in which the taxes are due and payable. The application shall contain the following information:*

*(a) Name of applicant.*

*(b) Date of applicant's birth.*

*(c) Whether applicant received the property from a deceased spouse, and if so, date of death of deceased spouse and age at date of death.*

*(d) Type of ownership (fee owner, holder in joint tenancy, holder of an undivided interest, holder of an estate for life or an estate for a time certain; if held in joint tenancy with one or more persons, the names of the other joint tenants and the relationship of the joint tenants to the applicant).*

*(e) Description of the property (including particulars regarding one acre or less of land most contiguous to the structure) whether a single family dwelling, part of a multi-family dwelling, part of a multi-purpose structure or a mobile home, and if the property is a mobile home, whether title to the land on which located is owned by the applicant.*

*(f) Whether the property is the homestead of the applicant. If the property and the one acre or less of land described in clause (e) contain structures other than those where the applicant stores his personal property, or if the property embraces an area of land in excess of one acre, the county auditor shall request the assessor to place a separate market value on the dwelling place, storage structures and on the acre of land most contiguous to these structures. The application shall be deemed to be on file for ensuing years until the applicant is no longer entitled to the reduction of tax on the property provided in section 273.012, subdivision 2.*

*Subd. 2. The county auditor shall then compute the "current tax" on the property, and determine the "base tax" of the appli-*

cant in the manner provided by the commissioner of revenue. Both the "current tax" and the "base tax" shall be recorded on the tax list which the county auditor is required to furnish to the county treasurer pursuant to section 276.01.

*Subd. 3. The county treasurer shall set forth on the tax statement sent the applicant, the amount by which the "current tax," is reduced pursuant to section 273.012, subdivision 2.*

*If prior to the first Monday in January the applicant has disposed of the property either by sale, gift or otherwise, or the property has passed to an heir by reason of applicant's death, the person in possession of the property shall not be entitled to the reduction in tax represented by the difference between the "current tax" and the "base tax," unless he is otherwise entitled thereto.*

*Subd. 4. At the time the county treasurer makes full settlement with the county auditor of his receipts and collections, he shall submit a list of the reductions in tax to the county auditor resulting from the application of this section.*

*Sec. 7. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:*

**[273.014] [GENERAL FUND, REPLACEMENT OF REVENUE.]** *Subdivision 1. Payment from the general fund shall be made as provided herein to replace revenue lost as a result of the reduction of property taxes as provided in sections 3 and 4 and 273.011 and 273.012.*

*Subd. 2. The commissioner of revenue shall determine the amount of reduction resulting from sections 2 and 3 and sections 273.011 and 273.012, basing his determinations on a review of the abstracts of tax lists submitted by the county auditor pursuant to section 275.29, or on certification of the county auditor.*

*Subd. 3. The commissioner shall pay out of the general fund to the treasurer of each county one half of the amount certified under subdivision 2 not later than July 15 and the remaining half not later than November 15 of each year commencing in 1976. There is annually appropriated from the general fund the amounts necessary to make the payments provided herein.*

*Subd. 4. When any person pays or owes a tax in excess of the amount he is required to pay pursuant to the provisions of sections 3 and 4 and 273.011 and 273.012, he may apply either for an abatement of the tax he owes, or a refund, if he has paid an amount in excess of the amount legally due, as the case may be. The application shall be filed with the county board and upon favorable recommendation of the county board or the board of abatement of any city where a board of abatement exists, and the county auditor of the county where the tax was levied or paid, the application shall be thereafter submitted to the commissioner of revenue in the manner provided by section 270.07.*

*If an abatement or refund is thereafter approved, the county auditor shall include the abatement or refund with the abstract of*

*tax lists submitted by him for the year following the year in which effected.*

*Sec. 8. Minnesota Statutes 1974, Section 290.066, is repealed.*

*Sec. 9. [EFFECTIVE DATE.] This article is effective for the reduction of current taxes which become due and payable in 1976 and each succeeding year .*

#### ARTICLE V

Section 1. Minnesota Statutes 1974, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. ~~Except as provided in subdivision 2,~~ All property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

*Sec. 2. [REPEALER.] Minnesota Statutes 1974, Section 273.11, Subdivisions 2, 3, 4 and 5 are repealed.*

#### ARTICLE VI

Section 1. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

273.122] [FLEXIBLE HOMESTEAD BASE VALUE.] *Subdivision 1. [HOMESTEAD BASE VALUE.] For 1974 and prior*

years, the homestead base value shall mean \$12,000 of market value of any property which qualifies as homestead property for assessment purposes. Commencing with the 1975 assessment year, the homestead base value shall be \$14,000 of market value. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.

*Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to 1975, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in 1975. This quotient is multiplied by 100. For each increase of a full three and one half points in the index the homestead base value shall be increased \$500 in the following assessment year. On or before March 15 of any assessment year the commissioner of revenue shall certify the homestead base value for that year.*

Sec. 2. Minnesota Statutes 1974, Section 273.13, Subdivision 6, is amended to read:

*Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 160 acres, regardless of whether or not the market value is in excess of \$12,000 the homestead base value , for all purposes except the payment of principal and interest on non-school district bonded indebtedness, shall be reduced by 45 percent 100 percent of the first \$100 and 45 percent of the remainder of the amount of the tax; provided that the amount of said the total reduction shall not exceed \$325 \$375 . Valuation subject to relief shall be limited to 120 160 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the sum of \$12,000 homestead base value , the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market homestead base value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.*

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 3. Minnesota Statutes 1974, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the market value is in excess of ~~the~~ *\$12,000 the homestead base value*, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by ~~45 percent~~ *100 percent of the first \$100 and 45 percent of the remainder* of the amount of such tax; provided that the amount of ~~said~~ *the total* reduction shall not exceed ~~\$325~~ *\$375*. If the market value is in excess of the ~~sum of~~ *\$12,000 homestead base value*, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The ~~first~~ *\$12,000 market homestead base value* of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving workmen's compensation based on a finding of total and permanent disability, or who is receiving social security disability, which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the market value is in excess of ~~the~~ *\$12,000 the homestead base value*, for all purposes except the payment of principal or interest on non-

school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 $\frac{1}{3}$  percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 4. Minnesota Statutes 1974, Section 510.02, is amended to read:

510.02 [AREA, HOW LIMITED.] The homestead may include any quantity of land not exceeding 80 160 acres, and not included in the laid out or platted portion of any city. If it be within the laid out or platted portion of such place its area shall not exceed one half of an acre.

Sec. 5. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by sections 2 and 3 is annually appropriated from the general fund to the commissioner of revenue.*

## ARTICLE VII

Section 1. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.132] [CLASS 3CC AND TITLE II AID.] *Subdivision 1. Each county government, city, township, special taxing district, and each school district which levied ad valorem taxes payable in 1976 shall receive reimbursement in 1976 and subsequent years for the difference in tax as determined in subdivision 2, on class 3cc property assessed under section 273.13, subdivision 7, and on structures used as housing for the elderly or for low and moderate income families and assessed under section 273.13, subdivision 17 or 17b.*

*Subd. 2. (a) The county auditor shall calculate the tax on the property described in subdivision 1 in the same manner as like property is assessed, notwithstanding section 273.13, subdivision 7, as it relates to class 3cc property, and section 273.13, subdivisions 17 and 17b.*

*(b) The difference between the amount so calculated in clause (a) and the amount of tax actually payable by the owner on such property pursuant to those sections shall be distributed to the taxing districts by the commissioner of revenue in the same proportion that the ad valorem tax was distributed. He shall make payment directly to the affected taxing districts on July 15 of each year, commencing in 1976.*

*Subd. 3. The county auditor shall enter on the abstract of assessment of real property the assessed value of the affected property computed pursuant to subdivision 2, clause (a), which shall be the basis of computing the distribution of school aids.*

*Subd. 4. For the purpose of determining the amount of the property tax levy subject to limitation pursuant to sections 275.50*

*to 275.56, the property tax levy of a county government, city or town subject to such limitation shall be the property tax levy of such governmental unit including the distribution to be made pursuant to section 1.*

Sec. 2. Minnesota Statutes 1974, Section 276.04, is amended to read:

**276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.]** On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, in counties over 50,000 population according to the 1960 federal census, cause to be printed on all tax receipts and tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than May 15; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. Such statements shall also contain the amount of any reduction in real property taxes applicable to homesteads as provided in section 273.13, subdivisions 6 and 7, and attributable to the class 3cc and Title II aid, provided in section 1, subdivision 2 of this act. Such statements shall note that the reduction is paid for by the state of Minnesota. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 3. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by section 1 is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 4. [EFFECTIVE DATE.] *This article shall be effective for taxes levied in 1975 and payable in 1976.*

#### ARTICLE VIII

Section 1. Minnesota Statutes 1974, Section 275.52, Subdivision 3, is amended to read:

Subd. 3. ~~If the population of any governmental subdivision decreases from one year to the next, the current levy year's population shall, for purposes of sections 275.50 to 275.56, be increased~~

by an amount equal to one half of the decrease in population from the prior levy year, such increase to be effective for the said one levy year only. *Notwithstanding subdivision 2, the levy limit base per capita as adjusted for previous increases pursuant to this section may be increased for taxes payable in the year 1976 by an amount not to exceed 11 percent. In subsequent years the levy limit base per capita as adjusted for previous increases pursuant to this section may be increased as provided in subdivision 2.*

Sec. 2. Minnesota Statutes 1974, Section 275.53, Subdivision 1, is amended to read:

275.53 [GOVERNING CENSUS.] Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter, the population of the governmental subdivision shall be that established by the last state or federal census, or by a special census taken within the entire governmental subdivision pursuant to sections 275.50 to 275.56 or to any other law, by a census taken pursuant to subdivision 2, or by a population estimate made by the metropolitan council, by an order of the Minnesota municipal commission pursuant to section 414.01, subdivision 14, or by an estimate made pursuant to subdivision 3, whichever is the most recent as to the stated date of count or estimate reflects the highest total of population.

Sec. 3. Minnesota Statutes 1974, Section 275.59, is amended to read:

275.59 [GOVERNMENTAL SUBDIVISIONS UNDER 2,500 POPULATION; EXEMPTION FROM LEVY LIMITS.] Commencing with levy year ~~1973~~ 1975 and thereafter, taxes payable in ~~1974~~ 1976 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, statutory city or town with statutory city powers whose population according to the latest state or federal census is under ~~500~~ 2,500.

Sec. 4. [EFFECTIVE DATE.] *This article shall be effective on the day following final enactment.*

## ARTICLE IX

Section 1. Minnesota Statutes 1974, Section 290.012, Subdivision 4, is amended to read:

Subd. 4. "Income" means the sum of (a) gross income as defined in section 290.01, subdivision 20, (b) net income from sources outside the state, (c) alimony, (d) support money, and (e) relief, not including relief granted under unemployment compensation, (f) the gross amount of any pension or annuity, including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions, (g) nontaxable interest received from the state or federal governments or any of their instrumentalities, (h) the gross amount of "loss of time" insurance and (i) cash public assistance and relief, not including relief granted under sections 290.0601 to 290.0618. It does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agent.

Sec. 2. Minnesota Statutes 1974, Section 290.06, Subdivision 3d, is amended to read:

Subd. 3d. [CREDITS AGAINST TAX.] The taxes due as computed in accordance with section 290.06, subdivisions 2c and 3c shall be credited with the following amounts:

(1) A credit equal to his tax liability in the case of:

(a) An unmarried claimant with an income of ~~\$3,200~~ \$4,400 or less;

(b) A claimant with one dependent, with an income of ~~\$3,000~~ \$5,200 or less;

(c) A claimant with two dependents, with an income of ~~\$4,600~~ \$6,000 or less;

(d) A claimant with three dependents, with an income of ~~\$5,400~~ \$6,700 or less;

(e) A claimant with four dependents, with an income of ~~\$6,000~~ \$7,300 or less; and

(f) A claimant with five or more dependents, with an income of ~~\$6,400~~ \$7,800 or less.

(2) In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of section 290.012 and this subdivision, whichever is less.

(3) The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No ~~dependent individual dependent upon and receiving his chief support from any other individual~~ may be a claimant under section 290.012 and this subdivision. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of section 290.012 and this subdivision. All claimants shall submit their returns on these forms.

Sec. 3. [EFFECTIVE DATE.] *This article is effective for taxable years commencing after December 31, 1974.*

## ARTICLE X

Section 1. [REPEAL OF EMPLOYER'S EXCISE TAX.] *Minnesota Statutes 1974, Sections 290.031; 290.921; and 290.922 are repealed.*

Sec. 2. [EFFECTIVE DATE.] *This article shall be effective July 1, 1976.*

## ARTICLE XI

Section 1. Minnesota Statutes 1974, Section 290.06, Subdivision 9a, is amended to read:

Subd. 9a. [FEEDLOT POLLUTION CONTROL EQUIPMENT.] A credit of 10 percent of the net cost of pollution control and abatement equipment, including but not limited to, lagoons, aerating equipment, concrete storage pits, slurry handling equipment, and other equipment and devices approved by the pollution control agency, purchased, installed and operated within the state by a feedlot operator to prevent pollution of air, land, or water in connection with the operation of a livestock feedlot, poultry lot or other animal lot, may be deducted from the tax due under chapter 290 in the taxable year in which such equipment is purchased; provided that no deduction shall be taken for any portion of the cost of the same equipment pursuant to subdivision 9. The credits provided for in this subdivision and in subdivision 9 shall terminate on December 31, 197~~6~~ 1983 .

*If the amount of the deduction provided by this subdivision exceeds the taxpayer's liability for taxes pursuant to chapter 290 in the taxable year in which the equipment is purchased, the excess amount may be carried back to the three taxable years preceding the year of purchase and carried forward to the sev~~c~~ taxable years following the year of purchase.*

## ARTICLE XII

Section 1. Minnesota Statutes 1974, Section 290.09, Subdivision 29, is amended to read:

Subd. 29. [DEDUCTIONS ATTRIBUTABLE TO FARMING.] (a) [DEFINITION.] For purposes of Laws 1973, Chapter 737, income and gains and expenses and losses shall be considered as "arising from a farm" if such items are received or incurred in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, and all operations incident thereto, including but not limited to the common use of "hedging".

(b) [DEDUCTIONS LIMITED.] Except as provided in Laws 1973, Chapter 737, expenses and losses, except for interest and taxes, arising from a farm shall not be allowed as deductions in excess of income and gains arising from a farm.

(c) [DEDUCTIONS ALLOWED; CARRYOVER DEDUCTIONS.] Expenses and losses arising from a farm or farms shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of ~~\$10,000~~ \$20,000 reduced by the amount by which such non-farm income exceeds the amount of ~~\$10,000~~ \$20,000. Any remaining balance of such deductions shall be carried back three years and carried forward five years, in chronological order.

Current expenses and losses shall be utilized as deductions in any taxable year, to the extent herein allowable, prior to the

application of any carryback or carryover deductions. In any event, the combined amounts of such current expenses and losses and carryback or carryover deductions shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of ~~\$10,000~~ \$20,000 reduced by the amount by which such non-farm income exceeds the amount of ~~\$10,000~~ \$20,000 .

(d) For purposes of Laws 1973, Chapter 737 individual shareholders of an electing small business corporation shall be considered separate entities.

Sec. 2. [EFFECTIVE DATE.] *This article is effective for taxable years commencing after December 31, 1974.*

### ARTICLE XIII

Section 1. Minnesota Statutes 1974, Section 290.983, Subdivision 1, is amended to read:

290.983 [AMOUNT OF CREDIT; OFFSET AGAINST TAX.] Subdivision 1. The credit allowed by section 290.981 shall be ~~10~~ 12.5 percent of the total amount paid by the claimant during the taxable year as rent for the occupancy of real property used as the place of residence of his household. The credit shall not exceed ~~\$120~~ \$150 in any taxable year. For purposes of sections 290.981 to 290.992 "rent" does not include payments attributable to heat, light, or other utilities.

Sec. 2. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by this article is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 3. [EFFECTIVE DATE.] *This article is effective for taxable years beginning after December 31, 1974.*

### ARTICLE XIV

Section 1. Minnesota Statutes 1974, Section 297A.01, Subdivision 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing or processing;

(c) The furnishing, preparing or serving for a consideration of

food, meals or drinks, not including hospitals, sanatoriums, nursing homes or senior citizens homes, meals and lunches served at public and private schools, universities or colleges, or the occasional meal thereof by a charitable or church organization;

(d) The granting of the privilege of admission to places of amusement or athletic events and the privilege of use of amusement devices , *only if granted upon the payment, or promise of payment of a mandatory admission charge; not including the privilege of admission to live performances of ballet, dance or choral, instrumental and vocal concerts, plays, operas, and readings, and exhibitions of paintings, sculpture, photography, graphics, and crafts arts performed, exhibited or sponsored by an organization exempt from income taxation pursuant to section 290.05, subdivision 1 (i);*

(e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(f) The furnishing for a consideration of electricity, gas, water or steam for use or consumption within this state, or local exchange telephone service and intrastate toll service except such service provided by means of coin operated telephones. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause.

Sec. 2. [EFFECTIVE DATE.] *This article is effective July 1, 1975.*

## ARTICLE XV

Section 1. [477A.03] [LOCAL GOVERNMENT AID; 1976 AND 1977.] *Subdivision 1. The state shall distribute \$159,000,000 for each of the calendar years 1976 and 1977 to taxing authorities, except school districts, with authority to tax property in the state.*

*Subd. 2. Every county government except that of a county containing a city of the first class shall receive a distribution equal to the distribution it was entitled to receive in 1975 pursuant to Minnesota Statutes 1974, Section 477A.01.*

*Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns shall receive in 1976 and 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.*

*Subd. 4. The balance of the distributions in 1976 pursuant to subdivision 1 shall be distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1975 times its city or town 1974 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns.*

*The balance of the distributions in 1977 pursuant to subdivision 1 shall be distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1976 times its city or town 1975 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns.*

*Subd. 5. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town received in 1975, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in 1975, before corrections for prior year aid payments, and the distributions to the other cities and towns shall be proportionately reduced as necessary to supply the difference.*

*Subd. 6. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in 1976 and 1977.*

Sec. 2. Minnesota Statutes 1974, Section 275.51, Subdivision 3, is amended to read:

Subd. 3. The property tax levy limitation for governmental subdivisions in 1972 and subsequent levy years is calculated as follows. The governmental subdivision's levy limit base per capita for the immediately preceding levy year shall be increased pursuant to section 275.52, subdivision 2. The resulting current levy year's levy limit base per capita shall then be multiplied by the current levy year's population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (current levy year's levy limit base) shall be deducted the amount of state formula aids estimated by the department of revenue to be paid pursuant to ~~section 477A.01~~, as amended *this article*, and the taconite production tax municipal aids paid pursuant to section 298.282, as amended, to the governmental subdivision during the tax collection year to which the current levy year's levy limit base applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in the current levy year for all purposes other than those for which special levies and special assessments are made.

For the purpose of determining the amount of property taxes that a governmental subdivision may levy, in 1973 and thereafter, taxes payable in 1974 and thereafter, for all purposes except special levies and special assessments, the following amounts (increased by 12.36 percent and divided by the 1972 population of the governmental subdivision established pursuant to section 275.53) shall be added to the governmental subdivision's 1972 payable 1973 levy limit base per capita and adjusted pursuant to section 275.52, subdivision 2:

(1) The amount of a county auditor's error of omission in the ad valorem taxes extended in levy year 1970, taxes payable in 1971, but only to the extent that when included in the govern-

mental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

(2) The amount of an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory special law or charter limitation imposed on the governmental subdivision in levy year 1970.

The foregoing addition shall not be construed to alter in any way the amount of state formula aids estimated by the department of revenue to be paid a governmental subdivision pursuant to section 477A.01 in calendar years 1972 and 1973.

For levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the current levy year's levy limit base for the governmental subdivision shall be increased by the following aids (as estimated by the department of revenue and before adjustments for prior year aid payments):

(1) Calendar year 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(2) Calendar year 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(3) The November 30, 1972 and May 31, 1973, distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(4) Seventy percent of the amount that county governments were entitled to receive and 100 percent of the amount city and town governments were entitled to receive in fiscal year 1973 (July 1, 1972 through June 30, 1973) pursuant to Minnesota Statutes 1971, Section 287.12;

(5) Fiscal year 1973 (July 1, 1972 through June 30, 1973) gross earnings aids to cities, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; and 373.20 to 373.24;

(6) Fifty percent of the fiscal year 1973 (July 1, 1972 to June 30, 1973) inheritance tax distribution to county governments pursuant to Minnesota Statutes 1971, Section 291.33.

The foregoing addition shall be made after the per capita adjustment pursuant to section 275.52, subdivision 2, and after the multiplication of the current levy year's levy limit based per capita by the current levy year's population of the governmental subdivision, but before the deduction of the aids estimated by the department of revenue to be paid to the governmental subdivision pursuant to ~~sections 477A.01~~ *this article* and section 298.282, as amended, during the tax collection year to which the current levy year's levy limit base applies.

Sec. 3. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by this article is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 4. *Minnesota Statutes 1974, Section 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17 are repealed effective January 1, 1976.*

#### ARTICLE XVI

Section 1. [EXEMPTION FOR FEDERAL INCOME TAX REBATE.] *All amounts received by individual taxpayers pursuant to Title I of Public Law 94-12 of the Tax Reduction Act of 1975, shall be exempt from taxation as income as provided by Minnesota Statutes, Chapter 290.*"

Further, amend the title as follows:

Page 1, delete lines 2 to 41

Page 2, delete lines 1 to 17 and insert:

"relating to taxation; increasing the agricultural mill rate differential; increasing the proportion of public assistance payments to be paid by the state; qualifying eligibility for property tax exemption; eliminating the limit on the annual increase in assessed valuations of property; establishing a method of determining flexible homestead base values; reducing ad valorem taxes paid by certain persons; providing for reimbursement by the state of local taxing districts for reduced revenues from Class 3cc and Title II property; altering means of calculating levy limits, exempting certain governmental subdivisions from levy limits; raising the level of credits against tax granted to low income individuals; repealing employer's excise tax; extending income tax credit for pollution control equipment; increasing farm loss deductions limit; increasing renters credit; defining "sale" for sales and use tax purposes to exclude certain admission charges; providing certain local government aids; exempting federal income tax rebate from taxation by the state; amending Minnesota Statutes 1974, Sections 124.03, Subdivision 2, and Subdivision 3, as amended; 256.01, Subdivision 2; 256.72; 256.73, Subdivisions 2 and 4; 256.82; 256.871, Subdivision 6; 256.98; 256B.02, Subdivision 3; 256B.041, Subdivision 5; 256B.07; 256B.12; 256B.19, Subdivision 1; 256D.03, Subdivision 2; 256D.07; 256D.18, Subdivision 2; 256D.36, Subdivision 1; 256D.37, Subdivision 1; 272.02, Subdivision 1; 273.011, Subdivisions 2 and 5; 273.012, Subdivision 2, and by adding a subdivision; 273.061, by adding a subdivision; 273.11, Subdivision 1; 273.13, Subdivisions 6 and 7; 275.52, Subdivision 3; 275.53, Subdivision 1; 275.59; 276.04; 290.012, Subdivision 4; 290.06, Subdivisions 3d and 9a; 290.09, Subdivision 29; 290.983, Subdivision 1; 297A.01, Subdivision 3; 393.08, Subdivision 1; and 510.02; and Chapter 273, by adding sections; repealing Minnesota Statutes 1974, Sections 273.11, Subdivisions 2, 3, 4, and 5; 290.031; 290.066; 290.921; 290.922; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17."

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

Pursuant to Rule 60, a roll call was taken on the motion of Mr. Blatz to further amend H. F. No. 1674 as follows:

Strike everything after the enacting clause and insert the following:

### “ARTICLE I

Section 1. *The federal income tax rebate received by a taxpayer because of Title I of P. L. 94-12 shall not be subject to the Minnesota income tax.*

### ARTICLE II

Section 1. Minnesota Statutes 1974, Section 290.06, Subdivision 1, is amended to read:

290.06 [RATES OF TAX; CREDITS AGAINST TAX.] Subdivision 1. [COMPUTATION, CORPORATIONS.] The privilege and income taxes imposed by this chapter upon corporations shall be computed by applying to their taxable net income in excess of the applicable credits allowed under section 290.21 the rate of ~~12~~ 11 percent. The amount of tax payable by a corporation required to file a return shall not be less than \$100.

Sec. 2. Minnesota Statutes 1974, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, ~~1974~~ 1974, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, ~~\$21~~ \$25, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, ~~\$42~~ \$50. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, ~~\$21~~ \$25 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional ~~\$21~~ \$25;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional ~~21~~ \$25;

(c) In the case of a married individual, living with husband or wife, an additional ~~21~~ \$25 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death. and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 3. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. For taxable years beginning after December 31, 1974, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be reduced by a credit equal to ten percent of the income tax so computed.*

Sec. 4. This article is effective for taxable years beginning after December 31, 1974.

## ARTICLE III

Section 1. Minnesota Statutes 1974, Section 290.031, is amended by adding a subdivision to read:

*Subd. 7. [EXCISE TAX TERMINATION.] The provisions of this section shall not apply to taxable compensation paid after June 30, 1975. The entire \$100,000 exclusion in subdivision 4 shall be allowable for the employer's taxable year beginning January 1, 1975 or thereafter.*

Sec. 2. Minnesota Statutes 1974, Section 297A.14, is amended to read:

297A.14 [USING, STORING OR CONSUMING TANGIBLE PERSONAL PROPERTY; ADMISSIONS; UTILITIES.] For the privilege of using, storing or consuming in Minnesota tangible personal property, tickets or admissions to places of amusement and athletic events, electricity, gas, and local exchange telephone service purchased for use, storage or consumption in this state, there is hereby imposed on every person in this state a use tax at the rate of four percent of the sales price of sales at retail of any of the aforementioned items made to such person after October 31, 1971, unless the tax imposed by section 297A.02 was paid on said sales price.

Motor vehicles subject to tax under this section shall be taxed at the fair market value at the time of transport into Minnesota if such motor vehicles were acquired more than three months prior to its transport into this state.

~~Notwithstanding any other provisions of sections 297A.01 to 297A.44 to the contrary, the cost of paper and ink products exceeding \$100,000 in any calendar year, used or consumed in producing a publication as defined in section 297A.25, subdivision 1, clause (i) is subject to the tax imposed by this section.~~

Sec. 3. Minnesota Statutes 1974, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use of other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (Storage shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property ~~(except as provided in section 207A.14)~~ which is used or consumed in ~~producing~~ *or becomes an ingredient or component part of any publication regularly issued at average intervals not exceeding three months, and any such publication.* For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property

by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of air flight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of cigarettes.

(s) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(t) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(u) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(v) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(w) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

#### ARTICLE IV

Section 1. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 13. [INVESTMENT CREDIT.] Effective for taxable years beginning after December 31, 1974, there shall be allowed a credit against the Minnesota tax an amount that is equal to the amount of the credit that is allowed under Section 38 and Section 46 of the Internal Revenue Code of 1954, as amended through December 31, 1974, and as amended by Public Law 94-12, in the year the federal credit is allowed. However, such credit shall be allowed only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter. The credits provided by section 290.06, subdivision 9 or subdivision 9a, shall not be applicable to property eligible for credit under this subdivision.*

*In the case of property disposed of on or after January 1, 1975, which results in an increase in the taxpayer's federal tax liability*

*under Section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1974, and as amended by Public Law 94-12, in the year such increase occurs, there shall be added an equal amount to the taxpayer's Minnesota tax liability, not exceeding the amount of the credit which was previously allowed to reduce the taxpayer's Minnesota income tax liability.*

*Sec. 2. The provisions of section 290.01, subdivision 20(a)(9), section 290.01, subdivision 20(b)(9) and section 290.09, subdivision 24 shall not be applicable to property which is acquired on or after January 1, 1975.*

## ARTICLE V

Section 1. Minnesota Statutes 1974, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. ~~Except as provided in subdivision 2,~~ All property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

*Sec. 2. Minnesota Statutes 1974, section 273.11, subdivisions 2 to 5 are repealed.*

*Sec. 3. This article is effective for the 1975 assessment year and all subsequent years.*

## ARTICLE VI

Section 1. Minnesota Statutes 1974, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source.

For each of the taxable years beginning after December 31, 1970 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1972, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, *and as amended by P. L. 93-406, the Pension Reform Act of 1974*, shall be in effect for taxable years beginning after December 31, 1973.

(iv) *The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.*

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under chapter 290, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) Losses which do not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses, and including any such nonassignable losses which occur prior to the time the individual becomes a resident of the state of Minnesota;

(7) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(8) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(9) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1972 1974, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1972 1974, that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (9) or under section 290.09, subdivision 24; and

~~(10) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29.~~

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to fifty per centum of such portion of the gain;

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Income which does not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20;

(5) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses;

(6) If included in federal adjusted gross income, the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(7) The amount of any pension or benefit which is excluded from gross income under the provisions of section 290.08, subdivision 6; and

(8) The amount of compensation for personal services in the armed forces of the United States or the United Nations which is excluded from gross income under the provisions of section 290.65; and

(9) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, ~~1972~~ 1974, *but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter.*

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954,

but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the

amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 2. Minnesota Statutes 1974, Section 290.26, is amended to read:

290.26 [EMPLOYEES' TRUST, ANNUITY PLANS.] Subdivision 1. [INCOME OF CERTAIN TRUSTS NOT TAXED.] A trust created or organized in the United States and forming part of a stock bonus, pension, or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable under section 290.22 and no other provisions of this act shall apply with respect to such trust or its beneficiary if such trust or beneficiary comes within the provisions of sections 401 and 402 of the Internal Revenue Code of 1954, as amended through December 31, ~~1972~~ 1974 as adapted to the provisions of this chapter under regulations issued by the commissioner of revenue.

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Contributions of an employer to an employee's trust or annuity plan and compensation under a deferred-payment plan shall be allowed as a deduction in accordance with the provisions of Section 404 of the Internal Revenue Code of 1954, as amended through December 31, ~~1972~~ 1974 as adapted to the provisions of this act under regulations issued by the commissioner of revenue.

Subd. 2a. [EMPLOYER STOCK OWNERSHIP TRUST CONTRIBUTIONS.] All contributions of an employer to an employee stock ownership trust as defined by section 290.01, subdivision 24, shall be allowed as a deduction in accordance with the provisions of section 404 of the Internal Revenue Code of 1954, as amended through December 31, ~~1972~~ 1974, except that the limitation contained therein on the amount of contributions allowed as a deduction shall not be applicable and in lieu thereof a limitation of 30 percent shall apply. An employer who in any year claims a deduction under this subdivision shall not in that year claim a deduction under section 290.21.

Subd. 3. [DISTRIBUTIONS.] Distributions received by a beneficiary from a trust or annuity plan of the kind described in subdivision 1 or 2 of this section shall be treated in accordance with the provisions of section 290.08, subdivision 4, and sections 402 and 403 of the Internal Revenue Code of 1954, as amended through December 31, ~~1972~~ 1974 as adapted to the provisions of this chapter by regulations issued by the commissioner of revenue.

Subd. 4. [EFFECTIVE DATE.] The provisions of subdivisions 1, 2 and 3 of this section shall be applicable to the same taxable years as provided in section 290.08, subdivision 4, as adapted to the provisions of this chapter by regulations issued by the commissioner of revenue.

Subd. 5. A custodial account within the meaning of section 401(f) or section 403(b)(7) of the Internal Revenue Code of 1954, as amended through December 31, 1974, shall be treated as a trust under this section.

Subd. 6. Any individual retirement account that is exempt from taxation under the provisions of section 408 of the Internal Revenue Code of 1954, as amended through December 31, 1974, shall also be exempt from taxation under the provisions of this chapter.

Sec. 3. Minnesota Statutes 1974, Chapter 290, is amended by adding a section to read:

[290.032] Subdivision 1. There is hereby imposed as an addition to the annual income tax for a taxable year of a taxpayer in the classes described in section 290.03 a tax with respect to any distribution received by such taxpayer that is treated as a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1974, and that is subject to tax for such taxable year under section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1974.

Subd. 2. The amount of tax imposed by subdivision 1 shall be computed in the same way as the tax imposed under section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1974, except that the initial separate tax shall be an amount equal to ten times the tax which would be imposed by section 290.03 if the recipient was an individual referred to in such section and the taxable net income, excluding the credits allowed in section 290.06, subdivision 3c, and section 290.21, was an amount equal to one-tenth of the excess of

(i) the total taxable amount of the lump sum distribution for the year, over

(ii) the minimum distribution allowance, and except that references in section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1974, to paragraph (1) (A) thereof shall instead be references to subdivision 1 of this section.

Subd. 3. The tax imposed by this section on a non-resident individual shall be based only on that part of the lump sum distribution attributable to personal or professional services within this state.

Sec. 4. Minnesota Statutes 1974, section 290.09, subdivision 29, is repealed.

Sec. 5. This article is effective for taxable years beginning after December 31, 1973.

## ARTICLE VII

Section 1. Minnesota Statutes 1974, Section 290.09, is amended by adding a subdivision to read:

*Subd. 30. The amount the taxpayer has paid to others during the taxable year for tuition and book expenses of the taxpayer or his dependent taking a post high school course of instruction in an accredited educational institution including community colleges, state or private colleges or universities, professional schools, vocational schools or accredited para-professional schools. The deduction shall not exceed \$1,000 per student in any taxable year, and the total deduction shall not exceed \$5,000 for any student.*

Sec. 2. *This article is effective for taxable years commencing after December 31, 1974.*

## ARTICLE VIII

Section 1. Minnesota Statutes 1974, Chapter 290, is amended by adding a section to read:

[290.067] *Subdivision 1. There shall be allowed to any person, regardless of age, who owns his homestead, a credit equal to the amount that the property tax payable on the claimant's homestead exceeds six percent of the household income of the claimant in the year for which the taxes were levied. Any credit allowed pursuant to this section shall not exceed \$1,000 for any year.*

*Subd. 2. For purposes of this section "property taxes payable" means the property tax payable on the homestead property reduced by any credit allowed pursuant to sections 290.0601 to 290.0616, 290.0618 and 290.066.*

*Subd. 3. Any person entitled to a credit under this section shall file a claim with the department of revenue on or before June 30. The claim shall be in such form as the commissioner may prescribe and he shall make available to claimants the forms and suitable instructions for filing the claims.*

*Subd. 4. This section shall be administered in accordance with the definitions and procedures provided in sections 290.0601 to 290.0616 and 290.0618, if applicable, and if not inconsistent with the provisions of this section.*

*Subd. 5. There is hereby appropriated from the general fund the necessary amounts to pay the claims allowed by this section.*

Sec. 2. *This article is effective for property taxes due and payable in 1976 and years thereafter.*

## ARTICLE IX

Section 1. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.139] [HOMESTEAD PROPERTY AND AGRICULTURAL LAND TAX RELIEF.] *Subdivision 1. The property tax to be paid with respect to all real property and class 2a property used for purposes of a homestead and all agricultural land shall be reduced by an amount equal to ten percent of such tax, commencing with the taxes payable in 1976.*

*Subd. 2. Each county auditor shall certify not later than May 1 of each year to the commissioner of revenue the amount of reduction resulting from this section in each taxing district in his county. This certification shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review such certifications to determine their accuracy. He may make such changes in the certification as he may deem necessary or return a certification to the county auditor for corrections.*

*Subd. 3. Based on current year tax data reported in the abstracts of tax lists, the commissioner of revenue shall annually determine each taxing district's distribution of the amounts certified under subdivision 2. On or before July 15, 1976, and each year thereafter, the commissioner of revenue shall pay to each taxing district one half of its distribution. The remaining one half shall be paid on or before November 15, 1976 and each year thereafter.*

*Subd. 4. There is hereby appropriated from the general fund the amounts necessary to make the payments required by this section."*

Amend the title to read as follows:

"A bill for an act relating to taxation; exempting certain federal income tax rebates from taxation; reducing the privilege and income taxes imposed on corporations, individuals, trusts and estates; increasing personal and dependent credits against income tax; eliminating employer excise tax and farm loss limitation; exempting newsprint from sales and use tax; providing for investment credit; removing limitation on assessment increase; adopting portions of Pension Reform Act of 1974; providing for college education expense deduction, state relief to homeowners for extraordinary property tax burdens, and reduction in property tax due on agricultural land and all homestead property; amending Minnesota Statutes 1974, Sections 273.11, Subdivision 1; 290.01, Subdivision 2; 290.031 by adding a subdivision; 290.06, Subdivisions 1 and 3c; 290.06 by adding sections; 290.09 by adding a subdivision; 290.26; 297A.14; 297A.25, Subdivision 1; Chapter 273 by adding a section; Chapter 290 by adding a section; repealing Section 273.11, Subdivisions 2 to 5; and Section 290.09, Subdivision 29."

There were yeas 8 and nays 10 as follows:

Those who voted in the affirmative were:

Bang, Berg, Blatz, Frederick, Jensen, Larson, O'Neill and Sillers.

Those who voted in the negative were:

Chmielewski; Coleman; Conzemius; Gearty; Hansen, Baldy; McCutcheon; Olson, A. G.; Perpich, A. J.; Schrom and Wegener.

The amendment was not adopted.

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

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

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

Strike everything after the enacting clause and insert:

“Section 1. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures “1976”, and “1977” wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1976, and 1977 respectively.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. DEPARTMENT OF EDUCATION

Subdivision 1. General Academic and Related Services . .

1,821,883

1,300,123

(1) Salaries, supplies, and expenses

\$1,821,883    \$1,300,123

1976

1977

\$

\$

Of the amount provided by this subdivision, \$14,100 each year is appropriated from the trunk highway fund.

Provided that notwithstanding the provisions of Minnesota Statutes, Sections 121.26 and 125.08 to the contrary, the fee for registering with the teachers employment bureau shall not be less than \$10, and the fee for a certificate to teach or for a renewal or extension of certificate to teach shall not be less than \$10.

Subd. 2. Vocational Technical Instruction and Related Services .....

557,160

563,969

(1) Salaries, supplies, and expenses

\$ 557,160 \$ 563,969

Subd. 3. Special and Compensatory Instruction and Related Services .....

741,691

747,280

(1) Salaries, supplies, and expenses

\$ 341,691 \$ 347,280

(2) Claims, grants, and shared revenue

(a) Indian scholarships

\$ 400,000 \$ 400,000

Any unexpended balance remaining in (a) in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Education Planning, Innovative Developmental and Evaluative Services .....

702,627

704,296

(1) Salaries, supplies, and expenses

\$ 202,627 \$ 204,296

(2) Claims, grants, and shared revenue

\$ 500,000 \$ 500,000

	1976	1977
	\$	\$
Subd. 5. School Management and Services .....	2,435,742	2,841,440
(1) Salaries, supplies and expenses		
\$ 414,742   \$ 420,440		
(2) Claims, grants, and shared revenue		
\$2,021,000   \$2,421,000		

Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "A" lunch program to be distributed under standards established by the state board of education. Additional amounts of \$781,000 in 1976 and \$1,181,000 in 1977 are included in (2) and shall not be available to replace the use of soft match as originally provided in the budget request.

Subd. 6. Auxiliary and General Support Services .....	5,072,430	3,741,074
(1) Salaries, supplies, and expenses		
\$1,758,687   \$1,823,754		
(2) Claims, grants, and shared revenue		
\$3,313,743   \$1,917,320		

There is established in the state treasury a Minnesota educational computing consortium account. There is hereby appropriated from the general fund to the Minnesota educational computing consortium account the sum of \$150,000. The department shall charge MECC users for on-line computer time actually used, such receipts shall be deposited in the Minnesota educational computing consortium account, and are hereby reappropriated to the Minnesota educational computing consortium.

The department of education

1976

1977

\$

\$

in consultation with MECC shall submit to the chairman of house appropriations and the chairman of senate finance no later than June 30 and December 31 of each year a progress report, proposed plans, and expenditures.

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 7. Public Library Services .....

2,400,000

2,600,000

(1) Salaries, supplies, and expenses

\$ 314,021    \$ 328,271

(2) Claims, grants, and shared revenue

\$2,085,979    \$2,271,729

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

These funds may be granted for the improvement of library services at welfare and corrections institution libraries and for library services to the blind and physically handicapped. These funds shall not exceed in either year the amount provided for fiscal year 1974.

A public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

To qualify for the state library

1976

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grant herein authorized, local levies for libraries shall not be less than the library levies in effect January 1, 1975. All of the above funds are limited to operating purposes only.

Applications for financial assistance shall contain such information as the department requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such a plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

Subd. 8. Vocational Rehabilitation .....

2,770,679

3,167,303

(1) Salaries, supplies and expenses and counseling and care of persons

\$1,550,425    \$1,689,486

	1976	1977
	\$	\$
(2) Claims, grants, and shared revenues		
\$ 84,795   \$ 93,078		
(3) Long-term sheltered workshop and work activity		
\$1,135,459   \$1,384,739		

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

Any additional federal funds which are made available to the state of Minnesota after April 1, of any fiscal year by the department of H.E.W. as a result of reallocation of funds returned by other states may be carried over and expended in the next fiscal year. None of the amounts appropriated in subdivisions 3, 4, 5, 6, 7, and 8 listed as claims, grants and shared revenues or long term sheltered workshops on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any other expenditure category other than that for which it was appropriated.

The number of state funded positions shall not exceed the number shown on official worksheets.

**Sec. 3. STATE COLLEGE BOARD**

Subdivision 1. Maintenance and Equipment.....	52,034,856	53,099,194
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The amounts appropriated in subdivisions 1 and 2 include a sum in each year for recruit-

1976

1977

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\$

ment of unclassified staff. Candidates for positions in the state college board central office or in a state college who have been invited by the state college board for interview, may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

In developing new programs with the funds provided herein the state colleges shall, wherever appropriate and educationally sound, attempt to employ excess faculty resulting from declining or shifting enrollments.

Subd. 2. Metropolitan State College .....

1,231,638

1,511,315

The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college.

Subd. 3. State College Board Contingent .....

750,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

In the event the enrollment of full time equivalent students enrolled exceeds the budget

1976

1977

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estimates of 31,022 full time equivalents the first year and 31,260 full time equivalents the second year of the biennium for the total state college system, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full time equivalent undergraduate students, and one position for each 13 graduate students in excess of the biennial budget enrollment estimates for each year of the biennium.

It is the intent of the legislature that any salary adjustments or other payments mandated by court action, a qualified administrative agency, or because of settlement of litigation in process be financed from the contingent fund.

The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes, Section 3.30.

Subd. 4. Student Loans—State Matching . . . . .

175,000

175,000

The above appropriation shall be used as state's matching share for any federal student aid or loan program.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1975.

Subd. 5. General Research . . .

25,000

25,000

None of this appropriation

	1976	1977
	\$	\$
shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		

Subd. 6. Repairs and Betterments .....	1,456,000	
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Any unexpended balance remaining in the first year shall not cancel but will be available for the second year of the biennium.

All receipts of every kind, including but not limited to students' tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are reappropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to budgetary control by the commissioner of administration.

(a) those attributed to dormitory functions handled under Minnesota Statutes, Sections 136.31 to 136.38, and

(b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and

(c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes, Sections 136.143 and 136.144.

A report shall be submitted to the 70th session of the legislature as to the use of all such excepted funds.

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The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; provided such transfers are in accordance with the Laws of 1949, Chapter 230, Section 1, Subdivision 8.

Grants awarded to the state college system by any state agency shall be transferred to the accounts of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds as deemed most appropriate by the commissioner of finance.

During the 1975-77 biennium, the state college board shall identify nonacademic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer shall be transferred into the classified service of the state without competitive examination, and shall be placed in the proper classifications by the commissioner of finance, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with

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less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota metropolitan state college is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account shall not cancel on June 30 but shall be available in the next fiscal year.

The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes, Chapter 16, shall not apply to such expenditures but the state college board shall prescribe the manner, amount, and purpose of such expenditures and report thereon to the 1977 legislature.

Notwithstanding the provisions of Minnesota Statutes, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is

1976

1977

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authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any provision in Minnesota Statutes, Chapter 16, which may indicate the contrary, when the state college board so requests, technical educational equipment may be procured for the state colleges either by brand designation or in accordance with standards and specifications which the board may promulgate.

In addition to the fees prescribed by Minnesota Statutes, Section 136.11, the state college board may prescribe fees to be charged students for college activities, functions, and purposes.

Notwithstanding any other provision of law to the contrary, the state college board may make refunds to students for tuition, activity fees, union fees and any other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged. The state college board shall obtain the approval of the public examiner for the procedures used in carrying out the provisions of this para-

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graph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the commissioner of finance within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account.

The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hospital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes, Section 43.45.

The provisions of Minnesota Statutes, Section 136.13, notwithstanding, the state college board may hold its annual meeting on any day in the month of May.

	1976	1977
	\$	\$

All other provisions of law notwithstanding, the state college board is hereby authorized to demolish Lawrence hall at St. Cloud state college provided that a comprehensive space requirement study indicates such demolition represents the most economical course of action. Such demolition shall be accomplished at no cost in appropriated funds and shall not be initiated without the approval of the chairmen of the house appropriations and senate finance committees.

The commissioner of administration is authorized to offer for sale of selected buildings on the Mankato lower campus in accordance with the overall plan submitted to the legislature by a report authorized in Laws 1973, Chapter 516, Section 3.

Such sale shall not be authorized without approval of the chairman of the senate finance committee and the chairman of the house appropriations committee.

Sec. 4. UNIVERSITY OF MINNESOTA, COORDINATE CAMPUSES AND EXPERIMENT STATIONS .....

115,769,904	119,091,870
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Subdivision 1. Maintenance and Operations

The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes, Chapter 117.

1976

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No land shall be purchased and no buildings shall be constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The Board of Regents shall direct a review of the admission policies of all the professional and graduate schools of the University of Minnesota. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

- (1) the investments of the permanent university fund; and
- (2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes, Section 137.022.

For the purposes of these appropriations it is estimated that the income to be derived from the investment of the

1976

1977

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permanent university fund will not exceed \$2,532,006 for the first year and \$2,563,506 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the commissioner of finance at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts herein stated, the amounts payable from the general fund shall be reduced accordingly. For budgetary purposes it is estimated that the foregoing appropriation from the general fund will not exceed the sum of \$111,862,898 the first year and \$115,153,364 the second year.

On October 1, 1976, and 1977, the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

(1) the total amount of receipts during the fiscal year 1976 from all sources in excess of \$55,481,000 and during the fiscal year 1977 from all sources in excess of \$59,190,000.

	1976	1977
	\$	\$
(2) the sources of said receipts; and		
(3) the purposes for which any excess receipts were expended and accounts to which transferred.		

The appropriation in section 4 for fiscal year ending June 30, 1976, includes deficiency funds for fuel, Diehl hall equipment and Wisconsin veterinary medicine reciprocity agreement which shall not become a part of the expenditure base.

Subd. 2. Student Loans — State Matching .....	197,500	197,500
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The above appropriations shall be used as state's matching share for any federal student aid or loan program. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. Library Supplement.	675,194	675,312
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Subd. 4. Summer School Tuition and Continuing Education Supplement .....	791,499	832,652
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Provided that the board of regents shall expend the funds to equalize tuition rates among undergraduate students for regular session, summer session and extension programs in order to facilitate to the maximum the use of campus units, buildings and staff.

Subd. 5. For the Support of the University of Minnesota Technical College — Crookston .....	1,432,838	1,575,540
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Subd. 6. Waseca Technical College .....	989,103	942,312
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The appropriations in Subdivisions 5 and 6 shall be incor-

1976

1977

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\$

porated into the university of Minnesota maintenance and operation section, Section 4, Subdivision 1, in this biennium. Separate accounting reports of actual expenditures shall be available to the senate finance and house appropriations committees.

**Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL**

Subdivision 1. For State's Share of Expenses of County Indigent Patients . . . . .

1,580,000

1,700,000

A county under this appropriation will be reimbursed for 70 percent of the expense charged against a patient at the university hospital up to \$5,000 in accordance with Minnesota Statutes, Chapter 158. A charge against a patient in excess of \$5,000 will be paid by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect.

Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivision.

There is further appropriated to the university of Minnesota the following sum, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties during said fiscal years under the provisions of said acts, payments to be made quarterly out of said appropriation, as shown by

	1976	1977
	\$	\$

certificates filed with the commissioner of finance pursuant to the provisions of Minnesota Statutes, Chapter 158. . . . .

470,000	500,000
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The commissioner of finance is authorized and directed to pay the university out of sums collected from counties under the provisions of said chapter 158, during the fiscal years ending June 30, 1976, and June 30, 1977, respectively, an amount sufficient to reimburse said university in full for the amount due it from counties during said fiscal year as shown by certificates filed with the commissioner of finance, and a sum sufficient to make such payments is hereby appropriated.

**Sec. 6. SPECIAL HOSPITAL, COMMUNITY SERVICE, AND EDUCATIONAL OFFSET. . .**

4,657,459	4,778,683
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Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby reappropriated to said university hospital.

**Sec. 7. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA**

Subdivision 1. Agricultural Extension Service . . . . .

5,346,779	5,622,597
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This subdivision includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not

	1976	1977
	\$	\$
result in a reduction of the county portion of the salary payments.		
This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.		
The appropriation includes funds for irrigation and marketing development project.		
Subd. 2. General Agricultural Research .....	4,554,615	4,653,309
The above appropriation includes funds for research on aquatic plants including wild rice.		
Subd. 3. Veterinary Diagnostic Laboratory and Veterinary Medicine Teaching Hospital ..	437,726	466,615
Subd. 4. Geological Research .	239,855	243,171
Subd. 5. Lake Superior Basin Studies .....	58,672	60,554
The university shall submit a progress report to the 1977 legislature.		
Subd. 6. General Research. . .	2,160,065	2,305,475
This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, institution of child development; special education training and research, training for careers in fire prevention and protection, center for urban and regional affairs, criminal justice studies, museum of natural history, project Newgate, and juvenile justice seminar.		
Subd. 7. Industrial Relations Education Program .....	301,921	346,981

	1976	1977
	\$	\$
<p>The above appropriation includes funds for short courses, programs, and seminars for labor and management.</p>		
Subd. 8. Duluth Branch . . . . .	1,284,527	1,521,385
<p>(a) Basic Sciences Program for Medical Training</p>		
(b) Dental Hygiene Program . . . . .	182,404	191,032
<p>(c) Graduate School of Social Work . . . . .</p>		
(d) Industrial Education Equipment . . . . .	70,000	
<p>The amount in (d) shall be used to rent equipment where rapid obsolescence makes that more appropriate than purchasing.</p>		
<p>(e) Vocational-Technical Education Reimbursement . . . . .</p>		
	5,000	5,000
Subd. 9. Freshwater Biological Research Institution . . . . .	100,000	100,000
Subd. 10. Vocational-Technical Education Reimbursement—Twin Cities . . . . .	60,000	60,000
Subd. 11. Legislative Research and Drafting . . . . .	15,000	
Subd. 12. Medical Research . . . . .	971,812	1,014,996
<p>The above amount includes funds for cancer research and control of hypercholesterolemia.</p>		
Subd. 13. Undergraduate Instruction of Medical students at (1) Hennepin County General Hospital, (2) St. Paul Ramsey Hospital, and (3) Private Hospitals. . . . .	1,595,418	1,758,034
Subd. 14. Graduate Residency Program . . . . .	3,032,255	3,328,251

All hospitals receiving any portion of the above appropriation shall furnish the house

	1976	1977
	\$	\$
appropriations and senate finance committees with a full report no later than December 31, 1975, of all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the purposes for which such funds were expended.		
The commissioner of finance, in cooperation with the university of Minnesota, shall prepare a form to be used by all hospitals making such reports. The commissioner of finance shall also issue guidelines for hospitals to use in determining costs and income related to family practice residency education.		
Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice.		
Subd. 15. Medical Services and Instruction .....	929,173	988,291
The above amount includes funds for the rural health physicians' associate program, drug abuse information and education, and allied health—nurse-clinician generalist program.		
Subd. 16. Family Practice and Community Health.....	1,087,150	1,237,685
This appropriation shall be incorporated into the maintenance and operations, Section 4, Subdivision 1, in this biennium.		
Subd. 17. Hormel Institute—Austin .....	107,214	107,949

1976

1977

\$

\$

To support the operation of the institute and to promote research by such institute.

From the appropriation made to the university of Minnesota by this act and from other sources all nonacademic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury. None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the commissioner of finance until the university first certifies to the commissioner of finance that its aggregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7 million plus one third of all tuition and fee payments from the previous fiscal year. Upon such certification, one twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the commissioner of finance whenever the state appropriations and tuition aggregate balances

1976

1977

\$

\$

in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the commissioner of finance until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Minnesota Statutes, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

In preparing legislative budget request for the 1977-1979 biennium, all projected income from student tuition shall be based on a charge per credit hour schedule.

Sec. 7. MAYO MEDICAL SCHOOL .....

1,200,000

1,224,000

The state of Minnesota shall pay a capitation of \$8,000 for each student who is a resident of Minnesota for a maximum

of 40 such students in each class.

The administration of Mayo shall direct a review of the admissions policies of the Mayo medical school. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976.

Sec. 8. MINNESOTA BOARD OF NURSING

	1976	1977
	\$	\$
Nursing Scholarships . . . . .	125,000	125,000

Sec. 9. MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION

Subdivision 1. Salaries and Expenses . . . . .	755,068	648,060
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This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, budget review, program review, and private college contracts.

Subd. 2. State Scholarship Program . . . . .	5,000,000	6,000,000
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Subd. 3. State Grant-In-Aid Program . . . . .	8,500,000	10,500,000
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Subd. 4. Work Study Program . . . . .	1,500,000	
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Subd. 5. Minitex Library Program . . . . .	350,000	350,000
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The commission, in cooperation with the state community college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the minitex library program.

	1976	1977
	\$	\$
Subd. 6. Private College Contracts .....	3,200,000	4,000,000
Subd. 7. Regional Coordination and Service .....	130,000	

The higher education coordinating commission is directed to develop and administer regional postsecondary education projects aimed at improving the efficiency and effectiveness of postsecondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the experimental projects, the commission shall attempt to (1) improve the accessibility of all levels of postsecondary education to residents of the regions, (2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of postsecondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of post-secondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The commission shall report on the results of the experimental regional projects in its next biennial report to the governor and the legislature. All post-secondary institutions and systems are requested to cooperate with and to assist the commission in developing these projects.

	1976	1977
	\$	\$
Subd. 8. Medical Student Loan Reserve .....	17,550	27,300

The appropriations in the sum of \$1,000,000 contained in Laws 1973, Chapter 768, Section 14, Subdivision 8, may be used by the commission for costs incurred in administering the provisions of this act. The balance of the appropriation not required for administrative costs shall constitute a reserve fund which may be invested by the commission. Any interest which accrues on such investment shall inure to the commission and shall be available for either administrative costs or additions to the reserve fund at the discretion of the commission. The reserve fund shall not cancel and shall be available to the commissioner for as long as the programs provided by the provisions of this act are in effect. The commission may use the reserve fund established by the appropriation for fulfilling the income contingent provisions of this act as well as for the general purposes of the reserve fund in accordance with the provisions of this act.

The appropriation in the sum of \$100,000 contained in Laws 1973, Chapter 727, Section 4, shall not cancel but shall be available to the commission for so long as bonds for medical student loans are outstanding.

Subd. 9. Education of Dependents .....	10,000	10,000
Subd. 10. Foreign Student Loan .....	80,000	80,000

The commission is authorized

1976

1977

\$

\$

and directed to supervise a student loan program in accordance with Minnesota Statutes, Section 136A.14 to 136A.17.

The higher education coordinating commission is hereby directed to take the necessary steps to encourage and expand the sharing of facilities and course offerings, through cross-registration or other appropriate means, between all public and private institutions of higher learning in Minnesota. A report showing the achievements and progress as well as recommendations for improvements and progress in this area shall be submitted to the 1977 legislature no later than January 1, 1977.

For the purpose of improved communications between all segments of public and private post-secondary education, the advisory council of the higher education coordinating commission in the deliberations and discussions of the commission. Members of the advisory council shall, however, not vote on any matter before the commission.

Any unexpended balance remaining the first year in subdivision 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 shall not cancel but shall be available for the second year of the biennium.

Sec. 10. STATE COMMUNITY COLLEGE BOARD ...

22,839,747

23,258,459

Subdivision 1. Maintenance and Equipment

The above appropriation is for maintenance and equipment of the state community college board and the state commu-

1976

1977

\$

\$

nity colleges. The state community colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of faculty. Candidates for twelve month administrative positions and for academic positions who have been invited by the state community college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

Subd. 2. Occupational Program Development .....

450,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state community colleges are hereby reappropriated to the state community college board, but are subject to budgetary control to be exercised by the commissioner of administration.

The state community college board is authorized to establish activity funds, except for dormitory purposes, and imprest cash funds, to waive tuition charges and to act as agent and accept the benefits of public law 88-452, known as the economic opportunity act of

	1976	1977
	\$	\$
1964, as amended, public law 85-864, known as the national defense education act of 1958, as amended, to the same extent and subject to the same conditions as such authority is vested in the state college board. Minnesota Statutes, Sections 136.56, 136.045, 136.-142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a(6), also apply to the state community college board and the state community colleges in the same manner as to the state college board and the state colleges.		
All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state community college board and are not subject to budgetary control as exercised by the commissioner of administration.		
Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.		
Subd. 3. Student Loan Program — State Matching . . . .	75,000	85,000
The above appropriation shall be used as state's matching share for any federal student aid or loan programs.		
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 4. State Community College Board Contingent . . . . .	300,000	
Any unexpended balance remaining in the first year shall not cancel but shall be avail-		

	1976	1977
	\$	\$

able for the second year of the biennium.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee, as provided by Minnesota Statutes, Section 3.30.

Subd. 5. Repairs and Betterments .....	317,778	317,778
Subd. 6. Special Assessment .	41,500	

Employees of the department of education, state college board, and community college board participating in a tax sheltered annuity program other than the one administered by the state of Minnesota shall be charged for administering such plan. The proper charge shall be 2% of the amount being invested. All receipts shall be deposited in the general fund.

**Sec. 11. WORKMEN'S COMPENSATION**

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

State College Board .....	108,502.26
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<b>Sec. 12. UNEMPLOYMENT COMPENSATION .....</b>	<b>215,751.21</b>
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In reimbursement of unemployment compensation benefits paid for former employees of the state college board.

**Sec. 13. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND. Except the revolving fund for the on-the-job training program, the unobligated balances**

on hand as of June 30, 1975, June 30, 1976, June 30, 1977, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977 and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977 appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

**Sec. 14. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL FUND.** Except as herein otherwise specifically provided, except the income to the university of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

**Sec. 15. APPROVED COMPLEMENT.** Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

**Sec. 16.** Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, 1971, Section 355.50 and 352.04, Subdivision 5.

**Sec. 17.** In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by

the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 18. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sections 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause 5 which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes."

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

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

H. F. No. 1741: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

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

Strike everything after the enacting clause and insert:

"Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

APPROPRIATIONS

Available for the Year

	1976	1977
	\$	\$

Sec. 2. GENERAL GOVERNMENT

Subdivision 1. Minnesota-Wisconsin Boundary Area Commission .....	41,200	46,000
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	1976	1977
	\$	\$
1975—\$6,000		
Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin.		
Subd. 2. Uniform Laws Commission		
(a) For expenses . . . . .	9,900	9,900
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 3. The Great Lakes Commission . . . . .	27,500	27,500
<b>Sec. 3. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES</b>		
Subdivision 1. State Horticultural Society		
(a) For maintenance . . . . .	20,000	20,000
<b>Sec. 4. SOCIAL SECURITY</b>		
Subdivision 1. Minnesota Veterans Home		
(a) Maintenance and repairs . .	651,946	678,503
Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,300,410 is for salaries for the year ending June 30, 1976, and \$1,301,710 is for salaries for the year ending June 30, 1977, but may be augmented by such specific sums as are appropriated for salary increases by the 1975 legislature.		
Of the amounts appropriated by item (a), no additional classified employees shall be		

granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for, however, any income in excess of \$1,402,300 for fiscal year 1976, and \$1,462,300 for fiscal year 1977 shall reduce the general fund appropriation by a like amount.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

(b) Repairs and replacements . 30,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. Miscellaneous Accounts

(a) Disabled American Veterans

1. For salaries, supplies, and expense to be expended as provided by Laws 1941, Chapter 425 . . . . .

10,000 10,000

(b) Veterans of Foreign Wars

1976 \$ 1977 \$

	1976	1977
	\$	\$
1. For carrying out the provisions of Laws 1945, Chapter 455 .....	9,250	9,250

**Sec. 5. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION**

Subdivision 1. For Minnesota Historical Society

(a) Grants and aids.....	2,255,705	2,396,502
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From the appropriation made to the historical society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota historical society of this amount to the commissioner of finance. Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the state general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of

the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioner of administration and the appropriate finance committees of the house and the senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions prescribed by the governing body of the Minnesota historical society.

(b) Museum program ..... 175,000

The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

(c) Bicentennial exhibits for the capitol ..... 40,000

(d) Historic sites improvements 150,000

(e) Construction archaeology .. 50,000

(f) Historical society contingent account ..... 30,000

(g) Historic sites program .... 475,000

(h) Harkin-Massopust Store ... 50,000

(i) Regional historical centers .. 30,000 30,000

Any unexpended balances in subdivision 1 (b), (d), (e), (f), (g) and (h) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. For maintenance of Sibley House to be expended by the Sibley House Association ..... 15,000 15,000

1976 1977  
\$ \$

	1976	1977
	\$	\$
Notwithstanding any other law to the contrary, the amount of \$1,500 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance.		
Subd. 3. For Minnesota Academy of Science .....	16,200	16,200
Subd. 4. Minnesota State Arts Council .....	500,000	500,000

Provided that the state funding for grants and subsidies may not be expended unless matched by federal funds.

Provided that none of the state share of grants and subsidies may be used for matching salary expenditures of any of the various arts councils.

Every publication, program or other graphic material prepared by the Minnesota state arts council, or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible, in part, by a grant provided by the Minnesota State Legislature and the Congress of the United States."

Provided that the Minnesota state arts council shall submit a written report to the house appropriations and senate finance committees on July 1, 1975. Such report shall include but not be limited to the specific purposes for which the appropriation was expended for the fiscal year ending June 30, 1975. It shall include an itemization of the programs and projects supported and the source of the funds each received. This report shall also include a listing for each region of the state of grants made to persons or organizations within

that region. In addition, it shall contain a detailed proposal for the expenditure of the appropriation provided in this subdivision for the fiscal year ending June 30, 1976. A report similar in format to the above shall be submitted for the fiscal year ending June 30, 1976. The council shall submit a written report to the 1977 legislature. The report shall be similar in format to the above reports but shall cover each of the years of the 1975-1977 biennium.

Provided that the governing board of the Minnesota state arts council be composed of one member from each of the eight congressional districts and three members appointed at large.

Provided that not less than 55 percent of program moneys shall be expended in regions outside the seven-county metropolitan area.

Grants made under the touring program shall be used only for payment of touring costs.

Subd. 5. Minnesota Safety Council

(a) For salaries, supplies and expenses .....

47,500

47,500

These amounts are appropriated from the trunk highway fund and shall be disbursed pursuant to Laws 1967, Chapter 550, Section 2.

Sec. 6. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS .....

22,500

22,500

Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets. Provided further that a report shall be submitted to the 1976

	1976	1977
	\$	\$

and 1977 legislature regarding expenditures for public information programs.

Sec. 7. COUNTY ATTORNEYS COUNCIL .....	50,000	50,000
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Provided that the amount that may be expended shall not exceed the amount provided for the County Attorneys Council from all other sources.

Sec. 8. PORT AUTHORITY OF DULUTH—FINAL STATE APPROPRIATION .....	80,000	40,000
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These amounts are appropriated to the Port Authority of Duluth, organized under Minnesota Statutes, Sections 458.09 to 458.19, and shall be used for the promotion of seaway trade.

The Port Authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1975, and November 1, 1976.

Sec. 9. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1976, and June 30, 1977, appropriated out of any other funds shall be cancelled into the fund from which they are appropriated as of June 30, 1976, and June 30, 1977. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 10. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5."

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

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

H. F. No. 1743: A bill for an act relating to the organization

and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

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

Strike everything after the enacting clause and insert:

“Section 1. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, CORRECTIONS OMBUDSMAN, BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, AND VARIOUS HEALTH RELATED BOARDS TO EXPEND MONEYS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE

Subdivision 1. Program and Administrative Support . . . .

6,658,729

6,934,552

Approved Complement—307.3

Notwithstanding any law to the contrary, the commissioner of public welfare may request of the commissioner of administration the use of available funds remaining in any building accounts already appropriated for the department of public welfare institutions to be used for remodeling for Life Safety Code and licensure for obtaining Title XVIII and XIX funds of the federal government. Prior to expenditure of such funds, the department of public welfare shall submit a written plan to

1976

1977

\$

\$

the senate finance committee and house appropriations committee. Specific items which are objected to in writing shall not be commenced.

The estimated federal funds to be deposited in the general fund which are earned by the various accounts of the department of public welfare are detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration and the commissioner of finance. If the federal funds anticipated are less than those shown on the official worksheets, the commissioners of administration and finance shall reduce the amount available from the specific appropriation by a like amount. Such reductions shall be noted in the budget document submitted to the 70th Legislature in addition to an estimate of similar federal funds anticipated for the 1977-1979 biennium.

Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget

	1976	1977
	\$	\$

standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action.

In determining the amount of the public assistance grant, except for General Assistance, the commissioner shall effect a four percent increase on or after July 1, 1975.

Subd. 2. Centralized Disbursement .....	5,604,000	5,639,000
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The commissioner of public welfare shall submit a report to the 1977 legislature regarding the effectiveness of the ten positions granted by the 1975 Legislature for increasing support payments.

Subd. 3. Community Based Residential Services—Mentally Retarded .....	159,200	1,456,525
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Subd. 4. Community Based Residential Services—Chemically Dependent .....	3,531,174	4,189,822
1975—\$1,025,118 deficiency appropriation		

Subd. 5. Community Based Residential Services—Mentally Ill. .	186,750	513,068
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Provided that each appropriation provided by Subdivisions 3, 4, and 5 shall primarily apply to one state hospital receiving district.

The commissioner of public welfare shall submit a report on the expenditure of the appropriations in Subd. 3, 4, and 5 to the 1977 Legislature.

Subd. 6. Community Mental Health Centers .....	6,687,605	7,346,910
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1975—\$123,125 deficiency appropriation

Notwithstanding any law to the

	1976	1977
	\$	\$
contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.		

The above funds provide for a 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

Approved Complement—4.4

Subd. 7. Aid to Families with Dependent Children, Minnesota Supplemental Assistance, and Medical Assistance . . . . .	110,100,000	119,400,000
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Approved Complement—11.3

Notwithstanding the provision of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state

	1976	1977
	\$	\$
<p>and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.</p>		

Provided that the amount appropriated for implementation of Minnesota Statutes, Section 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund.

Subd. 8. General Assistance . . .	6,253,579	6,253,669
Approved Complement—.8		
Subd. 9. County Administrative Cost Reimbursement . . . . .	10,000,000	11,000,000
Subd. 10. Programs for the Aging . . . . .	135,000	135,000

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the appropriate matching of federal funds provided programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.

Subd. 11. Vocational Rehabilitation of the Blind . . . . .	921,412	949,944
Approved Complement—42		

The sum of \$2,500 each year

	1976	1977
	\$	\$
out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.		
Subd. 12. Special Financial Aids to Counties.....	2,640,800	2,727,355

All payments from funds appropriated for equalization aid shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the work sheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1975, for fiscal year 1976 and on or before October 1, 1976, for fiscal year 1977. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of equaliza-

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tion aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance to the needy, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that a transfer of a surplus in the welfare fund may be made to the road and bridge fund of said county, and except that where funds are otherwise unavailable, a transfer may also be made to the general revenue fund of said county for payment of rent of office space for the county welfare boards. Such transfers shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment for rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall

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receive from the equalization aid payment an amount in excess of 75 percent of its costs of welfare as defined in this subdivision from state funds. Notwithstanding any law to the contrary the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Provided that any funds appropriated by this subdivision for the Red Lake Band of Chippewa Indians in excess of the county costs for this purpose shall cancel to the general fund.

Provided that reimbursements for general relief for Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.

Subd. 13. Daytime Activity Centers for the Mentally Retarded

a. Grant in aid funding . . . . .

4,514,551

4,923,298

Approved Complement—2

The above funds provide for a 60 percent matching, except for counties affected by subdivision 11, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

	1976	1977
	\$	\$
b. Transportation aids . . . . .	2,100,000	2,100,000
Subd. 14. Cost of Care Grants— Mentally Retarded . . . . .	3,324,616	4,255,565

Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.

Provided that this appropriation shall be reduced by \$625,920 the first year and \$1,287,000 the second year if separate legislation for a parent subsidy program is not enacted.

Subd. 15. Cost of Care Grants— Emotionally Disturbed . . . . .	746,020	820,622
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Subd. 16. Foster Grandparents Program . . . . .	220,000	242,000
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Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1974, Section 256.976.

Subd. 17. Day Care Services De- velopment and Funding . . . . .	821,294	978,205
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Provided that the commissioner of public welfare shall not transfer any funds to or from personnel services or claims, grants and shared revenue as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration.

Subd. 18. State Hospitals . . . . .	66,347,000	67,063,000
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Approved Complement—5167

The amounts that may be expended for each category from these appropriations are as follows:

a. Current expense	1976— \$9,784,000
	1977— \$10,537,000

	1976	1977
	\$	\$
b. Salaries	1976—\$55,889,000	
	1977—\$55,914,000	
c. Repairs and replacements	1976— \$674,000	
	1977— \$612,000	

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

The above appropriation includes funds to provide temporary laundry service for Rice memorial hospital at a charge to be determined by the commissioner of public welfare.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service may be provided for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay

1976

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for special costs relating to the mental health commitment act.

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

The commissioner of public welfare shall submit the budgets for the schools, nursing homes, and hospitals to the 1977 Legislature on an individual hospital basis together with a summary budget, in the same format as the legislature appropriated the funds.

Provided that the Hastings state hospital shall discontinue operations no later than July 1, 1976.

The department of public welfare shall begin immediately to phase down the operations of the Hastings state hospital.

Notwithstanding any other law to the contrary, no building on the Hastings state hospital campus shall be utilized for any other use until reviewed by the senate finance committee and the house appropriations committee.

Notwithstanding any other law to the contrary, funds appropriated to the department of public welfare for any purpose may be used for the demolition of buildings on the Hastings state hospital campus, subject to the written recommendation of the senate finance committee and the house appropriations committee.

The department of public welfare shall consolidate the laundries of the state hospitals as follows: Rochester to Faribault, Fergus Falls to Brainerd, Glen Lake to St. Peter, and Hastings to Faribault, if Hastings continues as a state hospital.

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Patients in the Minnesota security hospital who are under the jurisdiction of the commissioner of public welfare shall be transferred to the Rochester state hospital. Funds available in any appropriations for the department of public welfare shall be available for demolition of the Minnesota security hospital building.

Subd. 19. Commissioner of Public Welfare . . . . .

100,000

The commissioner of public welfare shall pay \$25 per diem plus travel expenses in the same manner and amount as state employees to the members of the Northwest Citizens Advisory Task Force on the Use of Fergus Falls State Hospital and to the West Central Citizens Advisory Task Force on the Use of Fergus Falls State Hospital. Public employees shall not receive any per diem payments. Staffing and expenses may be provided as necessary from this appropriation. Each task force shall be comprised of county commissioners, licensed professionals, welfare directors, public members, and a non-voting member appointed by the commissioner of public welfare. The efforts of the two task forces shall be coordinated by a joint coordinating committee.

A preliminary report shall be submitted to the legislature on or before February 1, 1976, and a final report on or before January 2, 1977.

Any unexpended balance remaining in the first year shall not cancel but shall be avail-

	1976	1977
	\$	\$
able for the second year of the biennium.		
Subd. 20. Special Schools . . . .	2,827,800	2,830,500

Approved Complement—223.5

The amounts that may be expended for each category from these appropriations are as follows:

a. Current expense	1976—	\$314,400
	1977—	\$333,400
b. Salaries	1976—	\$2,363,600
	1977—	\$2,363,600
c. Repairs and replacements	1976—	\$49,700
	1977—	\$35,100
d. Regional Library for the Blind	1976—	\$100,100
	1977—	\$ 98,400

Approved Complement—8.5

Provided that this appropriation shall be reduced by \$20,000 per year and the complement by two if federal funds become available.

Subd. 21. Rehabilitate Dow Hall . . . . .	137,000
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Provided that these funds shall not be expended until a plan has been reviewed by the senate and house appropriation committees.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The commissioner of public welfare shall begin consolidation of support services for the Faribault state hospital, School for the Deaf, and the Braille and Sight Saving School, as soon as is feasible. Such consolidation shall include, but not be limited to: laundry service, food service, maintenance, and business office functions.

	1976	1977
	\$	\$
Subd. 22. State Operated Nursing Homes . . . . .	7,296,500	7,333,300

Approved Complement—610

The amounts that may be expended for each category from these appropriations are as follows:

a. Current expense	1976— \$1,171,000	
	1977— \$1,224,600	
b. Salaries	1976— \$6,052,000	
	1977— \$6,052,000	
c. Repairs and replacement	1976— \$73,500	
	1977— \$56,700	

Subd. 23. Special Equipment for the state hospitals, special schools, and state operated nursing homes . . . . .	730,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense . . . . .	4,538,000	5,208,000
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Approved Complement—		
	1976—240.75	
	1977—246.75	

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.

This appropriation includes personnel and funds for the expens-

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es of providing supervision for county homes.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

(b) County reimbursement . . .

770,000

770,000

Provided further that reimbursement to counties as provided by Minnesota Statutes, Section 260.-311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience tenure and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

	1976	1977
	\$	\$
<p>Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes, Section 260.311, Subdivision 5.</p> <p>Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.</p>		
(c) Sheriffs expense conveying prisoners . . . . .	30,000	30,000
(d) Planning and implementing institutional population changes .	335,000	

The commissioner of corrections shall immediately implement a plan to reduce the state prison population to not more than 250 and shall report the progress on such to the 1976 and 1977 Legislature.

A committee of ten and necessary staff may be appointed by the commissioner of corrections to recommend to the 1976 Legislature the following:

- a. The specific placement in the metropolitan area of inmates in the Minnesota security hospital which are corrections clients.
- b. An action plan to assure reducing the prison population to a maximum of 250 and where the excess population will be located.
- c. The necessary construction and demolition to accommodate a maximum population of 250 in the state prison.
- d. The future of the industry programs.

The commissioner of corrections

1976

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is authorized to pay members of the committee \$25 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of personnel, however, no public employee may receive a per diem payment. \$35,000 is available from this appropriation to finance the committee and its staff to submit its report to the 1976 Legislature. \$300,000 of this appropriation is available upon the recommendation of the senate finance and house appropriations committees to develop for the 1977 Legislature the following:

- a. Preliminary architectural plans.
- b. A progress report on the population changes.
- c. A master plan for the 1977 to 1979 biennium.
- (e) Remodeling and securing institutions . . . . .

1,845,400

This appropriation is available to the commissioner of corrections to assist in reducing the state prison population to a maximum of 250.

- a. Metropolitan Training Center
  - 1. Capitol improvements-\$716,500
  - 2. Security features - \$686,400
  - 3. Industrial building - \$192,500
- b. State Reformatory - \$200,000
- c. State Prison, cell hall "C" - \$ 50,000

Notwithstanding any law to

the contrary, the commissioner of corrections may request of the commissioner of administration the use of available funds remaining in any building accounts already appropriated for the department of corrections to be used for demolition of buildings.

Any unexpended balances in Subdivision 1 (d) and (e) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. Corrections Subsidy Act .....

	1976	1977
	\$	\$

	2,650,000	4,056,000
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The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature.

Provided that as counties begin participating in the corrections subsidy act, the complement of the central office of corrections shall be reduced by the number of positions transferred to the counties entering the act.

Subd. 3. Health Care Services .

	1,137,000	1,175,000
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The amount appropriated by this item shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover the costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the Secure Treatment Unit operated by the St. Paul-Ramsey Hospital. All reimburse-

	1976	1977
	\$	\$
ments for such health care services shall be credited to this account and become a part thereof.		
Subd. 4. Personnel Training . .	310,029	332,647
This appropriation includes funds for training of group home parents in county homes.		
Subd. 5. Vocational Training.	140,000	
The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.		
Subd. 6. Foster Group Care . . .	400,000	400,000
The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse counties pursuant to Minnesota Statutes 1974, Section 260.-251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.		
The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.		
Subd. 7. Work Release and Newgate Programs . . . . .	247,295	251,205
This appropriation includes		

	1976	1977
	\$	\$
\$217,000 for the Newgate program.		
Subd. 8. Community Corrections Centers .....	212,500	212,500
Subd. 9. Regional Jails, Area Lock-Ups, and Detention Centers .....	281,300	281,300
Subd. 10. Special Projects ...	298,157	66,225
This appropriation is intended as the state match for applications for federal grants.		
The commissioner of finance is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.		
Subd. 11. Correctional Institutions		
This appropriation is for the Minnesota state prison, state reformatory for men, Minnesota correctional institution for women, state training school, Willow River camp, Minnesota home school, and the metropolitan training center.		
(a) Current expense .....	3,292,200	3,453,100
(b) Salaries .....	15,349,000	15,378,000
Approved Complement—1,086.75		
(c) Special equipment .....	336,600	
(d) Repairs and replacements..	150,000	148,000

The academic school program at the state training school and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

	1976	1977
	\$	\$
Vocational rehabilitation funds received by the department of corrections for the Willow River camp shall cancel to the general fund.		

The commissioner of corrections may utilize the institutions under his control in the manner he determines to be most efficient and designate the programs to be conducted therein.

(e) Thistledeew camp .....	150,000	
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Provided that unnecessary funds shall cancel to the general fund if separate legislation passes allowing Thistledeew camp to retain its receipts at the close of each fiscal year.

(f) License plate plant .....	272,000	
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The amount provided by clause (f) is appropriated from the highway user tax distribution fund, and shall be available for immediate encumbrance.

Any unexpended balances in subdivision 1 (b), 5, 11 (c) and 11 (d) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 4. HEALTH RELATED BOARDS

Subdivision 1. Board of Examiners for Nursing Home Administrators .....	62,248	63,048
Subd. 2. Board of Examiners for Psychologists .....	20,703	22,489
Subd. 3. Board of Medical Examiners .....		264,590
Subd. 4. Board of Nursing .....		330,538
Subd. 5. Board of Pharmacy .....		158,291
Subd. 6. Board of Veterinary Examiners .....		21,439

	1976	1977
	\$	\$
Subd. 7. Board of Podiatry . . . . .		5,317
Subd. 8, Board of Dentistry . . . . .		117,315
Subd. 9. Board of Chiropractic Examiners . . . . .		28,265
Subd. 10. Board of Optometry . . . . .		24,725

Provided that the commissioners of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this section in excess of the anticipated biennial revenues.

**Sec. 5. BOARD OF HEALTH**

Subdivision 1. Preventive and Personal Health Services . . . . .	5,341,099	5,816,249
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Approved Complement—175

Subd. 2. Health Systems Quality Assurance . . . . .	1,002,123	1,014,480
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Approved Complement—54.25

Of the amounts provided by this item, \$198,570 for the first year and \$211,069 for the second year are appropriated from the trunk highway fund for emergency medical services activities.

Subd. 3. Management, Planning, and Information Services . . . . .	1,160,407	1,213,614
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Approved Complement—49.25

All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Provided that the commissioner of health shall not transfer any funds to or from personnel services, or claims, grants and shared-revenues, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, ex-

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cept for those transfers which have the written approval of the Governor, who shall consult with the legislative advisory committee for its recommendations.

Provided that administrative support for the health related boards shall be provided by the health department. The health department shall be reimbursed for the cost of providing this service.

**Sec. 6. CORRECTIONS OMBUDSMAN**

Subdivision 1. Salaries, Supplies, and Expense . . . . .

140,795

140,795

**Sec. 7. COMMISSIONER OF PUBLIC WELFARE . . . . .**

1,200,000

Subdivision 1. Community Action Programs

This appropriation shall be used to make grants for local match increases to fund costs for on-going programs for Minnesota community action agencies, and to fund match moneys for emergency and community partnership programs.

**Sec. 8. CONTINGENT FOR STATE INSTITUTIONS . . . . .**

1,225,000

The amount appropriated by this item, or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after

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consultation with the legislative advisory committee.

Any unexpended balance in Sections 7 and 8 in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the June, 1975, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

#### Sec. 9. EMPLOYEES COMPENSATION

To be transferred by the state auditor to the department of labor and industry, compensation revolving fund, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare \$653,622.74

Corrections \$113,607.11

#### Sec. 10. UNEMPLOYMENT COMPENSATION

To unemployment compensation fund in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections \$118,671.69

Department of Public Welfare \$490,442.88

Sec. 11. CERTAIN FUNDS USED FOR CERTAIN PURPOSES. Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

**Sec. 12. APPROVED COMPLEMENT.** Except as otherwise provided herein, whenever an appropriation to any institution or agency discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provision hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

**Sec. 13. CERTAIN EMPLOYEES.** Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in the residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

**Sec. 14. RECEIPTS.** All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 7, 10, 11, and 12.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided,

however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

**Sec. 15. COMMISSARY AND QUARTER ALLOWANCE.** No commissary privileges, including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The commissioner of administration is hereby directed to charge a fair rental rate including utility costs to any persons who reside on state institution grounds. The legislature directs the department of corrections to reduce staff housing as soon as possible.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physicians fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

**Sec. 16. PROVISIONS.** Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

**Sec. 17. FEDERAL GRANTS.** Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided

transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations hereinbefore provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

**Sec. 18. BUDGETARY CONTROL.** The budgetary control as provided in Minnesota Statutes, Chapter 16, shall extend to and apply to all appropriations herein made available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

All state departments, bureaus, agencies or divisions, operating under Minnesota Statutes, Chapter 16, financed by funds appropriated or receipts or fees of any nature whatsoever, when making requests or preparing budgets to be submitted to the federal government in support of or in request of funds, equipment, materials, or services, from the federal government shall, upon completion of such request or budget, first submit it to the commissioner of administration. The commissioner of administration shall have authority to approve, disapprove, modify, or amend any such request or budget before submitting it to the proper federal authority. When such federal authority has approved such request or budget, the state agency shall resubmit it to the commissioner of administration for recording before any allotment or encumbrance of the federal funds can be made.

**Sec. 19. TRANSFER OF FUNDS.** (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 3, 4, 5, 6, 13, 14, 15, and 18. Provided further that if the appropriation under section 2, subdivision 7, should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the

governor after consulting with the legislative advisory committee.

(b) Authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3, except for subdivision 1, clause (a), in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1, clause (a), funds may be transferred from this appropriation to other appropriations in section 3, but in no case may transfers from the other appropriations in section 3 be made to section 3, subdivision 1, clause (a). Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

**Sec. 20. TRANSFER OF PERSONNEL.** (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between institutions under his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 19, clause (b).

**Sec. 21.** Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the commissioner of personnel and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The commissioner of personnel is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation."

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

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

**H. F. No. 1759:** A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the

transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 308.905; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

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

Strike everything after the enacting clause and insert:

“Section 1. EXPENSES OF STATE GOVERNMENT APPROPRIATIONS. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures “1975”, “1976”, and “1977”, wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

Sec. 2. THE LEGISLATURE

Subdivision 1. For the House of Representatives .....

6,500,000

6,500,000

Subd. 2. For the Senate .....

3,625,000

3,625,000

Subd. 3. Legislative Joint Coordinating Committee .....

(a) Legislative Reference Library .....

385,000

(b) Revisor of Statutes .....

1,861,750

(c) Office of Legislative Research .....

81,500

Including state matching funds for science and technology grant which shall not be ex-

	1976	1977
	\$	\$
<p>pended until non-state matching moneys are received.</p>		
<p><b>Subd. 4. Legislative Audit Commission</b></p>		
(a) Legislative Audit Commission .....	50,000	
(b) Legislative Auditor .....	932,431	1,023,682
<b>Subd. 5. Legislative Retirement Study Commission .....</b>	<b>155,000</b>	
<b>Subd. 6. Mississippi River Parkway Commission .....</b>	<b>7,500</b>	<b>7,500</b>
<p>For 1975—\$2,000</p>		
<p>The amounts appropriated by this subdivision are from the trunk highway fund.</p>		
<b>Subd. 7. Legislative Energy Commission .....</b>	<b>30,000</b>	<b>30,000</b>
<p><b>Sec. 3. SUPREME COURT</b></p>		
Subdivision 1. Salaries .....	1,075,981	1,075,981
Subd. 2. Supplies and Expense .....	266,613	275,699
Subd. 3. Supreme Court Contingent .....	7,500	
Subd. 4. Continuing Legal Education .....	49,796	100,122
<b>Sec. 4. DISTRICT COURT</b>	<b>2,537,963</b>	<b>2,554,963</b>
<p>For 1975—\$265,342</p>		
<p>To be disbursed by the commissioner of finance.</p>		
<p>Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.</p>		
<b>Sec. 5. JUDICIAL COUNCIL ..</b>	<b>2,500</b>	<b>3,500</b>
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		

	1976	1977
	\$	\$
<b>Sec. 6. COMMISSION ON JUDICIAL STANDARDS . . . . .</b>	<b>37,602</b>	<b>36,102</b>
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
<b>Sec. 7. STATE LAW LIBRARY</b>		
Subdivision 1. Salaries . . . . .	106,762	106,762
Subd. 2. Supplies and Expense . .	29,029	30,475
Subd. 3. Books and Binding . . . .	150,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
<b>Sec. 8. PUBLIC DEFENDER</b>		
Subdivision 1. Salaries, Supplies, and Expense . . . . .	288,603	290,897
Approved Complement—15		
Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable to defend and then only by order of the court.		
Subd. 2. Civil Legal Services— For Adult Prison Inmates . . . . .	95,000	105,000
<b>Sec. 9. TAX COURT</b>		
Subdivision 1. Salaries . . . . .	50,670	50,272
Approved Complement—2		
Subd. 2. Supplies and Expense . .	13,150	13,475
<b>Sec. 10. CONTINGENT ACCOUNTS</b>		
Subdivision 1. General . . . . .	2,000,000	2,000,000
Subd. 2. Game and Fish . . . . .	100,000	
This appropriation is from the game and fish fund.		
Subd. 3. Motor Vehicle . . . . .	150,000	
This appropriation is from the		

	1976	1977
	\$	\$
highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense		

Subd. 4. Postage . . . . .	300,000	
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For postage rate increases during the biennium ending June 30, 1977, where sufficient appropriations are not available.

Of the above amount \$150,000 is appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.

Subd. 5. Traffic Safety . . . . .	50,000	
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This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.

Subd. 6. Criminal Justice . . . . .	1,620,000	
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This appropriation is available to provide additional matching funds for the various state agencies and local governments for programs qualifying under the safe streets and omnibus crime control act of 1968, as amended.

At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the appropriate standing committees of the legislature for review.

The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory committee.

	1976	1977
	\$	\$
Any unexpended balance remaining in the first year from the appropriations made in this section shall not cancel but shall be available for the second year of the biennium.		
<b>Sec. 11. GOVERNOR</b>		
Subdivision 1. Salaries, Supplies, and Expense .....	697,047	755,618
For 1975—\$48,000		
If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment.		
Subd. 2. Personal Expenses Connected with Office.....	15,000	15,000
Subd. 3. Official Governor's Portrait .....		2,500
Subd. 4. National Governors Conference .....	16,150	16,150
Subd. 5. Education Council ...	20,000	20,000
For 1975—\$3,000		
Subd. 6. Upper Great Lakes Regional Commission—State Share	71,000	71,000
This appropriation shall cancel if the federal support for the regional commission is withdrawn.		
Subd. 7. Great Lakes Basin Commission—State Share .....	22,300	22,300
For 1975—\$4,300		
Subd. 8. Upper Mississippi Basin Commission—State Share...	35,200	35,200
Subd. 9. Missouri River Basin Commission—State Share .....	12,000	12,000
For 1975—\$2,025		
Subd. 10. Governor's Bicentennial Commission .....	157,900	78,950
<b>Sec. 12. LIEUTENANT GOVERNOR</b>		

	1976	1977
	\$	\$
Subdivision 1. Salaries, Supplies, and Expense . . . . .	161,469	162,069
Approved Complement—9		
Subd. 2. Personal Expenses Con- nected with Office . . . . .	2,000	2,000
Sec. 13. ATTORNEY GEN- ERAL		
Subdivision 1. Salaries . . . . .	1,146,196	1,146,196
Approved Complement—64		
Subd. 2. Supplies and Expense .	262,100	253,338
Subd. 3. Special Contingent . . .	50,000	
This appropriation shall not be available for paying the costs of special, legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes, Section 501.12, here- after filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frus- trated without his intervention and that the state has a substan- tial interest in carrying out the purpose of the trust.		
Subd. 4. Antitrust . . . . .	200,000	

This appropriation is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws.

The attorney general shall report the purpose for which the moneys appropriated by this subdivision are utilized. Such reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year.

Any unexpended balance remaining in the first year from

	1976	1977
	\$	\$

the appropriations made in subdivisions 3 or 4 shall not cancel but shall be available for the second year of the biennium.

Subd. 5. Minnesota Peace Officers Training Board

(a) Salaries . . . . .	38,469	38,469
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Approved Complement—3

(b) Supplies and Expense . . . . .	19,591	20,539
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(c) Reimbursements to Local Governments . . . . .	300,000	300,000
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Reimbursement for costs of substitute local protection while officers attend regular training courses.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 14. STATE AUDITOR

Subdivision 1. Salaries . . . . .	127,210	127,210
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Approved Complement—8

Subd. 2. Supplies and Expense	34,647	41,212
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Sec. 15. SECRETARY OF STATE

There is appropriated to the secretary of state the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations for the house of representatives.

General Operations and Management . . . . .	456,524	737,953
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Approved Complement—27

The amounts that may be expended from these funds for each program are as follows:

Administration \$125,625 \$122,848

		1976	1977
		\$	\$
Elections and Publications	\$126,051	\$407,831	
Corporations	\$165,910	\$166,542	
Uniform Commercial Code	\$ 38,938	\$ 40,732	

The secretary of state, with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 16. STATE TREASURER

Subdivision 1. Salaries . . . . .	267,737	267,737
Approved Complement—24		
Subd. 2. Supplies and Expense	102,427	104,159
Sec. 17. ETHICS COMMISSION . . . . .	120,705	119,055
Approved Complement—7		

This appropriation contains sufficient moneys to microfilm the records which the commission is required to retain.

Sec. 18. ADMINISTRATION

There is appropriated to the commissioner of administration the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

Subdivision 1. General Operations and Management . . . . .	10,846,770	10,937,445
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The amounts that may be expended from these funds for each program are as follows:

	1976	1977
	\$	\$
Program Manage- ment and Budget Coordination	\$ 478,294	\$ 491,294
Management Information Services	\$ 585,151	\$ 571,090
General Services	\$8,831,952	\$8,945,217
General Support	\$ 951,373	\$ 929,844

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance for the senate and the committee on appropriations for the house of representatives.

Notwithstanding the provisions of any law to the contrary, the commissioner of administration shall sell the state-owned property comprising the St. Croix Camp in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the best bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids.

Subd. 2. Improvement of the state EIS System .....

510,000

1976

1977

\$

\$

This appropriation may be used to pay the costs of additional hearings officers, legal assistance, and other costs as the commissioner deems appropriate. These moneys may be transferred to other state agencies when the commissioner has determined that sufficient resources are not available within the appropriations of those agencies to carry out the duties assigned to them relative to the improvement of the environmental impact statement system. Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium.

Sec. 19. FINANCE

There is appropriated to the commissioner of finance the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

General Operations Management .....	3,416,673	3,506,114
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The amounts that may be expended from these funds for each program are as follows:

Financial Operations		
Management	\$ 2,446,444	\$ 2,513,320
Financial Control,		
Analysis,		
Research, and		
Development	\$ 622,391	\$ 635,906
General Support	\$ 347,838	\$ 356,888

The commissioner of finance with the approval of the com-

1976

1977

\$

\$

missioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of finance from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so-called dedicated receipt accounts shall be reimbursed to the department of administration from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

In the case of state departments, agencies, and institutions which are financed in whole or in part with federal funds, that portion of the cost of collecting social security contributions which is chargeable to federal funds shall be reimbursed from federal funds, and such amounts as are necessary are appropriated from such funds for that purpose.

The cost of collecting employees' social security contribu-

tions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so-called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose.

Sec. 20. PERSONNEL

There is appropriated to the commissioner of personnel the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

	1976	1977
	\$	\$
General Operations and Management .....	1,697,336	1,664,873

Approved Complement—92

The amounts that may be expended from these funds for each program are as follows:

Human Resource Acquisition	\$355,417	\$349,458
Human Resource Development	\$269,097	\$258,062
Human Resource Management	\$567,548	\$565,823
General Support	\$475,238	\$461,494
Local Government Services	\$ 30,036	\$ 30,036

The commissioner of personnel with the approval of the com-

	1976	1977
	\$	\$
missioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.		

Sec. 21. PERSONNEL BOARD	44,450	59,200
Sec. 22. STATE PLANNING AGENCY		

There is appropriated to the director of the state planning agency the following amounts for the purposes so stipulated in the workpapers of the committee on finance for the senate and the committee on appropriations for the house of representatives.

Subdivision 1. General Operations . . . . .	2,407,009	2,399,909
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The amounts that may be expended from these funds for each program are as follows:

State Planning and Development . . . . .	\$ 217,028	\$ 217,028
Functional Area Planning . . . . .	\$ 694,884	\$ 687,784
Regional and Local Assistance . . . . .	\$1,189,010	\$1,189,010
General Support . . . . .	\$ 306,087	\$ 306,087

The director of the state planning agency with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

	1976	1977
	\$	\$
Subd. 2. Commission on Minnesota's Future .....	80,000	80,000
Subd. 3. Environmental Quality Council .....		
(a) Administration .....	71,900	71,900
(b) Citizens Advisory Council.		
Of the amounts appropriated by subdivision 3 (a) of this section, not more than ten percent shall be expended for costs incurred by the citizens advisory committee. The amount available for the citizens advisory committee shall be expended only for per-diem and expenses of members incurred by attendance at official meetings of the advisory committee and the environmental quality council.		
(c) Environmental Impact Statements—General .....	127,400	127,400
(d) Copper-Nickel Regional Environmental Impact Statement. .	920,000	
Any unexpended balance remaining the first year shall not cancel, but shall be available for the second year of the biennium.		
(e) Critical Areas Planning. . . .	44,500	44,500
(f) Power Plant Studies. . . . .	217,550	217,550
(g) State and Regional Environmental Education Councils. . . .	217,000	217,000
Sec. 23. CAPITAL AREA ARCHITECTURAL AND PLANNING COMMISSION .....	62,556	62,207
Sec. 24. MUNICIPAL COMMISSION .....	108,208	108,527
Approved Complement—4		
Sec. 25. COMMISSION ON THE HANDICAPPED .....	142,906	142,906
Sec. 26. HUMAN RIGHTS		
Subdivision 1. Salaries. . . . .	390,799	407,199

	1976	1977
	\$	\$
Approved Complement—		
1976—30		
1977—31		
Subd. 2. Supplies and Expense . .	102,743	101,922
Sec. 27. INDIAN AFFAIRS COMMISSION . . . . .	100,000	

Approved Complement—4

This appropriation includes funds for payment of the expenses of the delegate to the Indian council meeting.

Prior to January 1, 1976, the commission shall cease operation of its current offices and establish a single state office in the city of Bemidji from which it will carry out its responsibilities under Minnesota Statutes, Section 3.922, Subdivision 6.

On or before February 29, 1976, the commission shall prepare and present to the legislature a plan for the future operation of the commission and its staff. The plan shall include the specific goals, and the activities and methods which will be employed by the commission to achieve the stated goals.

Sec. 28. VETERANS AFFAIRS

Subdivision 1. Salaries . . . . .	438,971	438,971
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Approved Complement—41

Subd. 2. Supplies and Expense	99,731	104,153
Subd. 3. Veterans Relief Account . . . . .	1,010,000	1,010,000

The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.

None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps.

	1976	1977
	\$	\$
Subd. 4. War Veterans and War Orphans Education Aid.	52,000	52,000
To be expended pursuant to Minnesota Statutes, Section 197.75.		
Subd. 5. Headstones, Markers, and Sockets for Soldiers and Sailors Graves . . . . .	6,000	6,000
Any unexpended balances remaining in subdivision 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 6. Veterans Preference.	5,000	5,000
Sec. 29. MILITARY AFFAIRS		
Subdivision 1. Salaries . . . . .	1,549,312	1,543,015
Approved Complement—178		
Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available.		
Subd. 2. Supplies and Expense	996,324	1,042,230
Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section which relate to armory maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.		
Sec. 30. COMMISSION ON CRIME PREVENTION AND CONTROL . . . . .	60,000	63,254
Approved Complement—35		
Sec. 31. PUBLIC SAFETY		
Subdivision 1. Salaries . . . . .	19,565,619	19,561,266
Approved Complement—		

1976

1977

\$

\$

1976—1475

1977—1484

Of the amounts provided in subdivision 1, \$14,668,810 for the first year and \$14,617,006 for the second year is appropriated from the trunk highway fund for traffic safety programs. \$1,758,217 for the first year and \$1,752,302 for the second year is appropriated from the highway user tax distribution fund for the administration of motor vehicle laws.

Of the amount provided in subdivision 1, \$3,138,592 for the first year and \$3,191,958 for the second year is appropriated from the general fund.

The above approved complement includes a total of 504 for all unclassified patrol officers and supervisors of the highway patrol. This complement shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of administration, between the various units and divisions within this subdivision, providing that the above complement restriction is not exceeded. If the personnel in the above restricted complement are transferred to other units or divisions of the department, the above complement shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

	1976	1977
	\$	\$
Subd. 2. Supplies and Expense	10,248,133	10,148,659

Of the amounts provided in subdivision 2, \$7,330,312 for the first year and \$6,905,124 for the second year are appropriated from the trunk highway fund for traffic safety programs.

Of the amounts provided in subdivision 2, \$1,853,507 for the first year and \$2,034,652 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 2, \$1,064,314 for the first year and \$1,208,883 for the second year is appropriated from the general fund.

The commissioner is directed to sell or otherwise dispose of all fixed wing aircraft operated by the department of public safety prior to January 1, 1976. The commissioner is further directed to sell such numbers of helicopter type airplanes as required to reduce the total retained in flight condition to three by January 1, 1976. The three units which the department is authorized to retain shall be located in and for primary use in the seven county metropolitan area. As the number of aircraft units is reduced as herein directed, the number of highway patrol officer pilots shall be reduced accordingly and those officers reassigned to road patrol duty. Once returned to road patrol duty, highway patrol officers shall not continue to receive flight status compensation in addition to their regular salaries. All moneys received

from the sale of aircraft shall be deposited as non-dedicated receipts to the trunk highway fund.

Subd. 3. Weight Scale and Motor Vehicle Inspection . . . .

	1976	1977
	\$	\$
	491,375	491,375

For 1975—\$10,000

The personnel involved in the support of the weight scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund.

This appropriation provides sufficient moneys to operate the mobile truck weighing program on a twelve-month basis.

The commissioner of finance is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivision 1, 2, and 3.

Subd. 4. Minnesota Crime information System Planning and Development . . . . .

60,000

Approved Complement—5

Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium.

Subd. 5. Sheriff's Communication Network . . . . .

	1,232,314	1,286,979
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Approved Complement—14

Subd. 6. Police Schools

Supplies and Expense . . . . .

	143,213	145,724
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Subd. 7. License Plates

(a) Salaries . . . . .

	280,850	280,237
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Approved Complement—13

	1976	1977
	\$	\$
(b) Supplies and Expense . . .	2,444,665	2,496,225

The amounts provided in subdivision 7, clauses (a) and (b) are appropriated from the highway user tax distribution fund.

Subd. 8. Crime Victims Reparation Board . . . . .	200,000	200,000
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Approved Complement—2

Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium.

Subd. 9. Civil Air Patrol . . . .	30,000	30,000
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Subd. 10. State Aids for Air Warning . . . . .	30,000	30,000
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The department of public safety is authorized to make grants-in-aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems.

Subd. 11. Private Detective Licensing Board . . . . .	3,000	3,000
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Sec. 32. COMMERCE

There is appropriated to the commerce commission the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

General Operations and Management . . . . .	3,461,882	3,411,919
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Approved Complement—212

The amounts that may be expended from these funds for each program are as follows:

Supervision of State Char-

	1976	1977
	\$	\$
tered Financial Institutions		
\$1,216,457	\$1,212,432	
Investment Protection		
\$ 554,547	\$ 551,866	
Consumer Services		
\$ 309,790	\$ 308,497	
Regulation of Insurance Companies		
\$ 837,733	\$ 831,099	
General Support		
\$ 543,355	\$ 508,025	

The commission with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 33. BOARD OF ABSTRACTORS .....		2,185
Sec. 34. BOARD OF ACCOUNTANCY .....		73,000
Sec. 35. BOARD OF ARCHITECTS, ENGINEERS, AND SURVEYORS .....		170,159
Sec. 36. BOARD OF BARBERS .....		64,185
Sec. 37. BOARD OF COSMETOLOGY .....		265,863
Approved Complement—15		
Sec. 38. BOARD OF ELECTRICITY .....		1,243,535
Approved Complement—18		
Sec. 39. BOARD OF WATCHMAKING .....		11,381
Sec. 40. STATE BOXING COMMISSION .....	28,897	29,151
Sec. 41. LABOR AND INDUSTRY		

	1976	1977
	\$	\$
Subdivision 1. Salaries . . . . .	2,815,784	2,804,322
Approved Complement—248		
Subd. 2. Supplies and Expense . .	546,662	527,175
Sec. 42. MEDIATION SERVICES		
Subdivision 1. Salaries . . . . .	430,000	430,000
Approved Complement—26		
Subd. 2. Supplies and Expense . .	124,000	130,000
Sec. 43. PUBLIC SERVICE		

There is appropriated to the public service commission the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

General Operations and Management . . . . .	3,176,509	3,127,807
Approved Complement—1976-157 1977-164		

The amounts that may be expended from these funds for each program are as follows:

Utilities		
Regulation	\$1,001,206	\$859,049
Warehouse and Transportation		
Regulation	\$ 522,829	\$536,573
Weights and Measures		
Regulation	\$ 767,311	\$791,528
General Support	\$ 885,163	\$940,657

The executive director with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on ap-

	1976	1977
	\$	\$
<p>ropriations of the house of representatives.</p>		

If at any time during the biennium ending June 30, 1975, the workload of the utilities regulation program falls below that which is anticipated and the executive director determines that the appropriated resources are in excess of that program's needs, he shall notify the commissioner of administration. The commissioner of administration may transfer any resources so deemed to be in excess to the state department of energy if that department can demonstrate sufficient need, and provided that no employee of the state shall lose any accrued rights or benefits.

**Sec. 44. ECONOMIC DEVELOPMENT**

<p>Subdivision 1. Salaries, supplies, and expense .....</p>	1,289,630	1,192,294
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**Approved Complement—43**

The appropriation for 1976 includes sufficient moneys for the development and publication of a statewide pictorial guide and a statewide vacation guide.

No more than one research project may be undertaken. The commissioner shall report to the next legislative session specific requests for research projects for the next biennium.

<p>Subd. 2. Advertising and Publications .....</p>	300,000	300,000
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None of these funds shall be expended for promotional expense.

<p>Subd. 3. Matching Grants for Regional or Local Tourist Development .....</p>	250,000	100,000
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The commissioner of economic development may enter into con-

	1976	1977
	\$	\$
<p>tractual project agreements with organizations or corporations for the purpose of developing the tourism potential of the state.</p> <p>If in the judgement of the commissioner, a project will make a meaningful contribution to the tourism development of the state, he may enter into local or regional agreements. No agreement shall be for more than 50 percent of the total annual project cost.</p>		
<b>Sec. 45. AERONAUTICS</b>		
Subdivision 1. Salaries .....	478,044	480,344
Approved Complement—33		
Subd. 2. Supplies and Expense .....	130,858	130,965
Subd. 3. Aeronautics Proceedings .....	9,000	9,000
<p>This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings.</p>		
Subd. 4. Aeronautics Safety and Education .....	22,100	21,100
Subd. 5. Airport Construction and Improvements		
(a) Key system airports .....	2,915,085	3,217,401
(b) Intermediate system airports .....	800,635	858,977
(c) State landing strips .....	803,295	872,902
<p>The appropriations made in this subdivision shall be expended only for grant-in-aid programs for airports which are not state owned.</p>		

These appropriations are to be expended in accordance with Minnesota Statutes, Section

	1976	1977
	\$	\$
360.305, Subdivision 4 (1), (2), (4), and (5).		
The commissioner of aeronautics may transfer unexpended balances between the above items with the approval of the governor after consultation with the legislative advisory committee.		
Subd. 6. Navigational Aids ...	638,700	607,000
Subd. 7. Striping airport runways .....	29,500	22,500
Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.		
Subd. 8. Operation and Maintenance of State-Owned Airports .....	118,100	
Not more than the indicated amounts shall be expended for each of the following:		
Orr	\$21,300	
Thief River Falls	\$74,300	
Pine Creek	\$22,500	

Provided that all operating income which is received from the operation of these airports shall be deposited as non-dedicated receipts to the state airport fund so long as the ownership is retained by the state.

Notwithstanding the provisions of Minnesota Statutes, Section 360.021, Subdivision 1, or any other law to the contrary, the commissioner of aeronautics shall acquire no additional state-owned airports during the biennium.

No moneys shall be expended by the commissioner of aeronautics under the appropriations made by subdivisions 5,

	1976	1977
	\$	\$
6, and 7, or any other law, for land acquisition, or for the construction, improvement, or maintenance of airports or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and such authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with Minnesota Statutes 360.061 to 360.074.		
The commissioner of aeronautics is directed to make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.		
Any unexpended balance remaining in subdivisions 5 through 7 the first year shall not cancel but shall be available for the second year of the biennium.		
The amounts appropriated by this section are from the state airport fund.		
<b>Sec. 46. AGRICULTURE</b>		
There is appropriated to the commissioner of agriculture the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.		
Subdivision 1. General Operations and Management . . . . .	6,078,363	6,150,409

1976

1977

\$

\$

The amounts that may be expended from these funds for each program are as follows:

Marketing Services  
and Market  
Development

\$ 489,821    \$ 493,198

Food Products and  
Poultry Regulation  
and Supervision

\$ 851,872    \$ 848,873

Development and  
Protection of  
Agricultural  
Resources

\$4,033,896    \$4,086,885

General Support

\$ 702,774    \$ 721,453

The commissioner of agriculture with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

All moneys collected by authority of Minnesota Statutes, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes, Section 21.47 to 21.58. All moneys collected by authority of Minnesota Statutes, Section 27.07, for services rendered pursuant to written contracts are appropriated for the purpose of carrying out the provisions of Minnesota Statutes, Chapter 27, and the moneys so collected and appropriated shall be in addi-

	1976	1977
	\$	\$

tion to and not in substitution for the sums appropriated in this section.

The fees charged for grain inspection and weighing shall be in accordance with section 68 of this act.

Subd. 2. Agricultural Grants and Aids .....	269,625	269,725
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These moneys to be expended in the same manner and with the same provisions as described in Laws 1973, Chapter 592, Section 4, and in the amounts listed in the worksheets of the committee on finance of the senate. Provided that the \$2,000 minimum premium list provision shall be waived for the biennium ending June 30, 1977.

Subd. 3. County Fair Bicentennial Exhibits and Projects ....	100,000	
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Provided that these funds shall be used to reimburse county fairs who received funds under Laws 1973, Chapter 592, Section 4, Subdivision 2(a).

The payment to each county fair from this appropriation shall not exceed 20 percent of its total premiums paid in 1974.

The funds appropriated by this subdivision shall be used solely for bicentennial exhibits or projects and shall not be available to augment the state share of other premiums.

**Sec. 47. LIVESTOCK SANITARY BOARD**

Subdivision 1. Salaries .....	602,646	602,646
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	1976	1977
	\$	\$
Subd. 2. Supplies and Expense . . . . .	253,800	249,000
Subd. 3. Indemnities . . . . .	80,000	

No payment for less than \$1 for indemnities may be made.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Field Laboratories . . .	67,000	67,000
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For the operation of field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases.

Subd. 5. Contingent Account . . .	100,000	
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The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

**Sec. 48. REVENUE**

Subdivision 1. Salaries . . . . .	10,822,892	10,816,852
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Approved Complement—925

Subd. 2. Supplies and Expense	4,749,625	4,900,447
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The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by the department are to be deposited in the general fund.

The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously per-

	1976	1977
	\$	\$
formed by the university of Minnesota.		
Subd. 3. Assessors Tuition . . .	60,000	60,000
<b>Sec. 49. INVESTMENT BOARD</b> .....	<b>668,863</b>	<b>693,113</b>

Approved Complement—27

The appropriations in this section are from the funds and in the amounts as follows:

<b>General Fund</b>		
Direct	\$240,790	\$249,520
<b>Teacher's Retirement Fund</b>	\$162,532	\$168,425
<b>Public Employee Retirement Fund</b>	\$140,123	\$145,203
<b>Minnesota State Retirement Fund</b>	\$ 72,577	\$ 75,208
<b>Trunk Highway Fund</b>	\$ 30,767	\$ 31,883
<b>County State Aid Fund</b>	\$ 14,047	\$ 14,556
<b>Municipal State Aid Fund</b>	\$ 8,027	\$ 8,318

Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating machine.

<b>Sec. 50. ENERGY</b> .....	<b>550,000</b>	<b>550,000</b>
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**Sec. 51. NATURAL RESOURCES**

There is appropriated to the commissioner of natural resources the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance for the senate and the committee on appropriations of the house of representatives.

	1976	1977
	\$	\$
Subdivision 1. General Operations and Management . . . . .	29,240,953	28,343,553
Approved Complement—1269		
The amounts that may be expended from these funds for each program are as follows:		
Administrative Management Services	\$3,520,980	\$3,320,980
Regional Administration	\$1,708,559	\$1,708,559
Field Services Support	\$2,547,923	\$2,547,923
Water Resources Management	\$1,134,758	\$1,054,758
Minerals Resources Management	\$ 906,830	\$ 906,830
Forest Management	\$3,746,208	\$3,738,808
Fish Management	\$3,843,807	\$3,393,807
Wildlife Management	\$2,980,434	\$2,980,434
Ecological Surveys and Services	\$ 371,681	\$ 371,681
Parks and Recreation Management	\$4,467,558	\$4,467,558
Soil and Water Conservation Commission	\$ 471,428	\$ 471,428
Enforcement of Natural Resource Laws, Rules and Regulations	\$3,540,787	\$3,380,787

The commissioner of natural resources with the approval of the commissioner of administration, may transfer unex-

1976

1977

\$

\$

pending balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Of the amounts herein provided, \$18,296,915 for the first year and \$18,008,810 for the second year are appropriated from the general fund; \$10,344,038 for the first year and \$9,734,743 for the second year are appropriated from the game and fish fund; and \$600,000 each year is appropriated from the wildlife acquisition account.

In addition to the amounts herein appropriated, all moneys credited to the game and fish fund under Minnesota Statutes, Section 296.421, Subdivision 4, are appropriated to the commissioner of natural resources for the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement.

This appropriation provides additional personnel to staff regional administration offices so that certain functions now performed in St. Paul will be assigned to regional administration offices. Positions in the central office which are vacated or whose duties have been transferred are abolished no later than June 30, 1976. The positions designated for elimination shall total seven as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

	1976	1977
	\$	\$

Of the amounts appropriated for water resources management, \$80,000 the first year is intended for a continuation of the sand plains area groundwater study as authorized by Laws 1973, Chapter 720, Section 43.

The department is authorized to implement a commissioner's order for a two dollar additional fee or license surcharge to take lake trout, brook trout, salmon, and other trout from the public waters of the state.

Of the amounts appropriated for fish management, the commissioner of finance is directed to cancel \$352,785 from the 1976 appropriation and \$102,785 from the 1977 appropriation on October 1, 1975, if prior to that date the commissioner of natural resources has not issued a commissioner's order to implement a license surcharge on 1976 and 1977 fishing licenses as authorized by this subdivision.

Should the commissioner implement a license surcharge, up to \$260,000 of the 1976 appropriation may be used for additional construction at the French River hatchery facility and the amount designated for this purpose shall not cancel the first year but shall be available until the project is completed or abandoned.

Of the amount appropriated for the enforcement and safety training for the first year, \$160,000 is designated for upgrading of radio communication equipment. The department is directed to seek federal assistance in the completion of this project. Any reimbursements or grants received which are in excess of the financial resources necessary

	1976	1977
	\$	\$
<p>for the completion of this project shall be deposited as non-dedicated receipts as follows: 60 percent to the game and fish fund and 40 percent to the general fund.</p>		
Subd. 2. Forest Inventory Supplemental . . . . .	792,000	
<p>For the costs of employing temporary staff and other costs relating to the first stage of a forest growth inventory.</p>		
Subd. 3. Environmental Impact Statement—Reserve Mining Company Disposal Sites. . . . .	200,000	
<p>This appropriation shall be for analysis of all proposed on-land sites for tailings disposal. Should this appropriation prove to be insufficient, the commissioner shall inform the commissioner of administration and request that additional moneys be made available from whatever sources are appropriate.</p>		
<p>Any balance remaining in subdivisions 2 and 3 the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 4. Minneapolis Environmental Conservation Library—Grant-in-aid . . . . .	50,000	50,000
Sec. 52. WATER RESOURCES BOARD	61,013	61,213
<p>Approved Complement—2</p>		
<p>All hearings of the water resources board shall be solely in the performance of expressed statutory duties.</p>		
Sec. 53. POLLUTION CONTROL AGENCY		
Subdivision 1. Salaries, Supplies, and Expense . . . . .	3,573,879	3,480,796

1976

1977

\$

\$

Approved Complement—

1976—194  
1977—197

The department of health shall continue to render such staff services as the agency may require through the division of environmental health. The department of health is to be reimbursed, from this appropriation, for all costs of services rendered.

Subd. 2. Additional Special Studies .....

240,000

This appropriation includes funds for groundwater analysis.

The agency is authorized and directed to negotiate with the federal government or any agency, bureau, or department thereof, for the purpose of securing and obtaining any grants of assistance in the completion of these studies.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. Automobile Recycling. .

800,000

800,000

The agency shall report to the 1977 session of the legislature the extent of the problem remaining and the necessity to continue this program at the current level.

Subd. 4. Recycle Solid Waste—Grants-in-Aid .....

700,000

This appropriation shall be expended only for feasibility studies and construction as provided in Minnesota Statutes, Section 116F.03, and not for administrative costs of the agency.

Any unexpended balance remaining in the first year shall not cancel but shall be available

	1976	1977
	\$	\$
for the second year of the biennium.		
<b>Sec. 54. ZOOLOGICAL BOARD</b>	<b>900,000</b>	<b>2,000,000</b>
For operation and pre-opening costs of the state zoological garden.		
<b>Sec. 55. NATURAL RESOURCES ACCELERATION</b>		
Subdivision 1. Minnesota Resources Commission together with any sums received as grants-in-aid from federal sources and any sums granted by private sources to carry out the purposes of the commission. . . . .	299,750	
The commission shall, during the biennium ending June 30, 1977, review the work programs and progress reports required under subdivision 10 of this section and report its findings and recommendations to the committee on finance for the senate and the committee on appropriations for the house of representatives and other appropriate committees. The commission shall report to the 70th session of the legislature its findings and recommendations regarding payments in lieu of taxes on state and federally owned land. The commission shall report its recommendations regarding recodification and reclassification of the laws pertaining to the Minnesota outdoor recreation resources commission and the Minnesota resources commission.		
The commission shall continue to monitor the activities regarding establishment and development of Voyageurs National Park, and will cooperate and coordinate with the citizens advisory committee if established and all appropriate state, federal and local agencies and shall		

1976

1977

\$

\$

advise the legislature on matters affecting state policy related thereto. The commission shall study the question of the state role in the use of abandoned railroad lands and report its recommendations to the legislature.

Natural resources acceleration appropriations to state agencies that receive programmatic appropriations shall be added to and disbursed from those respective programmatic appropriations. Those agencies will identify the source and disbursement of all moneys contained within the activities financed all or in part by programmatic appropriations and/or natural resources acceleration appropriations.

Subd. 2. Department of Administration

(a) Acquisition of state recreation lands and trails ..... 3,725,000

To be expended in accordance with the purposes and criteria of the outdoor recreation act of 1975 if enacted, and according to the priorities established in project 80. These funds may only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers, canoe and boating route riversites and state scientific and natural areas.

(b) Acquisition of land—state forests ..... 350,000

(c) Acquisition of land—historical interpretive centers ..... 100,000

For land acquisition as necessary for the interpretive centers

	1976	1977
	\$	\$
listed in subdivision 5 of this section		
(d) Acquisition of land—wildlife habitat . . . . .	250,000	
(e) Acquisition of scenic easements—St. Croix riverway		
Notwithstanding any law to the contrary, the amount appropriated in Laws 1973, Chapter 720, Section 43, Subdivision 2 (c), but not expended due to administrative delays, is hereby reappropriated for the biennium ending June 30, 1977.		
(f) Voyageurs National Park Advisory Committee . . . . .	35,000	
(g) Grants-in-aid for local recreation and natural areas . . . . .	4,000,000	

This appropriation is to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7 (g).

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government.

	1976	1977
	\$	\$

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

(h) Grants-in-aid for regional recreation and natural areas. . . 4,000,000

The state planning agency shall administer the natural resources and land and water grants-in-aid program.

\$2,000,000 of the appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

The amount needed, but not to exceed \$2,000,000 of this appropriation shall be transferred to the metropolitan council to pay principal and interest coming due in fiscal year 1976 on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

This appropriation is available to pay up to 100 percent of the local share for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

	1976	1977
	\$	\$

Priorities for use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

(i) Acquire land—Helmer Myre State Park .....	350,000
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This appropriation shall be available only if expansion of the present statutory boundaries of the current state park is enacted.

(j) City of St. Paul .....	500,000
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For acquisition of the property known as the Crosby farm.

The commissioner of administration shall transfer this amount to the city contingent upon proof that at least an equal amount of other than state funds is provided for the same purpose by local government.

(k) If legislation is enacted which authorizes the issuance of state bonds to provide money for acquisition of land or interest in land for natural resource programs, the appropriations made in this section for state land acquisition, for wild, scenic and recreational rivers, state parks, state trails, state forests, and fish and wildlife habitat purposes, shall be null and void. In that instance, the appropriations made in

1976

1977

\$

\$

subdivision 2, (a), (b), (d), and (i) of this section remain available for expenditure, provided that no moneys shall be expended until the Minnesota resources commission establishes an expenditure program except that \$400,000 of the appropriations specified shall be appropriated to the commissioner of natural resources for implementation of the outdoor recreation act of 1975 if enacted. Allocations from the account shall be made by the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations regarding such allocations.

**Subd. 3. Department of Education**

(a) FFA stocking of upland game birds ..... 75,000

(b) Matching funds for weather gauge program ..... 15,000

This appropriation is available to pay 50 percent of the cost of weather gauges to be supplied to local FFA chapters. The state FFA supervisor shall recommend distribution of these moneys.

**Subd. 4. Department of Health 11,000**

For evaluation of problems relating to water pollution resulting from abandoned wells in southeast Minnesota.

**Subd. 5. Minnesota Historical Society**

(a) Fort Snelling restoration—final appropriation ..... 1,250,000

(b) Historic trails study ..... 20,000

	1976	1977
	\$	\$
(c) Feasibility study—Fort Ridgely .....	25,000	
<p>The study undertaken shall utilize all previous studies of the area and/or subject matter and shall demonstrate the consideration of previous conclusions, projects, development or other activities relating to the Fort Ridgely complex.</p>		
(d) Feasibility study—Native American Interpretive Center, Pipestone .....	25,000	
<p>The study undertaken shall utilize all previous studies of the area and/or subject matter and shall demonstrate the consideration of previous conclusions, projects, development or other activities relating to the Pipestone national monument.</p> <p>This study shall explain the relationship of any proposed developments to the existing national monument and facilities related thereto. The study shall also document the effects and benefits of any proposed additional development relating to the preservation of native American culture, including but not limited to the effects on local land use, local transportation and demand for government services.</p>		
(e) Restore state map collection .....	30,000	
(f) Grants-in-aid for restoration of major historical structures .....	1,120,000	

Of the amount appropriated, not more than \$900,000 shall be available to Minnesota Landmarks Inc., and the city of St. Paul for restoration of the old federal courts building, contingent upon proof that at least

1976

1977

\$

\$

an equal amount is provided by other than state sources, after July 1, 1975.

Of the amount appropriated not more than \$200,000 shall be available for the restoration of the old Washington county courthouse contingent upon proof that at least an equal amount is provided by other than state sources, after July 1, 1975.

Of the amount appropriated, not more than \$20,000 shall be available for the restoration of the old Hinckley depot.

(g) Historic interpretive centers .....

865,000

For the establishment of a forest history center, Grand Rapids; voyageur history center, Koochiching county; St. Croix history center. Money for site acquisition is provided in subdivision 2 of this section. No land acquisition is authorized for the forest history center, Grand Rapids. Up to \$65,000 may be expended for the operation of these centers for the biennium ending June 30, 1977, with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding this expenditure. Operation costs after July 1, 1977, shall not be provided from this account.

Land shall be acquired by the department of administration. Title to the centers shall be vested in the state of Minnesota. Professional service expenses for acquisition are pro-

	1976	1977
	\$	\$
vided in subdivision 9 of this section.		
(h) Study of grist mills . . . . .	25,000	
The study shall include documentary evidence, field surveys and shall explain the need for preservation and the long range costs and benefits associated with restoration.		
(i) Preservation and restoration—officers row, Fort Snelling historic district . . . . .	150,000	
This appropriation shall be used only for major mechanical and structural renovation of the houses on Taylor Avenue and the annex in Fort Snelling. Non-profit organizations and agencies may refurbish and utilize the structures by agreement with the Minnesota historical society and at no expense to the state.		
Demolition of the structures may only occur with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such action.		
(j) The Minnesota historical society is hereby authorized to establish and collect such fees as it may deem reasonable for admission to the state-owned sites which are under its control. All such fees that are collected from the operation of these state-owned sites shall be deposited in the general fund.		

For the purposes of this subdivision, the Minnesota historical society is exempted from

	1976	1977
	\$	\$
the competitive bidding procedures of Minnesota Statutes, Section 16.07, except for the construction projects in (g) and (i).		

Subd. 6. Department of Natural Resources

(a) State land recreation development .....	3,336,000	
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To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1975 if enacted and in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments and state waysides, state trails, state wild, scenic and recreational rivers, state scientific and natural areas. Of the above amount, \$1,800,000 is appropriated from the state parks development account.

The commissioner of natural resources shall describe the proposed expenditures from this appropriation to the committee on finance of the senate, the committee on appropriations of the house of representatives and the Minnesota resources commission. Of the above amount, \$1,536,000 shall be expended only upon projects which are eligible for federal land and water reimbursements.

(b) Level B study of the Mississippi river .....	50,000	
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This appropriation provides staff and related expenses required to maintain state input

	1976	1977
	\$	\$
to a state-federal study of the upper Mississippi river. The appropriation is available for the department of natural resources, \$32,000; for the pollution control agency, \$8,000; and the water resources council, \$10,000. The state input will be coordinated by the commissioner of natural resources.		

(c) Acceleration project—game lake management . . . . .	200,000	
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For construction of two small dams, repair of outlet dam and channel excavation to manage water levels on Heron Lake in Jackson county.

(d) Management—Upper St. Croix . . . . .	93,900	
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This appropriation provides staff and related expenses to coordinate the state portion of acquisition and related activities for the upper St. Croix national scenic Riverway.

(e) Planning for wild, scenic and recreational rivers . . . . .	300,000	
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This appropriation provides expenses related to data gathering, planning, public hearings and other activities necessary prior to official designation of rivers or river segments as wild, scenic or recreational.

(f) State soil and water conservation commission, grant-in-aid program for sediment and erosion control, demonstration project . . . . .	300,000	
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This appropriation is available to provide funds for a demonstration grant-in-aid program to assist local units of government or local soil and water

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conservation districts in solving sediment and erosion control problems by providing matching funds not to exceed 50 percent of the local share if federal funds are used. Guidelines for program operation and grant distribution shall be subject to approval by the Minnesota resources commission. Of the amount provided, not less than 85 percent shall be distributed as grants-in-aid.

The state soil and water conservation commission shall administer the grant-in-aid program. Priority for distribution of funds shall be given to projects eligible for federal matching funds. Projects designed to solve streambank and roadside erosion shall be given first priority.

(g) Dam repair and reconstruction .....

60,000

For the city of Grand Meadow as state participation in the repair and reconstruction including siltation removal of the dam at Pine Lawn Park, provided that the plan for reconstruction is approved by the commissioner of natural resources.

(h) Dam repair and reconstruction

The unexpended balance amounting to \$79,611 of the appropriation made in Laws 1969, Chapter 1139, Section 48, Subdivision 7(h), to the commissioner of natural resources for the city of Anoka to repair a dam on the Rum river is hereby reappropriated. The commissioner of natural

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resources is directed to reimburse the city of Anoka to fulfill the intent of the original grant.

(i) Nursery modification . . . . 75,000

To modify General Andrews nursery cold storage operations to facilitate timely transfer of nursery stock to various areas of the state consistent with variations in planting seasons.

Subd. 7. State Planning Agency

(a) Develop air photo plan. . . 10,000

The state planning agency shall coordinate the efforts of the various state agencies in developing a plan for acquiring aerial photography. The plan shall adequately address the needs of the user agencies and shall insure that there is a minimum, but sufficient, amount of photography and related mapping activity conducted by the state. This plan shall be completed and presented to the Minnesota resources commission prior to the expenditure of any money in (b).

(b) Small scale air photo maps 150,000

The state planning agency shall coordinate the efforts of the various user agencies such that the maps produced provide a logical, consistent set of information for state agency use.

(c) Develop uniform generalized forest map for the entire state . . . . . 8,000

The state planning agency shall coordinate the efforts of the various state agencies to

	1976	1977
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secure the information necessary and produce a map of forested lands in the state which is uniform and generalized.		
Subd. 8. Regents of the University of Minnesota . . . . .	100,000	

For acceleration of detailed county soil surveys. The costs of the program shall be shared between local, state, and federal units of government.

Subd. 9. Professional Services

(a) Department of natural resources

Of the amounts appropriated to the commissioner of natural resources in this section, not more than \$1,026,300 may be expended for professional services.

(b) Department of administration

Of the amount appropriated to the commissioner of administration, not more than \$620,750 may be expended for professional services related to land acquisition.

(c) State planning agency

Of the amounts appropriated in Subdivision 2 (g) and (h) of this section, the commissioner of administration shall transfer \$196,000 to the state planning agency for administration of the grants-in-aid programs specified therein.

Subd. 10. It shall be a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress re-

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ports in such form as may be determined by the Minnesota resources commission. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

Subd. 11. Natural Resources  
Federal Reimbursement Account

Reimbursements and matching monies received from the federal government for the purposes described in Minnesota Statutes, Chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or matching funds, shall in the first instance be credited to a federal receipt account by the state agency receiving such reimbursements or matching moneys.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, which receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account. Of the amounts transferred, \$1,000,000 is appropriated for the purposes of that account. The balance of funds so transferred shall be deposited in the general fund. The provision for transfer shall not apply to federal aid reimbursements received under Minnesota Statutes, Section 16A.68.

Any Land and Water Conservation fund moneys received over and above the normal state

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apportionment from that fund are also appropriated for the purposes of the natural resources federal reimbursement account. This appropriation shall be considered as additional to the specific amount appropriated from the amounts transferred in this subdivision.

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963, through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

These appropriations are available for the purposes of state land acquisition and development as described in this section, when such acquisition and development is deemed to be of an emergency or critical nature. In addition these moneys shall be available for studies initiated by the Minnesota resources commission which are found to be proper in order for the commission to carry out its legislative charge.

All requests for allocation from the account for acquisition of development must be accompanied by a certificate signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state outdoor recreation act of 1975, if enacted, the state recreation plan and project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

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The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

Any unexpended balance remaining in the first year from appropriation made in this section shall not cancel but shall be available for the second year of the biennium.

#### Sec. 56. WORKMEN'S COMPENSATION

For 1975—\$273,765.72

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Agriculture	35,977.80
Economic Development	933.83
Judicial-District Court Judges	2,312.90
Military Affairs	22,743.49
Natural Resources	126,098.64
Legislative Audit Commission	4,568.68
Public Safety	26,805.94
Public Service	4,849.25
Revenue	33,062.68
Governor	3,932.15
Livestock Sanitary Board	11,782.45
Tax Court	697.91

	1976	1977
	\$	\$

**Sec. 57. UNEMPLOYMENT COMPENSATION**

For 1975—\$614,341.91

Agriculture	17,023.58
Indian Affairs	1,039.68
Natural Resources	581,709.81
Minnesota Legislative Building Commission	1,280.00
Military Affairs	4,090.05
Minnesota Commission for the Handicapped	2,210.00
Attorney General	2,207.46
Labor and Industry	3,044.24
Governor	1,737.09

Of the amount appropriated, \$159,090 is from the game and fish fund.

**Sec. 58. TRANSFER OF FUNDS.** The commissioner of finance is hereby directed to make the following transfers:

Subdivision 1. There is hereby transferred to the general fund the sum of \$1,337,419.72 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1973-75 biennium from the highway user tax distribution fund.

Subd. 2. There is hereby transferred from the general fund the sum of \$1,228.50 to correct an overestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 3. There is hereby transferred from the general fund the sum of \$137.54 to correct an overestimate in the cost of mailing gas tax refunds during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 4. There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

(a) From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1975 . . . \$15,000.00

(b) From the trunk highway fund for the Mississippi river parkway commission, for the year ending June 30, 1975 . . . . . \$ 7,337.51

**Sec. 59.** Any moneys made available to any state department or

agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

**Sec. 60. OPEN APPROPRIATION FOR EMPLOYEE COMPENSATION INCREASES.**

Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation and other economic benefits of classified and unclassified officers and employees of the legislative, executive, and judicial branches of state government, members of the state highway patrol, and employees of the Minnesota historical society and non-academic employees of the university of Minnesota who are paid from state funds, if such increases are authorized by law during the 1975 session of the legislature or if such increases are authorized by appropriate resolution for employees of the legislature.

Subd. 2. The commissioner shall certify the amounts necessary per subdivision 1 of this section to the commissioner of finance, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1975.

Subd. 3. Any sums certified and transferred to the university of Minnesota under the provisions of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increased cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury.

Subd. 4. Notwithstanding any other law to the contrary, the appropriations made to the commissioner of administration in Laws 1973, Chapter 720, Section 58, shall continue to be available for the purposes specified until June 30, 1977, unless those purposes are amended or modified during the 1975 session of the legislature.

Sec. 61. Any balance remaining on June 30, 1975, of the appropriation made to the public service commission by Laws 1973, Chapter 209, for passenger railroad service is hereby reappropriated for the biennium ending June 30, 1977.

Sec. 62. Minnesota Statutes 1974, Section 4.11, Subdivision 5, is amended to read:

Subd. 5. The governor may direct any state department or other agency of the state government to furnish the state planning agency with such personnel, equipment, and services as are necessary to enable it to carry out its powers and duties, and prescribe the terms thereof, including reimbursement of costs thereof. ~~Any moneys paid to a state department or other agency of the state government pursuant to this subdivision are hereby annually appropriated to such department or agency for the same purposes for which its funds were expended in furnishing personnel, equipment, and services to the state planning agency. When requested by the~~

*state planning agency to perform planning work, state agencies will be expected to use existing staff.*

Sec. 63. Minnesota Statutes 1974, Section 5.08, Subdivision 2, is amended as follows:

Subd. 2. [DISTRIBUTION.] 15,000 copies of the legislative manual shall be printed and distributed as follows:

- ~~(1)~~ 50 copies to the president of the Senate;
- ~~(2)~~ (1) 25 copies shall be available to each member of the legislature on request;
- ~~(3)~~ (2) 50 copies to the state historical society;
- ~~(4)~~ (3) 25 copies to the state university;
- ~~(5)~~ (4) 60 copies to the state library;
- ~~(6)~~ (5) Two copies each to the library of Congress, the Minnesota Veterans home, the state colleges, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;
- ~~(7)~~ (6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;
- ~~(8)~~ (7) One copy to each public school, to be distributed through the county superintendent of schools; and
- ~~(9)~~ (8) The remainder may be disposed of as the secretary of state deems best, and at a price the secretary of state shall establish. All receipts from the sale of the legislative manual shall be deposited to the general fund.

Sec. 64. MISAPPROPRIATION OF FUNDS. It shall be illegal for any state officer or head of any state department or any employees thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, provided however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

Sec. 65. Minnesota Statutes 1974, Section 12.21, Subdivision 3, is amended as follows:

Subd. 3. In performing his duties under this chapter and to effect its policy and purpose, the governor is further authorized and empowered:

- (1) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this chapter within

the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government and without complying with sections 15.0411 to 15.049, inclusive, but no order, rule or regulation shall have the force and effect of law except as provided by section 12.32;

(2) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into and coordinated with the civil defense plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for civil defense by the political subdivisions of this state, such plans to be integrated into and coordinated with the civil defense plan and program of this state to the fullest possible extent;

(3) In accordance with such plan and program for the civil defense of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of civil defense organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need;

(4) To make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for civil defense, and to plan for the most efficient emergency use thereof;

(5) On behalf of this state, to enter into mutual aid arrangements with other states and to coordinate mutual aid plans between political subdivisions of this state;

(6) To delegate any administrative authority vested in him under this chapter, except the power to make rules and regulations, to provide for the subdelegation of any such authority;

(7) To appoint, in cooperation with local authorities, metropolitan area directors when practicable;

(8) To cooperate with the president and the heads of the armed forces, the civil defense agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the civil defense of the state and nation, including the direction or control of

(a) blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises;

(b) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(c) the effective screening or extinguishing of all lights and lighting devices and appliances;

(d) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(e) the conduct of civilians and the movement and cessation

of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack;

(f) public meetings or gatherings; and

(g) the evacuation, reception, and sheltering of the civilian population;

(9) To contribute, with the approval of the executive council, to a political subdivision, within the limits of the appropriation therefor, not more than 25 percent of the cost of acquiring organizational equipment which meets standards established by him;

(10) To formulate and execute, with the approval of the executive council, plans and regulations for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, materials for national defense and war or for use in any war industry, for the conservation of critical materials or for civil defense purposes, and to coordinate the activities of the departments or agencies of the state and of the political subdivisions thereof concerned directly or indirectly with public highways and streets, in a manner which will best effectuate such plans.

Sec. 66. Minnesota Statutes 1974, Chapter 16, is amended by adding a section to read:

[16. ] [REIMBURSEMENTS TO THE STATE BY EMPLOYEES.] *By October 1, 1975, the commissioner of administration shall develop and implement reimbursement rates and necessary operating policies regarding state-owned vehicles assigned to individual employees for extended use in the performance of their assigned duties. Reimbursement to the state by employees shall be made for the full cost to the state of the commuting benefits to the employee for travel to and from his place of residence and other mileage incurred for purposes outside the employee's normal work assignment. The operating policies shall include rules pertaining to storage, use in car pooling and other matters. All monies received under this provision shall be deposited as non-dedicated receipts to the credit of the fund from which the costs of operating the individual vehicles are paid.*

Sec. 67. Minnesota Statutes 1974, Section 16.012, is amended to read:

16.012 [LEASE OF SPACE IN CERTAIN STATE BUILDINGS TO STATE DEPARTMENTS.] The commissioner of administration may lease portions of the state owned building located at 117 West University Avenue, St. Paul, Minnesota, and the state owned building known as the centennial building buildings in the capitol complex, the capitol square building, the health building, and the building at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied. Notwithstanding the provisions of any law to the contrary, all moneys collected as rent pursuant to the terms of this section shall be deposited in the state treasury and credited to the account known as the general fund. *Moneys collected as rent for the purpose of recovering depreciation*

*costs of buildings built with dedicated funds shall be credited to the dedicated funds which funded the original acquisition or construction. All other moneys received shall be credited to the general fund.*

Sec. 68. Minnesota Statutes 1974, Section 17B.15, is amended to read:

**17B.15 [FEES FOR INSPECTION AND WEIGHING.]** *Subdivision 1. The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. If the grain is in transit, such fees shall be paid by the carrier and treated as advance charges, and, if received for storage, such fees shall be paid by the warehouseman, and added to the storage charges. All moneys so collected and all fines and penalties for violation of any provision of this chapter shall be paid into the state treasury.*

*Subd. 2. The commissioner is directed to adjust his schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation, an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year is more than 103 percent of the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of that expenditure less the amount of the excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year is less than the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from the fees during that year, and plus three percent of the total expenditure for both the latter and the first year referred to herein. The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.*

Sec. 69. Minnesota Statutes 1974, Section 29.021, is amended to read:

**29.021 [POWERS AND DUTIES OF COMMISSIONER OF AGRICULTURE.]** The commissioner of agriculture shall have the power to employ such persons as are necessary to carry out the provisions of sections 29.021 to 29.091, and to fix all salaries and provide for expenses generally not inconsistent with law. The commissioner is authorized and directed to formulate and adopt plans whereby

owners of poultry flocks and poultry breeding flocks may, upon application, have their flocks culled, inspected, and supervised, to the end that these flocks may be accredited and certified for standard type and egg quality and production; and likewise, poultry hatcheries and dealers may be accredited and certified as hatching and selling products produced only from accredited and certified flocks. The commissioner is authorized to make, publish, and enforce rules and regulations to these ends, not inconsistent with law, and to define, prescribe, and authorize the use of uniform terminology to apply to varying degrees of accreditation and certification. The commissioner is authorized to adopt the "standard breeding plan" of accreditation and certification sponsored by the United States department of agriculture, or any other plan, and to cooperate with that department in matters of poultry improvement, egg quality and production. The commissioner is authorized to prescribe and collect fees for inspection and supervision, and to prescribe and furnish labels, leg bands, and certificates of accreditation and certification and such other supplies as may be necessary, and to prescribe and collect fees for the same. *Fees shall be fixed by the commissioner at the beginning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall, insofar as practicable, cover the cost of all services rendered.* The commissioner is authorized to do such other things as he may deem needful and expedient to improve poultry breeding and practices and egg quality and production and to give effect to sections 29.021 to 29.091, in connection with those parties who wish to comply with the programs promulgated in accordance with this section.

Sec. 70. Minnesota Statutes 1974, Section 30.20, is amended to read:

30.20 [FEES.] Fees for inspection shall be determined by the commissioner. *Fees shall be reviewed and, if necessary, adjusted each six months to the end that such fees shall, insofar as it is practicable, cover the cost of the services rendered.*

Sec. 71. [REPEALER.] *Minnesota Statutes 1974, Section 33.17, is repealed.*

Sec. 72. [REPEALER.] *Minnesota Statutes 1974, Section 201.34, is repealed.*

Sec. 73. Minnesota Statutes 1974, Chapter 299D, is amended by adding a section to read:

[299D.06] [INSPECTIONS; WEIGHING.] *Personnel to enforce the laws relating to motor vehicle equipment, school bus equipment, drivers license, motor vehicle registration, motor vehicle size and weight, and motor vehicle petroleum tax to enforce public service commission regulations relating to motor carriers, and to enforce pollution control agency regulations relating to motor vehicle noise abatement shall be classified employees of the commissioner of public safety assigned to the division of highway patrol. Employees engaged in these duties, while actually on the job during their working hours only, shall have power to arrest and prepare notices to appear in court for violation of these laws and regulations, in the manner provided in section 169.91. They*

*shall not be armed and shall have none of the other powers and privileges reserved to peace officers.* . .

Sec. 74. [REPORT ON FEES.] The commissioner of administration shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of collections of the fee and the service provided for the fee appear excessive in relation to the amount of the fee collected. The report shall be submitted by November 15, 1976, to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 75. The balance of the appropriation made by Laws 1973, Chapter 748, Section 9, which has been encumbered for contracts with regions, municipalities, and public institutions for the purposes of Minnesota Statutes 116F.03 shall not cancel on June 30, 1975, but shall remain available until expended.

Sec. 76. Laws 1965, Chapter 415, Section 1, Subdivision 2, is amended to read:

Subd. 2. In the furtherance of public safety in the Soudan State Park, the *commissioner of the department of conservation natural resources* shall utilize any available services of the *safety division of the state industrial commission department of labor and industry* and shall *may* contract with the county of St. Louis in a sum not exceeding \$500 annually for payment of all for reasonable and necessary inspections of said mine and all equipment used therein, as provided by the rules and regulations of the *safety division of the state industrial commission department of labor and industry*. There shall be appropriated to the commissioner of *conservation from the general revenue fund of the state of Minnesota* the sum of \$500 annually to carry out the purpose of this act. *Cost of inspections shall be paid from appropriations made to the department of natural resources.*

Sec. 77. Laws 1965, Chapter 415, Section 1, Subdivision 3, is amended to read:

Subd. 3. If at any time the *state industrial commission commissioner of the department of labor and industry* deems that said mine or its equipment is not safe for public use, the *commissioner* shall issue an order that said mine shall be closed, and the public shall be barred therefrom until further order of the *commissioner authorizing the reopening of said mine.*

Sec. 78. When any state agency or department proposes to contract with a person, other than a state employee, for information relating to whether or not an activity should be undertaken, that agency or department shall consult with the state planning agency prior to entering into any contract. The state planning agency shall advise as to whether the information to be obtained through the proposed contract can be obtained more economically in another way, such as through the services of another state agency or department. If a consulting contract is entered into by the state, a copy of the contract shall be immediately filed with

the state planning agency, which shall continuously monitor work performed under the contract. The contracting agency shall also continuously monitor work performed under the contract.”

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

“A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; authorizing, fixing and limiting the amount of fees to be collected in certain cases; authorizing the disposal of certain property; requiring certain reports to be prepared; authorizing certain grants-in-aid; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 4.11, Subdivision 5; 5.08, Subdivision 2; 12.21, Subdivision 3; Chapter 16 by adding a section; 16.012; 17B.15; 29.021; 30.20; Chapter 299D by adding a section; Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17 and 201.34.”

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

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

H. F. Nos. 1058, 1519 and 1129 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1058	929				
1519	1463				
1129	1157				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1058 be amended as follows:

Page 2, delete lines 5 to 7 and insert

“Sec. 2. Acquisition may be by eminent domain.”

And when so amended, H. F. No. 1058 will be identical to S. F. No. 929 and further recommends that H. F. No. 1058 be given its second reading and substituted for S. F. No. 929 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1519 be amended as follows:

Page 1, line 17, delete “\$6,000,000” and insert “\$7,600,000”

Page 1, line 18, strike “four” and insert “two”

Page 2, after line 5, insert the following:

“Sec. 2. Laws 1971, Chapter 773, Section 3, is amended to read:

Sec. 3. The council of said city shall by ordinance provide for the preparation and adoption, by resolution, of an annual capital budget for said city for each year of the aforementioned four year period, and no funds of said city, from whatever source derived, shall be expended for any capital improvement other than acquisition of office or mechanical equipment, or for minor remodeling or repairs of existing structures, except in accordance with said capital budget, which may, however, be from time to time amended as the council may by ordinance prescribe. Sums appropriated in the capital budget may be expended regardless of the amounts appropriated to the various budget funds of the city pursuant to the charter thereof. The council of said city may carry out the capital improvements program authorized by this act under and pursuant to an ordinance adopted by it subsequent to the passage of this act or it may carry out such program under and pursuant to the provisions of the ordinance presently in effect, adopted pursuant to the provisions of Laws 1967, Chapter 460, and such amendments thereto as the council may hereafter adopt.

Sec. 3. Laws 1971, Chapter 773, Section 4, is amended to read:

Sec. 4. No proceeds of any bonds issued pursuant to section 1 hereof shall be expended for the construction or equipment of any portion of the St. Paul auditorium or civic center connected thereto; *nor shall any such proceeds be expended for the acquisition or betterment of the building known as the Lowry Medical Arts Annex. All bonds issued under this act shall mature at any time or times within 10 years from the date of issue.*

Sec. 4. *Subdivision 1. [CITY COUNCIL AS COMMISSIONERS OF PORT AUTHORITY.] Notwithstanding any provision of Minnesota Statutes, Section 458.10 or any other law or the charter of the city of St. Paul to the contrary, the St. Paul port authority shall consist of the members of the city council of the city of St. Paul.*

*Subd. 2. [IMPAIRMENT OF EXISTING OBLIGATIONS.] No existing obligation, contract, agreement or covenant made or entered into by the St. Paul port authority shall be in any manner impaired by the adoption of this act.*

*Subd. 3. The establishment of the St. Paul city council as the commissioners of the St. Paul authority shall not affect the rights of any employees of the port authority, including but not limited to any rights pursuant to an existing collective bargaining agreement or fringe benefit plan. The employees shall remain as employees of the port authority and shall not be employees of the city of St. Paul.*

Sec. 5. *Subdivision 1. [CITY COUNCIL AS COMMISSIONERS OF HOUSING AND REDEVELOPMENT AUTHORITY.] Notwithstanding the provisions of Laws 1963, Chapter 514, Minnesota Statutes, Section 462.425, or any other law or the charter of the city of St. Paul to the contrary, the housing and redevelopment authority of the City of St. Paul shall consist of the members of the city council of the city of St. Paul.*

*Subd. 2. [IMPAIRMENT OF EXISTING OBLIGATIONS.] No existing obligation, contract, agreement or covenant made or entered into by the housing and redevelopment authority of the city of St. Paul shall be in any manner impaired by the adoption of this act.*

*Subd. 3. The establishment of the St. Paul city council as the commissioners of the St. Paul housing and redevelopment authority shall not affect rights of any employees of the housing and redevelopment authority, including but not limited to any rights pursuant to an existing collective bargaining agreement or fringe benefit plan. The employees shall remain as employees of the housing and redevelopment authority and shall not be employees of the city of St. Paul."*

Renumber the remaining section

Further, amend the title as follows:

Delete lines 5 and 6 and insert:

"providing that the St. Paul port authority and the housing and redevelopment authority of the city of St. Paul shall consist of the members of the city council; amending Laws 1971, Chapter 773, Section 1, as amended, and Sections 3 and 4."

And when so amended, H. F. No. 1519 will be identical to S. F. No. 1463 and further recommends that H. F. No. 1519 be given its second reading and substituted for S. F. No. 1463 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1129 be amended as follows:

Page 1, line 13, delete "cities" and insert "city"

Page 1, lines 13 and 14, delete "and South St. Paul"

Page 1, line 15, before "some" insert "some of which need to be destroyed, and"

Page 1, delete lines 16 and 17

Page 1, line 18, delete "these cities" and insert "replace housing which is destroyed"

Page 2, line 4, delete "cities" and insert "city"

Page 2, lines 4 and 5, delete "and South St. Paul each may" and insert "is authorized to"

Page 2, line 13, delete "for rehabilitation and new construction"

Page 2, line 21, delete "or" and insert "and"

Page 2, lines 21 and 22 delete "and instrumentalities thereof;" and insert "; and"

Page 2, line 26, delete "; and" and insert a period

Page 2, delete lines 27 to 29

Page 2, lines 30 and 31, delete "councils of the cities of Bloomington and South St. Paul each" and insert "council"

Page 3, lines 6 and 7, delete "city councils of the cities of Bloomington and South St. Paul each" and insert "governing body of the city of Bloomington"

Page 3, line 8, after "city" insert "of Bloomington"

Page 3, line 9, after "475" delete the comma

Page 3, delete line 10

Page 3, line 11, delete "obligation is not required"

Page 3, line 13, delete "in each city"

Page 3, line 14, delete "not"

Page 3, line 23, delete "cities" and insert "city"

Page 3, lines 23 and 24, delete "and South St. Paul each may" and insert "is authorized to"

Page 4, line 3, delete "councils" and insert "council"

Page 4, line 3, delete "cities" and insert "city"

Page 4, line 4, delete "and South St. Paul each"

Page 4, line 12, delete "cities" and insert "city"

Page 4, line 12, delete "and South St. Paul each"

Page 4, line 19, delete "shall" and insert "may covenant and agree"

Page 4, line 19, after "not" insert "to"

Page 4, delete lines 23 to 26 and insert

"Sec. 5. This act takes effect when approved by a majority of the city council of the city of Bloomington and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "cities" and insert "city"

Page 1, line 2, delete "in Hennepin" and insert a semicolon

Page 1, delete line 3

And when so amended, H. F. No. 1129 will be identical to S. F. No. 1157 and further recommends that H. F. No. 1129 be given its second reading and substituted for S. F. No. 1157 and that the Senate File be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 925 and 1050 for proper refer-

ence, recommends the above House Files be re-referred to their respective Committees as follows:

H. F. No. 1050 to the Committee on Judiciary.

H. F. No. 925 to the Committee on Natural Resources and Agriculture.

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

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 177, pursuant to the request of the Senate:

Messrs. North, Milton and Kowalczyk.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 100, pursuant to the request of the House:

Messrs. Borden, Olhoft, Dunn, Schrom and Bernhagen.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 911, pursuant to the request of the House:

Messrs. Borden, McCutcheon, Humphrey, Nelson and Jensen.

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

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1494, 503, 661, 1, 1674, 1758, 1741, 1743, 1058, 1519, 1759 and 1129 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Davies moved that H. F. No. 1146 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Davies moved that H. F. No. 1456 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Gearty moved that H. F. No. 525 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:30 o'clock a.m., Wednesday, May 7, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

**FORTY-SEVENTH DAY**

St. Paul, Minnesota, Wednesday, May 7, 1975

The Senate met at 11:30 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Myron E. Nysether.

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

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

May 6, 1975

Mr. Patrick Flahaven  
Secretary of the Senate

Sir:

Upon your request dated May 6, 1975, I am hereby returning S. F. No. 1183.

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. Anderson introduced—

S. F. No. 1732: A bill for an act creating a legislative commission to study public telecommunications; appropriating money therefor.

Referred to the Committee on Labor and Commerce.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 605.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 6, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 369, 1007, 1180, 1331, 607, 610, 746, 1247, 1286, 1721, 61, 721, 1147, 1169 and 1436.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 6, 1975

**FIRST READING OF HOUSE BILLS**

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

H. F. No. 369: A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

Referred to the Committee on Rules and Administration.

H. F. No. 1007: A bill for an act relating to employment; excluding conservation officers from the operation of the fair labor standards act; repealing certain job application requirements; amending Minnesota Statutes 1974, Section 177.23, Subdivision 7; repealing Minnesota Statutes 1974, Section 43.16.

Referred to the Committee on Governmental Operations.

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

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 1331: A bill for an act relating to the soil and water conservation commission; providing for the membership of the commission; amending Minnesota Statutes 1974, Section 40.03, Subdivision 1.

Referred to the Committee on Governmental Operations.

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.

Referred to the Committee on Metropolitan and Urban Affairs.

H. F. No. 721: A bill for an act relating to liens; changing certain notice requirements; amending Minnesota Statutes 1974, Section 514.011, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

H. F. No. 1147: A bill for an act relating to human rights; prohibiting discrimination on the basis of criminal record; amending Minnesota Statutes 1974, Sections 363.01, Subdivision 24, and by adding subdivisions; 363.02, Subdivisions 1 and 2; 363.03, Subdivisions 1, 2, 3, 4, 5, and 8; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

Referred to the Committee on Judiciary.

H. F. No. 1169: A bill for an act relating to agriculture; inspection; licensing; fees; amending Minnesota Statutes 1974, Sections 17.35, Subdivision 6; 18.032, Subdivision 6; 18.53; 18.54, Subdivision 1; 18A.02, Subdivision 3; 21.54, Subdivision 2; 24.072, Subdivisions 2 and 4; 28A.03; 28A.04; 28A.05; 28A.08; 28A.15, Subdivision 5; 31.101; 31.102, Subdivision 1; 31.103, Subdivision 1; 31.104; 31.31; 31.39; 32.075; 32.394, Subdivision 8, and by adding subdivisions; 32.59; and 34.05, Subdivisions 1 and 2.

Referred to the Committee on Rules and Administration.

H. F. No. 1436: A bill for an act relating to natural resources; authorizing the department of natural resources to make a grant to the city of Duluth for the construction of a dam at Hartley Pond on Tischer Creek.

Referred to the Committee on Finance.

H. F. No. 607: A bill for an act relating to commerce; duties of the attorney general; providing a penalty for violation of an assurance of discontinuance; amending Minnesota Statutes 1974, Section 325.907, Subdivision 2b.

Referred to the Committee on Judiciary.

H. F. No. 610: A bill for an act relating to metropolitan govern-

ment; providing for election of council members; amending Laws 1975, Chapter 13, Section 3, Subdivisions 2 and 3, and by adding subdivisions; and Minnesota Statutes 1974, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; and 10A.25, Subdivisions 2 and 6 .

Referred to the Committee on Rules and Administration.

H. F. No. 746: A bill for an act relating to commerce; requiring prices on certain retail food packages.

Referred to the Committee on Labor and Commerce.

H. F. No. 1247: A bill for an act relating to crimes; prohibiting endurance contests without rest periods; amending Minnesota Statutes 1974, Section 624.66, Subdivision 1.

Referred to the Committee on Rules and Administration.

H. F. No. 1286: A bill for an act relating to crimes and criminals; providing penalties for certain acts relating to livestock; providing for the collection of damages; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

H. F. No. 1721: A bill for an act relating to education; vocational-technical institutes; providing for student associations.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S. F. Nos. 1097 and 1475. The motion prevailed.

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

S. F. No. 1097: A bill for an act relating to health; providing for a program of dental care for senior citizens; establishing means of administration; subsidizing premiums to cover cost of services; appropriating money.

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

Page 1, strike lines 7 through 23 and insert:

“Section 1. [ESTABLISHMENT OF PILOT PROGRAMS.] There are established two pilot programs to provide dental care for senior citizens. One pilot program shall be established in the metropolitan area, composed of Hennepin, Ramsey, Anoka, Washington, Dakota, Scott, and Carver counties; and one pilot program shall be established

in a rural area of the state. Both pilot programs shall serve as models for a future statewide program.

Sec. 2. [ADMINISTRATION.] The programs shall be under the administration and supervision of the state board of health, which shall select an organization of senior citizens in each of the areas to be served. Each organization selected shall hereinafter be referred to as a senior organization. Each senior organization shall perform advisory functions, including screening, and routine administrative functions for the pilot program. Each organization selected must be a non profit service corporation representing and operating for the benefit of senior citizens and having a base in the area to be served by the pilot program.

Sec. 3. [DELIVERY OF SERVICES.] Subdivision 1. [CONTRACT FOR DENTAL SERVICES.] The state board of health, after obtaining the advice of each senior organization, shall contract for the delivery of dental services according to the terms of sections 1 to 7 with an insurance company regulated under chapter 62A and offering a policy or plan of health, medical, hospitalization, or accident and sickness insurance, or a nonprofit health service plan corporation regulated under chapter 62C, or a health maintenance organization established and operated pursuant to chapter 62D. Any entity with which the state board of health contracts pursuant to this section shall be referred to as the dental carrier.

Subd. 2. [REVIEW OF PERFORMANCE.] The state board of health, in conjunction with the senior organizations, shall monitor each program, and in cooperation with the dental carrier shall make a comprehensive evaluation of each pilot program including, but not limited to, the following elements: extent of dental service delivered, number of participants in each program, and cost effectiveness of each program."

Page 2, strike lines 1 through 32

Page 3, strike lines 1 through 3

Page 3, line 5, strike "The" and insert "Each"

Page 3, line 7, strike "determine" and insert "recommend to the state board of health"

Page 3, line 7, after "whether" strike "the" and insert "each"

Page 3, line 10, strike "program" and insert "programs"

Page 3, line 10, strike "senior" and insert "state board of health"

Page 3, line 11, strike "organization"

Page 3, line 15, after the period and before "These" insert "Net income shall be the amount of income shown on the tax return filed by the applicant pursuant to Minnesota Statutes, Sections 290.0601 to 290.0617 for the year immediately preceding the year in which application is made."

Page 3, line 15, after "be" insert "annually"

Page 3, line 17, strike "as the program continues"

Page 3, line 20, after "the" and before "senior" insert "appropriate"

Page 3, line 21, after "organization" and before the comma insert "and with the consent of the state board of health"

Page 3, line 25, after "the" and before "senior" insert "appropriate"

Page 3, line 27, after "of" strike "the" and insert "a"

Page 3, line 27, strike "corporation" and insert "carrier"

Page 3, after line 27, insert:

"Subd. 5. [ANNUAL FEE.] An annual fee of not more than 12 percent of the total premium dollar shall be collected by each senior organization from all participants and transmitted to the state board of health.

Subd. 6. [NURSING HOME RESIDENTS.] Special effort shall be made to include in each pilot program residents of nursing homes located in each pilot program area."

Page 4, strike line 1

Page 4, line 2, strike "(d)" and insert "(c)"

Page 4, line 3, strike "(e)" and insert "(d)"

Page 4, line 4, strike "(f)" and insert "(e)"

Page 4, line 6, strike "(g)" and insert "(f)"

Page 4, line 7, strike "(h)" and insert "(g)"

Page 4, line 9, strike "(i)" and insert "(h)"

Page 4, line 10, strike "full"

Page 4, line 11, strike "70" and insert "at least 80"

Page 4, line 11, strike "listed" and insert "usual and customary"

Page 4, line 12, strike "will" and insert "shall"

Page 4, line 12, strike "corporation," and insert "carrier and shall not be subject to any"

Page 4, line 13, strike "with no"

Page 4, line 13, after the period insert "Participants in the program shall be responsible for any remaining balance."

Page 4, line 15, strike "corporation" and insert "carrier"

Page 4, line 16, strike "\$600" and insert "\$500"

Page 4, line 18, strike "dental college, the senior" and insert "state board of health"

Page 4, line 19, strike "organization,"

Page 4, line 19, strike "corporation" and insert "carrier"

Page 4, line 19, strike "share" and insert "each have"

Page 4, line 20, strike "program" and insert "programs"

Page 4, line 22, strike "program" and insert "programs"

Page 4, strike lines 24 to 30

Page 4, line 31, strike "3" and insert "2"

Page 4, line 32, strike "monthly" and insert "annual"

Page 4, line 32, after "premiums" insert ", after payment of claims, cost of administration, and withholding of necessary reserves,"

Page 5, line 1, strike "corporation" and insert "carrier"

Page 5, line 1, strike "used to" and insert "returned to the state board of health for the purposes of this act."

Page 5, strike line 2

Page 5, line 3, strike "organization" and insert "organizations"

Page 5, line 4, strike "dental corporation" and insert "state board of health"

Page 5, line 5, after "from" insert "public or private"

Page 5, line 5, after "sources" insert a comma

Page 5, line 5, after "III" insert "of the"

Page 5, line 6, after "Act" insert a comma

Page 5, line 8, strike "dental college" and insert "state board of health"

Page 5, line 9, strike "organization" and insert "organizations"

Page 5, line 10, strike "program" and insert "programs"

Page 5, line 11, strike "these or"

Page 5, line 11, strike "other"

Page 5, line 12, strike "sources" and insert "source"

Page 5, line 15, strike "dental college of the university of Minnesota" and insert "state board of health"

Page 5, line 15, after "for" insert "the biennium ending June 30, 1977, for"

Page 5, line 16, strike "Notwithstanding Minnesota Statutes,"

Page 5, strike lines 17 to 19

Amend the title as follows:

Page 1, line 2, strike "a" and insert "pilot"

Page 1, line 2, strike "program" and insert "programs"

Page 1, line 2, strike "of" and insert "for"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 47: A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1.

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

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

H. F. No. 155: A bill for an act relating to the city of Minnetonka; volunteer firemen's pensions.

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

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

H. F. No. 254: A bill for an act relating to the city of Roseville; firemen's relief association service pensions; amending Laws 1973, Chapter 464, Section 2.

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

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

H. F. No. 588: A bill for an act relating to the city of Butterfield firemen's relief association; authorizing payment of certain disability benefits to certain members.

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

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

H. F. No. 113: A bill for an act relating to Clay county; probate judge's service and retirement contributions; appropriating money for refunds.

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

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

H. F. No. 939: A bill for an act relating to retirement; increasing firemen's service pensions payable to members of the Lake Johanna Volunteer Firemen's Benefit Association.

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

Page 2, after line 13, insert a new section to read as follows:

"Sec. 2. This act is effective upon approval by the governing bodies of the cities of Arden Hills, North Oaks, and Shoreview, and upon compliance with Minnesota Statutes, Section 645.021."

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

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

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

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

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

H. F. No. 590: A bill for an act relating to retirement; police pensions in the city of Eveleth; amending Laws 1965, Chapter 636, as amended, by adding a section.

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

Page 1, line 9, strike "*of this act*" and insert a comma

Page 1, line 10, after "*section 5*" insert "*, of Laws 1965, Chapter 636, as amended,*"

Page 1, line 10, after "*1975*" strike "*or*" and insert a comma

Page 1, line 11, strike "*thereafter*"

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

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

H. F. No. 1008: A bill for an act relating to retirement; investment and redemption of shares in the supplemental retirement

fund by Hennepin county employees; amending Laws 1969, Chapter 950, Sections 3 and 4.

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

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

H. F. No. 944: A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's relief association lump sum service pensions.

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

Page 1, line 9, strike "\$1,000" and insert "\$500"

Page 1, line 14, strike "without approval on the" and insert "upon approval of the governing body of the city of Lakeville, and upon compliance with Minnesota Statutes, Section 645.021."

Page 1, strike line 15

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

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

H. F. No. 110: A bill for an act relating to retirement; authorizing purchase of service credit by certain members of the Minnesota state retirement system.

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

Page 1, line 11, strike "his or"

Page 1, line 12, strike "her" and insert "the member's"

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

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

H. F. No. 1136: A bill for an act relating to the city of Duluth; firemen's service pensions and survivor benefits; amending Laws 1965, Chapter 179, Section 1; repealing Laws 1955, Chapter 188, Section 8.

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

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

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

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

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

H. F. No. 530: A bill for an act relating to retirement; redefining membership and allowing the purchase of prior service credit by members of the Bloomington police relief association.

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

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

S. F. No. 1475: A bill for an act relating to the soil and water conservation commission; providing for the membership of the commission; amending Minnesota Statutes 1974, Section 40.03, Subdivision 1.

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

Page 1, line 15, strike "either"

Page 1, line 15, strike "or past"

Page 1, line 16, strike "supervisors"

Page 2, line 18, strike "either"

Page 2, line 18, strike "or past supervisors"

Page 2, line 26, after "region" and before the period insert "*except that two members shall be appointed from region number one*"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1254: A bill for an act relating to the city of New Brighton; firemen's relief pensions; amending Laws 1967, Chapter 742, Section 1, Subdivision 1.

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

Page 1, line 13, strike "\$120" and insert "\$100"

Page 2, line 7, strike "\$6" and insert "\$5"

Page 2, line 11, strike "\$180" and insert "\$150"

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

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

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

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

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

H. F. Nos. 332, 1488, 474 and 184 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
332	400				
1488	1516				
474	854				
184	503				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 332 be amended as follows:

Page 4, line 31, delete "*subdivisions*" and insert "*subdivision*"

And when so amended, H. F. No. 332 will be identical to S. F. No. 400 and further recommends that H. F. No. 332 be given its second reading and substituted for S. F. No. 400 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1488 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1974, Section 123.36, Subdivision 5, is amended to read:

Subd. 5. The board may authorize the use of any schoolhouses in the district for divine worship, Sunday schools, public meetings, elections, and such other community or other purposes as, in its judgment, will not interfere with their use ~~for~~ by the

school purposes *district* ; but before permitting such use, the board may require a cash or corporate surety bond in a reasonable amount conditioned for the proper use of such schoolhouse, the payment of all rent and the repair of all damage occasioned by such use, and it may charge and collect for the use of the district from the persons using such schoolhouse such reasonable compensation as it may fix.

It may authorize the use of any schoolhouses or buildings in and of the district for the holding of primaries, elections, registrations, and all action in connection therewith in such manner as in its judgment, will not interfere with their use for school purposes. It may impose such reasonable regulations and conditions upon such use as may seem meet and proper.

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

Further strike the title and insert

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

And when so amended, H. F. No. 1488 will be identical to S. F. No. 1516 and further recommends that H. F. No. 1488 be given its second reading and substituted for S. F. No. 1516 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 474 be amended as follows:

Page 1, line 13, delete "*shall be*" and insert "*is*"

Page 1, line 13, insert a comma after "*interest*" and delete "*and*"

Page 1, line 14, after "*depreciation*" insert "*, taxes, trade or business expenses, expenses for production of income or other deductions otherwise*"

Page 1, lines 16 and 17, delete "*other than buildings used for agricultural purposes*"

Page 1, line 21, delete "*state or the*"

Page 1, line 23, delete "*violate a provision or*"

Page 2, delete line 1

Page 2, line 2, delete "*when the violation*"

Page 2, line 2, delete "*endangers*" and insert "*endanger*"

Page 2, lines 7 and 8, delete "*or within the time prescribed by the agency in the notice*"

Page 2, line 9, after "*ordinance,*" insert "*or the time prescribed by the agency in the notice,*"

Page 2, lines 17 and 18, delete "*contain the particulars of the noncompliance and shall*"

Page 2, line 18, delete "*such*" and insert "*the*"

Page 2, line 19, after "*commissioner,*" delete "*and*"

Page 3, line 7, delete "*taxable*" and insert "*income*"

Page 7, line 2, reinsert the stricken "*and*"

Page 7, lines 6 and 7 delete "*;* *and*" and insert a period

And when so amended, H. F. No. 474 will be identical to S. F. No. 854 and further recommends that H. F. No. 474 be given its second reading and substituted for S. F. No. 854 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 184 be amended as follows:

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

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

Page 2, line 14, after "*state*" insert "*or federal*"

Page 2, line 15, delete "*because of race, color, creed, religion*"

Page 2, delete lines 16 to 18

Page 2, delete lines 21 to 23 and insert "*and or, in the case of the violation stated in clause (1) of this subdivision, upon the procedure provided in this section and section 124.19, subdivision 3.*"

Page 2, lines 28 and 29, delete "*in conformance with Minnesota Statutes Chapter 15*"

Page 2, line 30, before "*education*" insert "*human rights and of*"

Page 2, line 30, after "*education*" insert a comma

Page 3, line 1, delete "*The commissioner of education shall*"

Page 3, delete line 2

Page 3, line 3, delete "*information to the commissioner of human rights.*"

Page 3, delete lines 12 to 24

Amend the title as follows:

Page 1, line 4, after "*state*" insert "*or federal*"

Page 1, line 8, delete "*Subdivisions 2 and 3,*" and insert "*Subdivision 2*"

And when so amended, H. F. No. 184 will be identical to S. F. No. 503 and further recommends that H. F. No. 184 be given its second reading and substituted for S. F. No. 503 and that the Senate File be indefinitely postponed.

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

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

H. F. No. 610 for proper reference, recommends the above House File be re-referred to its respective Committee as follows:

H. F. No. 610 to the Committee on Metropolitan and Urban Affairs.

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

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 235, pursuant to the request of the House:

Messrs. Anderson, Hughes, Humphrey, O'Neill and Sillers.

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

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 47, 155, 254, 588, 351, 113, 939, 590, 1008, 944, 110, 1136, 586, 530, 1254, 332, 1488, 474 and 184 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Borden moved that the names of Messrs. Olhoft and Wegener be added as co-authors to S. F. No. 1316. The motion prevailed.

Mr. Hughes moved that the report from the Committee on Education, reported May 5, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

#### CONFIRMATION

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 5, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

#### MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION

Vladimir Shipka, 513 South Pokegama Avenue, Grand Rapids, Itasca County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

The motion prevailed. So the appointment was confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Hughes moved that the report from the Committee on Education, reported May 5, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

**CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 5, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

David Lebedoff, 17 South First Street, Minneapolis, Hennepin County, appointed effective January 10, 1975, for a term expiring February 15, 1977.

The motion prevailed. So the appointment was confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Hughes moved that the report from the Committee on Education, reported May 5, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

**CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 5, 1975, the Senate, having advised with, do now consent to and confirm the appointments of:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

Mrs. Barbara Clark, Northfield, Rice County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

Donald Hamerlinck, Wadena, Wadena County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

Mrs. Judy Hamilton, 11309 Timberline Road, Minnetonka, Hennepin County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

Jack Lynch, 618 West 10th Street, Willmar, Kandiyohi County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

Harding C. Noblitt, 2014 South 4th Street, Moorhead, Clay County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

The motion prevailed. So the appointments were confirmed.

### SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Calendar of Ordinary Matters and that the rules be so far suspended as to waive the lie-over requirement. The motion prevailed.

### CALENDAR OF ORDINARY MATTERS

H. F. No. 428: A bill for an act relating to education; teachers; providing time for consideration of contract; amending Minnesota Statutes 1974, Section 125.12, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1175: A bill for an act relating to education; school districts; data processing services; authorizing joint boards to hold title to property.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Dunn	Humphrey	Knutson
Arnold	Chenoweth	Frederick	Jensen	Kowalczyk
Ashbach	Chmielewski	Garty	Josefson	Larson
Bang	Coleman	Hansen, Baldy	Keefe, J.	Laufenburger
Bernhagen	Conzemius	Hansen, Mel	Keefe, S.	Lewis
Blatz	Davies	Hanson, R.	Kirchner	McCutcheon
Brataas	Doty	Hughes	Kleinbaum	Merriam

Milton	Olson, A. G.	Perpich, G.	Schrom	Tennessee
Moe	Olson, H. D.	Pillsbury	Sillers	Ueland
Nelson	Olson, J. L.	Purfeerst	Solon	Wegener
North	O'Neill	Renneke	Stassen	Willet
Ogdahl	Patton	Schaaf	Stokowski	
Schmitz	Olhoff	Perpich, A. J.	Stumpf	

So the bill passed and its title was agreed to.

H. F. No. 535: A bill for an act relating to the department of public welfare; eliminating the duty of the commissioner of public welfare to appoint directors of community mental health services; amending Minnesota Statutes 1974, Section 245.69.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 774: A bill for an act relating to the city of Minneapolis; retirement for city officials and employees; retirement allowance, deferred compensation, combined service annuity, disability allowances; amending Minnesota Statutes 1974, Section 422A.16, Subdivision 8, and by adding a subdivision; 422A.18, Subdivision 3; and 422A.25; repealing Minnesota Statutes 1974, Section 422A.18, Subdivision 6.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Gearty	Keefe, J.	McCutcheon
Arnold	Chenoweth	Hansen, Baldy	Keefe, S.	Merriam
Ashbach	Chmielewski	Hansen, Mel	Kirchner	Milton
Bang	Coleman	Hanson, R.	Kleinbaum	Moe
Berg	Conzemius	Hughes	Knutson	Nelson
Bernhagen	Davies	Humphrey	Kowalczyk	North
Blatz	Doty	Jensen	Larson	Ogdahl
Brataas	Dunn	Josefson	Laufenburger	Olhoff

Olson, A. G.	Perpich, A. J.	Schaaf	Spear	Ueland
Olson, H. D.	Perpich, G.	Schmitz	Stassen	Wegener
Olson, J. L.	Pillsbury	Schrom	Stokowski	Willet
O'Neill	Purfeerst	Sillers	Stumpf	
Patton	Renneke	Solon	Tennessee	

So the bill passed and its title was agreed to.

H. F. No. 1049: A bill for an act relating to highways; duties of the commissioner of highways; providing that the commissioner shall publish a highway map periodically; amending Minnesota Statutes 1974, Section 161.31, 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 60 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Milton	Olson, H. D.	Schaaf	Schrom	Spear
Ogdahl				

So the bill passed and its title was agreed to.

H. F. No. 540: A bill for an act relating to courts; providing for transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Dunn	Jensen	Laufenburger
Arnold	Brown	Frederick	Josefson	Lewis
Ashbach	Chenoweth	Gearty	Keefe, J.	McCutcheon
Bang	Chmielewski	Hansen, Baldy	Keefe, S.	Merriam
Berg	Coleman	Hansen, Mel	Kirchner	Milton
Bernhagen	Conzemius	Hanson, R.	Kleinbaum	Nelson
Blatz	Davies	Hughes	Knutson	North
Borden	Doty	Humphrey	Kowalczyk	Ogdahl

Olhoff	Patton	Renneke	Solon	Tennessen
Olson, A. C.	Perpich, A. J.	Schaaf	Spear	Ueland
Olson, H. D.	Perpich, G.	Schmitz	Stassen	Wegener
Olson, J. L.	Pillsbury	Schrom	Stokowski	Willet
O'Neill	Purfeerst	Sillers	Stumpf	

So the bill passed and its title was agreed to.

H. F. No. 1494: A bill for an act relating to insurance; providing for use of life insurance mortality tables and interest rates by fraternal beneficiary associations; amending Minnesota Statutes 1974, Sections 64A.21; 64A.24, Subdivision 1; 64A.25, Subdivision 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### RECONSIDERATION

Mr. Hansen, Baldy moved that the vote whereby S. F. No. 1251 failed to pass the Senate on May 5, 1975, be now reconsidered. The motion prevailed.

Mr. Tennessen moved that S. F. No. 1251 be re-referred to the Committee on Labor and Commerce. The motion prevailed.

### SPECIAL ORDER

#### SUSPENSION OF RULES

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1741, No. 180 on the General Orders Calendar, a Special Order to be heard immediately. Mr. Arnold moved that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

H. F. No. 1741: A bill for an act relating to the organization and operation of state government; appropriating money for the conser-

vation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

### CALL OF THE SENATE

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

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

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

H. F. No. 1741 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 62 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Baldy; Hansen, Mel and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

#### SUSPENSION OF RULES

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1743, No. 182 on the General Orders

Calendar, a Special Order to be heard immediately. Mr. Arnold moved that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

### CALL OF THE SENATE

Mr. Perpich, G. imposed a call of the Senate for the proceedings on the next two bills. The following Senators answered to their names:

Anderson	Davies	Keefe, J.	North	Sillers
Arnold	Doty	Keefe, S.	Ogdahl	Solon
Ashbach	Dunn	Kirchner	Olhoft	Spear
Bang	Frederick	Kleinbaum	O'Neill	Stokowski
Bernhagen	Gearty	Knutson	Patton	Stumpf
Blatz	Hansen, Baldy	Kowalczyk	Perpich, G.	Tennessee
Borden	Hansen, Mel	Larson	Pillsbury	Ueland
Brataas	Hanson, R.	Laufenburger	Purfeerst	
Brown	Hughes	Merriam	Renneke	
Coleman	Humphrey	Milton	Schaaf	
Conzemius	Jensen	Moe	Schmitz	

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

Mr. Brown moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2, subd. 11, strike "921,412" and "949,944" and insert "1,118,300" and "1,160,700"

Strike "42" and insert "45"

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

Mr. Brown then moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2 of the committee amendment, Subd. 11, at the end of the last paragraph, insert:

"State Services for the Blind and Visually Handicapped, a unit of the department of public welfare, shall be operated and maintained in a manner consistent with all federal regulations as the state Agency for the Blind and Visually Handicapped. Staff line items previously borrowed by the department from State Services for the Blind and Visually Handicapped provided by the legislature shall be returned no later than December 31, 1975."

Mr. North requested division of the amendment as follows:

First portion:

Sec. 2 of the committee amendment, Subd. 11, at the end of the last paragraph, insert:

"State Services for the Blind and Visually Handicapped, a unit of the department of public welfare, shall be operated and maintained in a manner consistent with all federal regulations as the state Agency for the Blind and Visually Handicapped."

Second portion:

"Staff line items previously borrowed by the department from State Services for the Blind and Visually Handicapped provided by the legislature shall be returned no later than December 31, 1975."

The question being taken on the first portion of the Brown amendment,

And the roll being called, there were yeas 30 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Keefe, J.	Nelson	Renneke
Bang	Dunn	Knutson	North	Sillers
Berg	Frederick	Kowalczyk	Ogdahl	Spear
Bernhagen	Hansen, Mel	Larson	O'Neill	Stassen
Blatz	Hanson, R.	Merriam	Patton	Stumpf
Brataas	Josefson	Milton	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Olson, A. G.	Schrom
Arnold	Doty	Kirchner	Olson, H. D.	Solon
Borden	Gearty	Kleinbaum	Olson, J. L.	Stokowski
Chenoweth	Hansen, Baldy	Laufenburger	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Willet
Coleman	Humphrey	Moe	Purfeerst	
Conzemius	Jensen	Olhoft	Schmitz	

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

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

And the roll being called, there were yeas 21 and nays 38, as follows:

Those who voted in the affirmative were:

Berg	Doty	Milton	Renneke	Ueland
Bernhagen	Hansen, Mel	Nelson	Schmitz	
Blatz	Hughes	North	Sillers	
Brataas	Keefe, J.	O'Neill	Spear	
Brown	Kowalczyk	Patton	Stassen	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olson, A. G.	Schrom
Arnold	Dunn	Knutson	Olson, H. D.	Solon
Ashbach	Gearty	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Chenoweth	Humphrey	Lewis	Perpich, G.	Tennessee
Chmielewski	Jensen	Merriam	Pillsbury	Willet
Coleman	Keefe, S.	Moe	Purfeerst	
Conzemius	Kirchner	Olhoft	Schaaf	

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

Mr. Stassen moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2 of the committee amendment, Subd. 18, strike the four paragraphs pertaining to the Hastings state hospital

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 16 and nays 44, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Mel	Josefson	Patton	Sillers
Brataas	Hanson, R.	Keefe, J.	Purfeerst	Stassen
Brown	Hughes	O'Neill	Renneke	Ueland
Frederick				

Those who voted in the negative were:

Anderson	Dunn	Kowalczyk	Ogdahl	Schmitz
Arnold	Gearty	Larson	Olhoff	Schrom
Ashbach	Hansen, Baldy	Laufenburger	Olson, A. G.	Solon
Berg	Humphrey	Lewis	Olson, H. D.	Spear
Blatz	Jensen	McCutcheon	Olson, J. L.	Stokowski
Borden	Keefe, S.	Merriam	Perpich, A. J.	Stumpf
Chmielewski	Kirchner	Milton	Perpich, G.	Tennessee
Coleman	Kleinbaum	Moe	Pillsbury	Willet
Doty	Knutson	North	Schaaf	

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

Mr. Conzemius moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2 of the committee amendment, Subd. 18, strike the third paragraph pertaining to the Hastings state hospital and insert:

"The Minnesota veterans home shall draft and implement plans to phase in utilization of the Hastings state hospital facilities for geriatric and nursing home care. Beginning with the use of a single building, the Minnesota veterans home shall utilize additional buildings as necessary and as they become available. The Minnesota veterans home shall study the feasibility of contracting with Hastings state hospital for food services for the Minnesota veterans home in Minneapolis.

The Minnesota veterans home shall contract with the Hastings state hospital for all staff, utilities, laundry, food and miscellaneous services prior to the closing of Hastings state hospital and shall at that date transfer as many staff and facilities as is necessary to serve the Minnesota veterans home after July 1, 1976.

The Minnesota veterans home shall report to the 1976 legisla-

ture on the progress and future plans for the use of Hastings state hospital. The report shall include a breakdown of the current and projected population served and shall also detail the funding requirements of the future use of the Hastings state hospital.

In addition to providing for veterans home use of the Hastings state hospital, the Dakota county detoxification facilities shall be allowed to continue utilization of the Hastings campus and Dakota county shall receive priority in the choice of facilities for a proposed Dakota county chemical dependency treatment program."

Sec. 2, Subd. 18, in the fourth paragraph pertaining to the Hastings state hospital, after "Notwithstanding any other law to the contrary, funds appropriated to the department of public welfare for any purpose may be used for the demolition of buildings on the Hastings state hospital campus, subject to the written recommendation of the senate finance committee and the house appropriations committee." insert "Buildings selected by the Minnesota veterans home for use as geriatric and nursing home facilities may not be demolished by the department of public welfare."

In the next paragraph, after "Fergus Falls to Brainerd," insert "and" and strike ", and Hastings to Faribault, if Hastings continues as a state hospital"

Mr. Kirchner moved to amend the Conzemius amendment to the Finance Committee amendment on H. F. 1743 as follows:

First paragraph, first line, strike "and implement"

First paragraph, third line, after the period insert "Subject to written recommendation of the Senate Finance Committee and the House Appropriations Committee,"

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

The question recurred on the Conzemius amendment.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Chenoweth	Hughes	Milton	Renneke
Bang	Conzemius	Josefson	Nelson	Sillers
Bernhagen	Dunn	Keefe, J.	O'Neill	Spear
Blatz	Frederick	Knutson	Patton	Stassen
Brataas	Hansen, Mel	Lewis	Pillsbury	Ueland
Brown	Hanson, R.	Merriam	Purfeerst	

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Ogdahl	Schmitz
Arnold	Gearty	Kowalczyk	Olhoff	Schrom
Berg	Hansen, Baldy	Larson	Olson, A. G.	Solon
Borden	Humphrey	Laufenburger	Olson, J. L.	Stokowski
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Stumpf
Coleman	Keefe, S.	Moe	Perpich, G.	Tennessee
Davies	Kirchner	North	Schaaf	Willet

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

Mr. Renneke moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Section 2, Subd. 16, strike "220,000" and "242,000" and insert "250,000" and "250,000"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Frederick	Milton	Sillers
Bang	Conzemius	Hansen, Mel	Nelson	Stassen
Berg	Davies	Josefson	O'Neill	Ueland
Bernhagen	Doty	Keefe, J.	Patton	
Brataas	Dunn	Knutson	Renneke	

Those who voted in the negative were:

Anderson	Humphrey	Merriam	Olson, J. L.	Solon
Arnold	Jensen	Moe	Perpich, G.	Spear
Borden	Kirchner	North	Pillsbury	Stokowski
Coleman	Kleinbaum	Ogdahl	Purfeerst	Stumpf
Gearty	Larson	Olhoft	Schmitz	Tennessee
Hansen, Baldy	Laufenburger	Olson, A. G.	Schrom	Willet

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

Mr. Renneke then moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 3, Subdivision 1, clause (d), fourth paragraph, strike all the language following "a." and insert "The placement of inmates in the Minnesota security hospital which are under the exclusive control of corrections."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 31 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Sillers
Ashbach	Dunn	Kirchner	Olson, J. L.	Stassen
Bang	Fitzsimons	Knutson	O'Neill	Ueland
Berg	Frederick	Kowalczyk	Patton	
Bernhagen	Hansen, Mel	Lewis	Pillsbury	
Blatz	Hanson, R.	Merriam	Renneke	
Brown	Jensen	Milton	Schmitz	

Those who voted in the negative were:

Arnold	Doty	Laufenburger	Olson, H. D.	Spear
Borden	Gearty	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	Moe	Perpich, G.	Stumpf
Chmielewski	Humphrey	North	Schaaf	Tennessee
Coleman	Keefe, S.	Olhoft	Schrom	Willet
Davies	Larson	Olson, A. G.	Solon	

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

Mr. Lewis moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance adopted by the Senate May 6, 1975, as follows:

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

"The commissioner of corrections shall establish a health advisory committee whose duty shall be to provide advice and expertise concerning the physical, emotional, occupational, and environmental well-being of the clients of the department of corrections. The committee shall be composed of 15 members who are broadly representative of all pertinent areas of health care.

Eight members shall be appointed whose terms shall expire the first Monday in January, 1979, and seven members shall be appointed whose terms expire the first Monday in January, 1980. Thereafter, the terms shall be four years. Each member shall be eligible for re-appointment for not more than one four year term. Members may serve until their successors are appointed and qualify. If a successor has not been appointed by the July 1 after the scheduled end of a member's term, the term of the member for whom a successor has not been appointed shall be extended until the first Monday in January four years after the scheduled end of the term.

Members of the advisory committee shall be compensated at the rate of \$25 per day spent on committee activities plus expenses in the same manner and amount as state employees. Members who are state employees or employees of political subdivisions shall not receive the \$25 per day, but they shall suffer no loss in compensation from the state or political subdivision as a result of their service on the committee. Members who are state employees or employees of political subdivisions may receive the expenses provided for in this section unless the expenses are reimbursed by another source.

A member may be removed by the appointing authority at any time (1) for cause after notice and hearing, or (2) after missing three consecutive meetings. The chairman of the advisory committee shall inform the appointing authority of a member missing three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the committee shall notify the member in writing that he may be removed if he misses the next meeting.

The advisory committee shall organize and elect a chairman and other officers as may be deemed necessary to the efficient discharge of its duties. The committee may also adopt bylaws and operating procedures, including the formation of subcommittees to facilitate the work of the full committee. The full committee shall meet at the times and in the places as the commissioner of corrections or the chairman of the committee may determine.

The committee shall plan, evaluate, and coordinate comprehensive health policies and service programs for the department of corrections. The committee shall also review department plans and make recommendations as necessary, and advise on matters as requested by the commissioner, the governor, or the legislature. The committee shall

initiate and present to the commissioner, the governor, and the legislature recommendations regarding policy, programs, facilities and any other matters related to all phases of the health system for the department of corrections.

Through the office of the health care administrator for the department of corrections the committee shall be provided with administrative and staff services, supplies and equipment."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 16 and nays 40, as follows:

Those who voted in the affirmative were:

Bernhagen	Conzemius	Milton	Perpich, A. J.	Spear
Blatz	Kleinbaum	O'Neill	Renneke	Stassen
Brataas	Lewis	Patton	Sillers	Ueland
Brown				

Those who voted in the negative were:

Anderson	Dunn	Keefe, J.	Merriam	Pillsbury
Arnold	Fitzsimons	Keefe, S.	Moe	Purfeerst
Bang	Gearty	Kirchner	North	Schmitz
Borden	Hansen, Baldy	Knutson	Ogdahl	Solon
Chmielewski	Hansen, Mel	Kowalczyk	Olhoft	Stokowski
Coleman	Humphrey	Larson	Olson, A. G.	Stumpf
Davies	Jensen	Laufenburger	Olson, J. L.	Tennessen
Doty	Josefson	McCutcheon	Perpich, G.	Willet

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

Mr. Brown moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 3, subdivision 1, strike all of clause "(d)"

Reletter the clauses in sequence

Sec. 3, subdivision 1, clause (e), after "corrections" insert a period and strike "to"

Strike the next two lines of the paragraph, and also the next six lines through the figure "\$50,000"

Sec. 3, subdivision 1, clause (e), last paragraph, strike "and (e)"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Hansen, Mel	Knutson	Stassen
Bang	Brown	Hanson, R.	Kowalczyk	Ueland
Berg	Conzemius	Hughes	Nelson	
Bernhagen	Dunn	Jensen	Patton	
Blatz	Hansen, Baldy	Josefson	Pillsbury	

Those who voted in the negative were:

Anderson	Garty	Lewis	O'Neill	Stokowski
Arnold	Humphrey	Merriam	Perpich, A. J.	Stumpf
Borden	Keefe, J.	Milton	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	Moe	Purfeerst	Willet
Coleman	Kirchner	Ogdahl	Schmitz	
Davies	Kleinbaum	Olhoft	Schrom	
Doty	Larson	Olson, H. D.	Solon	
Fitzsimons	Laufenburger	Olson, J. L.	Spear	

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

Mr. Olhoft moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2, Subd. 18, next to the last paragraph, strike "Fergus Falls to Brainerd,"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 12 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Merriam	Olhoft	Stumpf
Berg	Jensen	Milton	Patton	Willet
Brown	Kleinbaum			

Those who voted in the negative were:

Arnold	Conzemius	Humphrey	Moe	Purfeerst
Ashbach	Davies	Keefe, J.	Nelson	Renneke
Bernhagen	Doty	Kirchner	Ogdahl	Schmitz
Blatz	Dunn	Knutson	Olson, A. G.	Schrom
Borden	Garty	Kowalczyk	Olson, J. L.	Solon
Brataas	Hansen, Baldy	Larson	O'Neill	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	Perpich, G.	Tennessee
Chmielewski	Hughes	Lewis	Pillsbury	Ueland

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

Mr. Milton moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance adopted by the Senate May 6, 1975, as follows:

Sec. 2 of the committee amendment, after the last paragraph in subdivision 1 insert:

"The standard of need for Minnesota supplemental aid shall be adjusted semi-annually by the percentage change in the cost of living. In January and July of each year, the commissioner shall effect adjustment of each item in the standard of need by the per-

centage established by the Consumer Price Index of the United States Department of Labor for the months of April through September and October through March. If regionally adjusted data is not available, the national average shall be applied. Adjustments to items in the standard of need shall reflect the full percentage of increases and one-half the percentage of decreases in the cost of living. In no event shall the commissioner decrease the amounts payable for any item below the dollar amounts in effect on the effective date of this section. If the adjusted dollar amounts are not a multiple of \$1, the amount shall be rounded to the next highest dollar. The standard of need computed under this provision shall govern all supplemental aid benefit amounts payable after July 1, 1975."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 12 and nays 38, as follows:

Those who voted in the affirmative were:

Brataas	Kowalczyk	O'Neill	Spear	Stumpf
Conzemius	Milton	Patton	Stassen	Ueland
Josefson	Nelson			

Those who voted in the negative were:

Anderson	Coleman	Humphrey	Olhoft	Renneke
Arnold	Davies	Kirchner	Olson, A. G.	Schmitz
Bang	Doty	Kleinbaum	Olson, H. D.	Solon
Bernhagen	Dunn	Larson	Olson, J. L.	Stokowski
Blatz	Fitzsimons	Merriam	Perpich, A. J.	Tennessee
Borden	Gearty	Moe	Perpich, G.	Willet
Chenoweth	Hansen, Baldy	North	Pillsbury	
Chmielewski	Hughes	Ogdahl	Purfeerst	

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

Mr. Milton then moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance adopted by the Senate May 6, 1975, as follows:

Sec. 2 of the committee amendment, after the last paragraph in Subdivision 1 insert:

"After July 1, 1975, the real and personal property eligibility criteria for supplemental aid for the aged and the disabled shall be the same as the real and personal property eligibility criteria set forth in Chapter 256B for the medical assistance program."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 14 and nays 44, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Baldy	Kowalczyk	Patton	Stassen
Blatz	Hughes	Lewis	Purfeerst	Ueland
Conzemius	Josefson	Milton	Spear	

Those who voted in the negative were:

Anderson	Chmielewski	Humphrey	Ogdahl	Renneke
Arnold	Coleman	Jensen	Olhoff	Schmitz
Ashbach	Davies	Keefe, J.	Olson, A. G.	Sillers
Bang	Doty	Kirchner	Olson, H. D.	Solon
Bernhagen	Dunn	Knutson	Olson, J. L.	Stokowski
Borden	Fitzsimons	Merriam	O'Neill	Stumpf
Brataas	Frederick	Moe	Perpich, A. J.	Tennessee
Brown	Gearty	Nelson	Perpich, G.	Willet
Chenoweth	Hansen, Mel	North	Pillsbury	

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

Mr. Milton then moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2, subdivision 12, the sixth paragraph, strike “, except that a transfer of a surplus in the welfare fund may be” and insert a period and strike all except the last sentence of the paragraph

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 12 and nays 42, as follows:

Those who voted in the affirmative were:

Brown	Hughes	Merriam	Nelson	Spear
Conzemius	Humphrey	Milton	North	Stumpf
Hansen, Mel	Lewis			

Those who voted in the negative were:

Anderson	Davies	Kirchner	Olson, J. L.	Schrom
Arnold	Doty	Knutson	O'Neill	Sillers
Ashbach	Dunn	Larson	Patton	Solon
Berg	Fitzsimons	Laufenburger	Perpich, A. J.	Stokowski
Bernhagen	Frederick	Moe	Perpich, G.	Tennessee
Borden	Gearty	Ogdahl	Pillsbury	Willet
Brataas	Hansen, Baldy	Olhoff	Purfeerst	
Chmielewski	Hanson, R.	Olson, A. G.	Renneke	
Coleman	Josefson	Olson, H. D.	Schmitz	

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

Mr. Milton then moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Section 2, subdivision 1, strike “6,658,729” and “6,934,552” and insert “6,730,996” and “7,005,589”

Section 2, subdivision 1, after “Approved Complement—” strike “307.3” and insert “310.3”

Sec. 2, subdivision 1, after the last paragraph, insert “This appropriation includes \$72,269 in fiscal 1976 and \$71,037 in fiscal 1977 for food stamp outreach.”

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 37 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	North	Solon
Arnold	Doty	Kleinbaum	O'Neill	Spear
Ashbach	Frederick	Knutson	Patton	Stassen
Bang	Hansen, Baldy	Kowalczyk	Purfeerst	Stumpf
Berg	Hansen, Mel	Lewis	Renneke	Ueland
Blatz	Hanson, R.	Merriam	Schmitz	
Brataas	Humphrey	Milton	Schrom	
Chenoweth	Keefe, S.	Nelson	Sillers	

Those who voted in the negative were:

Bernhagen	Davies	Larson	Olhoft	Perpich, G.
Borden	Fitzsimons	Laufenburger	Olson, A. G.	Pillsbury
Brown	Gearty	Moe	Olson, J. L.	Tennessee
Coleman	Josefson	Ogdahl	Perpich, A. J.	Willet

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

Mr. Knutson moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Section 3, Subd. 3, strike "1,137,000" and "1,175,000" and insert "900,000" and "900,000"

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

Mr. Renneke moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Section 2, Subd. 18, strike

"Patients in the Minnesota security hospital who are under the jurisdiction of the commissioner of public welfare shall be transferred to the Rochester state hospital. Funds available in any appropriations for the department of public welfare shall be available for demolition of the Minnesota security hospital building."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Hughes	Kowalczyk	Pillsbury
Bang	Dunn	Jensen	Nelson	Renneke
Bernhagen	Frederick	Josefson	Olson, H. D.	Sillers
Blatz	Hansen, Mel	Keefe, J.	O'Neill	Stassen
Brataas	Hanson, R.	Knutson	Patton	Ueland

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olhoff	Schrom
Arnold	Hansen, Baldy	Lewis	Olson, A. G.	Solon
Berg	Humphrey	Merriam	Olson, J. L.	Spear
Borden	Keefe, S.	Milton	Perpich, A. J.	Stokowski
Brown	Kirchner	Moe	Perpich, G.	Stumpf
Chenoweth	Kleinbaum	North	Purfeerst	Tennessee
Conzemius	Larson	Ogdahl	Schmitz	Willet

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

Mrs. Brataas moved to amend the amendment placed on H. F. No. 1743 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Sec. 2, Subd. 18, after the last paragraph of the subdivision, insert:

“Before the transfer of any patients from the Minnesota security hospital shall take place, a comprehensive plan shall be presented to the appropriate finance committees of the legislature in 1976 outlining the provisions for security at the Rochester state hospital. The necessary appropriations for remodeling shall be requested in the comprehensive plan.”

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

H. F. No. 1743 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 55 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bernhagen	Conzemius	Jensen	Nelson	Spear
Brown	Hansen, Mel	Milton	Patton	Stassen

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, May 8, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

### FORTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, May 8, 1975

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

Prayer was offered by the Chaplain, Rev. Duane J. Lunemann.

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

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

The President declared a quorum present.

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

#### MEMBERS EXCUSED

Mr. Nelson was excused from the Session of today. Mr. Ueland was excused from the Session of today from 10:30 o'clock a.m. until 11:30 o'clock a.m.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 7, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

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

S. F. No. 38, An act relating to education; requiring each school district to make reports concerning the consumption of energy.

S. F. No. 146, An act relating to health; licensing of physicians, surgeons and osteopaths licensed to practice in other states.

S. F. No. 157, An act relating to health professions; authorizing the board of medical examiners to require an examination in the basic sciences.

S. F. No. 182, An act relating to counties; eliminating payment of certain fees to county sheriffs; requiring county boards to furnish board and other services for prisoners in county jails.

S. F. No. 236, An act relating to public welfare; permitting county welfare boards to charge fees for social services.

S. F. No. 565, An act relating to school districts; investment of school district funds.

S. F. No. 1302, An act relating to veterans; providing a Vietnam veterans bonus to the next to kin of those veterans missing in action; amending Minnesota Statutes 1974, Sections 197.971, Subdivision 2 and by adding subdivisions; 197.972; 197.973; and 197.976, Subdivision 2.

Sincerely,

Wendell R. Anderson, Governor

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Knutson, Moe and Renneke introduced—

S. F. No. 1733: A bill for an act relating to welfare; creating an interagency task force to study proposals to deinstitutionalize the treatment of the mentally retarded, mentally ill, physically handicapped, and chemically dependent; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. McCutcheon, Coleman and Ashbach introduced—

S. F. No. 1734: A bill for an act relating to courts; second judicial district in Ramsey county; Ramsey county municipal court; authorizing Ramsey county to supplement salaries of municipal and district court judges.

Referred to the Committee on Judiciary.

Messrs. Perpich, A. J. and Gearty introduced—

S. F. No. 1735: A bill for an act creating a legislative com-

mission to study regional development commissions; appropriating money therefor.

Referred to the Committee on Governmental Operations.

Messrs. Olson, A. G.; Dunn and Willet introduced—

S. F. No. 1736: A bill for an act relating to counties; authorizing the establishment of subordinate service districts in order to provide and finance governmental services.

Referred to the Committee on Local Government.

#### 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. 665, 765, 1131, 1451 and 1697.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1975

Mr. President:

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

S. F. No. 177: A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

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

Carlson, L.; Kaley and Swanson.

Senate File No. 177 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 7, 1975

Mr. President:

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

S. F. No. 571: A bill for an act relating to Wright county; requiring, with certain exceptions, the approval of the county

board before any lands within the county are acquired for park purposes.

Senate File No. 571 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 7, 1975

### CONCURRENCE AND REPASSAGE

Mr. Dunn moved that the Senate concur in the amendments by the House to S. F. No. 571 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 571 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended, And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 185, 352, 533, 757, 837, 257, 685, 872 and 1531.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 7, 1975

### FIRST READING OF HOUSE BILLS

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

H. F. No. 185: A bill for an act relating to education; appropriating money to the department of education for deficiencies in shared time foundation aids and to implement a uniform financial reporting system for local school districts.

Referred to the Committee on Finance.

H. F. No. 352: A bill for an act relating to state hospitals; authorizing the commissioner of welfare to reimburse physicians at state hospitals for the cost of malpractice insurance; amending Minnesota Statutes 1974, Section 246.01.

Referred to the Committee on Health, Welfare and Corrections.

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

Referred to the Committee on Finance.

H. F. No. 757: A bill for an act relating to health care; directing the commissioner of insurance to prescribe certain health insurance claim forms.

Referred to the Committee on Finance.

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

Referred to the Committee on Finance.

H. F. No. 257: A bill for an act relating to education; creating a senior citizens higher education program for certain resident senior citizens.

Referred to the Committee on Finance.

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

Referred to the Committee on Finance.

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

Referred to the Committee on Finance.

H. F. No. 1531: A bill for an act relating to appropriations; providing funds for repair of the security hospital at St. Peter; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports on S. F. Nos. 1695, 727, 1292, 1717, 1659, 1711, 866, 1161 and 1689 and reports pertaining to appointments. The motion prevailed.

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

H. F. No. 432: A bill for an act relating to statutory cities; park boards; permitting park boards of three, five, seven or nine members; amending Minnesota Statutes 1974, Section 412.501.

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

Page 2, line 21, after "*taken*" insert "*except upon a two-thirds vote of all the members of the city council, and no such action shall be taken*"

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

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

S. F. No. 1695: A bill for act relating to municipalities; industrial development; authorizing municipalities to enter into certain loan agreements and sale contracts; amending Minnesota Statutes 1974, Sections 474.01, Subdivisions 1, 5, 6, 7 and 8; 474.02, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 474.03; 474.04; 474.05; 474.06; 474.08; 474.09; 474.10, Subdivisions 1 and 4; 474.11; 474.12; and 474.13; Chapter 474, by adding sections; repealing Minnesota Statutes 1974, Section 474.02, Subdivisions 1a and 1b.

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

Page 19, strike lines 15 through 22 and renumber the following sections

Amend the title as follows:

Page 1, line 11, strike "sections" and insert "a section"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1145: A bill for an act relating to landlords and tenants; retaliatory evictions; amending Minnesota Statutes 1974, Section 566.03.

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

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

H. F. No. 580: A bill for an act relating to retirement; firemen's relief benefits in the city of Owatonna; amending Laws 1971, Chapter 200, Section 1, as amended.

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

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

H. F. No. 46: A bill for an act relating to the firemen's relief association of the city of Tyler; computation of years of service for volunteer firemen.

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

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

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

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

Page 1, line 11, after "*all*" insert "*full time*"

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

Page 4, line 4, after "thereof" insert a period and strike the balance of the line

Page 4, strike lines 5 and 6

Page 6, line 15, after "*herewith*" insert a period and strike the balance of the line

Page 6, strike lines 16 and 17

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

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

H. F. No. 1551: A bill for an act relating to the city of Minneapolis; policemen's pension fund uses; amending Laws 1949, Chapter 406, Section 7, as amended.

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

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

H. F. No. 1448: A bill for an act relating to retirement; survivor benefits payable by the firemen's relief association of the city of St. Paul; amending Laws 1955, Chapter 375, Section 25, as amended.

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

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

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

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

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

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

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

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

H. F. No. 643: A bill for an act relating to the city of Brooklyn Park; firemen's relief association benefits.

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

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

H. F. No. 519: A bill for an act relating to the city of Edina; firemen's retirement, disability, and survivors benefits; amending Laws 1965, Chapter 592, Sections 1, Subdivision 1, as amended; and 3 and 4, as added.

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

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

S. F. No. 1292: A bill for an act relating to public welfare; providing for grants of state and local funds to nonprofit legal assistance corporations; appropriating money.

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

Page 1, line 7, after "authorized" insert "to establish criteria for grants and"

Page 1, line 10, strike "whose economic status renders them" and insert "who are"

Page 1, line 10, strike "program"

Page 1, line 11, strike "of" and insert "federal, state or local"

Page 1, line 11, after "assistance" and before the period insert "program"

Page 1, line 12, strike "Counties" and insert "Any city or county"

Page 1, line 13, strike "them" and insert "it"

Page 1, line 13, strike "any legal assistance corporation to"

Page 1, line 14, strike "the corporation" and insert "nonprofit legal assistance corporations"

Page 1, line 14, strike "to its residents the" and insert "legal services and representation to city or county residents"

Page 1, line 15, strike "services"

Page 1, line 15, strike "Cities may also make"

Page 1, strike line 16

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 197: A bill for an act relating to public welfare; hospitalization and commitment; providing review for the admis-

sion and retention of mental patients in federal hospitals; amending Minnesota Statutes 1974, Section 253A.16, Subdivisions 1, 2, 3, and 4.

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

Page 1, line 11, strike "*and*"

Page 1, line 12, strike "*federal hospital within the state*"

Page 1, line 17, strike "*and*" and insert "*. The commissioner may, upon written request from the appropriate federal authority, establish a review panel for any federal hospital within the state to review the admission and retention of patients hospitalized under chapter 253A. For any review board established for a federal hospital,*"

Page 1, line 17, strike "*such*" and insert "*the*"

Page 1, line 18, after "*persons*" insert "*appointed by the commissioner*"

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

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

S. F. No. 727: A bill for an act relating to health and welfare; providing for the maintenance of service levels under the nutrition for the elderly program; appropriating money.

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

Page 1, line 7, after "to" insert "the governor's citizens council on aging through"

Page 1, line 8, after "welfare" insert "for the biennium ending June 30, 1977"

Page 1, line 9, strike "maintaining" and insert "increasing"

Page 1, line 10, strike "by" and insert "under Title 7 of"

Page 1, line 10, strike the quotation marks

Page 1, line 10, strike "American" and insert "Americans"

Page 1, line 10, strike ", Title 7" and insert a period

Page 1, strike line 11

Page 1, line 12, strike "commissioner of"

Page 1, strike lines 13 through 19 and insert "governor's citizens council on aging is authorized to expend this sum to supplement nutrition programs for the elderly. The governor's citizens council on aging may make grants for the provision of nutritionally sound meals and supportive social services to any

public or private nonprofit organization, institution, agency or Indian tribal organization. Policies and procedures for the awarding of grants shall be determined by the governor's citizens council on aging in accordance with federal and state regulations."

Page 1, strike lines 20 through 22

Page 2, strike line 1

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

Amend the title as follows:

Page 1, line 3, strike "maintenance" and insert "increase"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1717: A bill for an act relating to the firemen's relief association and firemen's pensions in the city of Hibbing; amending Laws 1935, Chapter 192, Section 1, as amended.

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

Page 2, line 10, after "be" insert "not less than \$300 per month and shall be"

Page 2, line 10, after "increased" delete the balance of the line and insert "from time to time after the effective date of this act by the same amount and in the same manner as if the member had retired after the effective date of Laws 1971, Chapter 614."

Page 2, delete lines 11 to 14

Page 2, lines 15 and 16, reinstate the stricken language

Page 2, lines 29 to 32, reinstate the stricken language

Page 3, lines 1 to 31, reinstate the stricken language and delete the new language

Page 4, after line 27, insert a new section to read:

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

Renumber the remaining section

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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

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

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

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

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

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

H. F. No. 779: A bill for an act relating to retirement; including employees of the metropolitan inter-county council in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

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

Page 1, line 13, after "*become*" insert "*coordinated*"

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

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

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

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

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

H. F. No. 1596: A bill for an act relating to the city of Farmington; authorizing an increase in firemen's relief association lump sum service pensions.

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

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

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

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

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

H. F. No. 1428: A bill for an act relating to economic development, including Indian organizations in the definition of a redevelopment area to provide eligibility for certain economic loans; amending Minnesota Statutes 1974, Sections 472.03, Subdivision 3, and by adding subdivisions; and 472.11, by adding a subdivision.

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

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

H. F. No. 447: A bill for an act relating to real estate brokers and salespersons; authorizing establishment of special licenses applicable solely to the rental or management of real estate; amending Minnesota Statutes 1974, Sections 82.20, Subdivision 1; and 82.22, Subdivision 6.

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

Page 1, line 18, strike "*or management*"

Amend the title as follows:

Page 1, line 4, strike "*or management*"

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

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

H. F. No. 1335: A bill for an act relating to Aitkin county;

authorizing issuance of additional on-sale intoxicating liquor licenses.

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

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

H. F. No. 576: A bill for an act relating to commerce; authorizing limited trust powers for commercial banks; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

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

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

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

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

Page 1, after line 16, insert:

*"Sec. 2. Minnesota Statutes 1974, Sections 33.095 and 33.096 are repealed."*

Amend the title as follows:

Page 1, line 4, after "33.111" insert "; repealing Minnesota Statutes 1974, Sections 33.095 and 33.096"

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

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

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

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

Page 1, line 14, strike "athletic" and insert "boxing"

Page 1, line 15, after the period insert "*Notwithstanding the provisions of section 43.064,*"

Page 1, line 15, reinstate the stricken language

Page 1, line 16, reinstate "by the"

Page 1, line 16, after the reinstated "by the" insert "*commissioner of personnel*"

Page 1, line 16, reinstate "at a sum not to exceed \$6,000 per annum,"

Page 1, reinstate the stricken language in lines 17 and 18

Page 3, line 3, strike "\$350" and insert "\$50"

Page 3, line 5, strike "\$200" and insert "\$50"

Page 3, line 7, strike "\$50" and insert "\$10"

Page 3, line 9, strike "\$75" and insert "\$10"

Page 3, line 9, after "in" insert "all other"

Page 3, line 10, strike everything after "municipalities"

Page 3, strike lines 11 and 12

Page 3, line 13, strike "municipalities of less than 2,500 population"

Page 3, after line 31, insert:

*"The commission shall not promulgate any rules which, if followed by a participant, would adversely affect his amateur status in states other than Minnesota."*

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

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

H. F. No. 696: A bill for an act relating to small loan companies; application and license fees; amending Minnesota Statutes 1974, Sections 56.02 and 56.08.

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

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

H. F. No. 218: A bill for an act relating to labor; regulating the powers, duties and procedures of the department of labor and industry; regulating the divisions of the department of labor and industry; amending Minnesota Statutes 1974, Sections 175.08; 175.16; 175.171; 175.20; and 175.27; repealing Minnesota Statutes 1974, Sections 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; 175.29; 175.30; 175.31; and 175.32.

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

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

S. F. No. 1659: A bill for an act relating to state banks; authorizing state banks to take second liens on real estate; amending Minnesota Statutes 1974, Section 48.19, Subdivision 1, and

by adding a subdivision; and repealing Minnesota Statutes 1974, Section 48.19, Subdivision 3.

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

Page 2, line 19, after "*lien*" insert "*and is required to do so by federal statutes or regulations*"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1711: A bill for an act relating to commerce; industrial loan and thrift companies; permitting loans on real estate, extending the period of maturity, permitting certain charges on real estate loans, increasing the size of loans in ratio to committed reserves; amending Minnesota Statutes 1974, Sections 53.04; and 53.05.

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

Page 1, line 21, strike "*, real estate if the loan is at*"

Page 1, line 22, strike "*least \$2,000*"

Page 1, line 22, restore the stricken language

Page 3, lines 8 to 15, strike the new language

Amend the title as follows:

Page 1, line 3, strike "*permitting loans on real estate,*"

Page 1, line 4, strike "*, permitting*" and insert "*and*"

Page 1, line 5, strike "*certain charges on real estate loans,*"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 858: A bill for an act relating to credit unions; permitting Minnesota central credit union to purchase shares of and make deposits in U.S. central credit union; permitting credit unions to deposit the reserve in balances due from U.S. central credit union; amending Minnesota Statutes 1974, Sections 52.04 and 52.17.

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

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

H. F. No. 1167: A bill for an act relating to motor vehicles;

registration and taxation; authorizing the transfer of number plates issued to a vehicle used in driver education courses in public schools to another vehicle used for the same purposes; amending Minnesota Statutes 1971, Section 168.12, Subdivision 1, as amended.

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

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

H. F. No. 109: A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall serve at the pleasure of the governor; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 16.01; 16A.01, Subdivision 2; 17.01; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 161.03, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06; 241.01, Subdivision 1; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivision 1; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1.

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

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1974, Section 15.06, is amended to read:

15.06 [APPOINTMENT OF DEPARTMENT HEADS; TERMS; DEPUTIES.] *Subdivision 1. [APPLICABILITY.] This section applies to the following departments or agencies: the departments of administration, aeronautics, agriculture, corrections, economic development, education, employment services, finance, health, highways, human rights, labor and industry, natural resources, personnel, public safety, public welfare, revenue, and veterans affairs; the banking, insurance and securities divisions and the consumer services section of the department of commerce; the energy, housing finance and pollution control agencies; the office of director of the department of public service; the office of commissioner of iron range resources and rehabilitation; and the bureau of mediation services. The heads of the foregoing departments or agencies are referred to in this section as “commissioners”.*

*Subd. 2. [ASSUMPTION OF OFFICE.] The appointing authority shall submit to the president of the senate the name of an appointee as commissioner within 90 days after the end of the term of a commissioner as defined in subdivision 3 and within 90 days after the occurrence of a vacancy as defined in section 351.02. The commissioner shall take office when the senate notifies the appointing authority that it has advised and consented to the appointment. Prior to the advice and consent of the senate, the*

*appointing authority may designate the appointee as "acting commissioner", and upon this designation the appointee shall immediately have all the powers and emoluments and perform all the duties of the office. No person shall serve as acting commissioner after the senate has voted to refuse to advise and consent to his appointment.*

*Subd. 3. [TERM.] The term of a commissioner shall end with the term of the governor. A commissioner other than the commissioner of personnel shall serve at the pleasure of the appointing authority.*

*Subd. 4. [END OF TERM; VACANCY; ACTING COMMISSIONER.] At the end of the term of a commissioner, the incumbent commissioner may at the discretion of the appointing authority serve as acting commissioner until his successor is appointed and qualifies. If at the end of a term of a commissioner the incumbent commissioner is not designated as acting commissioner, or if a vacancy as defined in section 351.02 occurs in the office of a commissioner, the deputy commissioner as defined in subdivision 6 shall immediately become temporary commissioner without further official action. If there is more than one deputy commissioner, the appointing authority of the commissioner shall designate which of the deputies shall be temporary commissioner. If there is no deputy commissioner, the appointing authority of the commissioner shall designate an acting commissioner. Upon the appointment of a commissioner and the designation of the appointee as acting commissioner, the appointee shall immediately take the place of any other acting or temporary commissioner. Notice of the designation of an acting commissioner or assumption of office by a temporary commissioner shall be filed with the president of the senate with a copy delivered to the secretary of state.*

*Subd. 5. [GENERAL POWERS OF COMMISSIONERS.] Except as otherwise expressly provided by law, the a commissioner or head of any state department or agency shall have the following powers:*

*(1) To designate a division director or other subordinate as his deputy, to serve as such at his pleasure, with full authority to act for him, but subject to his control; and in case of a vacancy in the office of such commissioner or head, such deputy shall discharge the necessary duties of the office until the vacancy be filled;*

*(2) (1) To delegate to any of his subordinate officers or employees the exercise of such of his specified statutory powers or duties as he may deem advisable, subject to his control; provided, that every such delegation shall be made by written order, filed with the secretary of state; and further provided that only a deputy commissioner may have all the powers or duties of the commissioner;*

*(3) (2) To appoint all subordinate officers and employees in his department or agency and to prescribe their duties and fix their compensation ; provided, that all departments and agencies hereunder shall be subject to the provisions of any civil service law now or hereafter enacted, so far as applicable chapter 43 ;*

(4) (3) With the approval of the commissioner of administration, to establish within *organize* his department or agency such ~~bureaus or subdivisions~~ as he may find advisable in the interest of economy and efficiency; and

(5) (4) To prescribe rules and regulations, not inconsistent with law, *procedures* for the conduct *internal management* of his department or agency and other matters within the scope of the functions thereof, including the custody and preservation of books, records, papers, documents, and other property; and the certification of copies of papers and documents; provided, that every rule or regulation affecting any person or agency, other than a member of the department or agency concerned, shall be filed with the secretary of state to the extent that the procedures do not directly affect the rights of or procedure available to the public.

*Subd. 6. [DEPUTY COMMISSIONER.] For purposes of this section, a "deputy commissioner" shall also include a "deputy director" when the department head bears the title "director". A deputy commissioner of a department or agency specified in subdivision 1 shall be in the unclassified civil service and shall be immediately subordinate to the commissioner. He shall have all the powers and authority of the commissioner unless the commissioner directs otherwise, and he shall speak for the commissioner within and without the department or agency. The primary duty of a deputy shall be to assist the commissioner in the general management of the entire department or agency or of major parts thereof, and shall not consist of operating single functional areas. A deputy commissioner serves at the pleasure of the commissioner.*

*Subd. 7. [NUMBER OF DEPUTY COMMISSIONERS.] Unless specifically prescribed by statute, no department or agency specified in subdivision 1 shall have more than one deputy commissioner. Notwithstanding any other law to the contrary, none of the departments or agencies shall have more than two deputy commissioners.*

Sec. 2. Minnesota Statutes 1974, Section 16.01, is amended to read:

16.01 [COMMISSIONER OF ADMINISTRATION.] The department of administration shall be under the supervision and control of a commissioner of administration, in sections 16.01 to 16.25 *chapter 16* also referred to as the commissioner; who shall be ~~ex officio~~ the state budget director and state purchasing agent.

The commissioner of administration, who shall be in unclassified service, shall be appointed by the governor; by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his ap-

pointment shall be submitted to the senate for approval *under the provisions of section 1* .

Sec. 3. Minnesota Statutes 1974, Section 16A.01, Subdivision 2, is amended to read:

Subd. 2. The commissioner of finance is appointed by the governor by and with the advice and consent of the senate *under the provisions of section 1* . The commissioner ~~so appointed~~ shall have broad experience as an executive financial manager. The commissioner shall serve at the pleasure of the governor. A vacancy in the office of the commissioner shall be filled by the governor, with the advice and consent of the senate.

Sec. 4. Minnesota Statutes 1974, Section 16A.01, Subdivision 3, is amended to read:

Subd. 3. The commissioner may appoint two deputy commissioners, and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service. Except as may be otherwise provided for by law, the commissioner shall fix the compensation of each deputy. A deputy may perform and exercise a power, duty, or responsibility imposed by law on the commissioner when authorized so to do by the commissioner.

Sec. 5. Minnesota Statutes 1974, Section 17.01, is amended to read:

17.01 [CREATION OF DEPARTMENT; COMMISSIONER; DEPUTY.] There is hereby created a department of agriculture, which shall be in the charge of a commissioner , who shall be in unclassified service, to be known as the commissioner of agriculture, in chapter 17 called the commissioner ; who . He shall be appointed by the governor ; by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. On January 4, 1971, the term of the incumbent commissioner of agriculture shall expire. In case of a vacancy, the governor may appoint a commissioner who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval *under the provisions of section 1* . Before entering upon the duties of his office, he shall take and subscribe the oath required of state officials and give his bond to the state of Minnesota, to be approved by, and filed with, the secretary of state, for the sum of \$5,000, conditioned for the faithful performance of his duties . He may appoint a deputy who shall be in the unclassified service, commissioner and such other assistants, clerks, and employees as occasion may require .

Sec. 6. Minnesota Statutes 1974, Section 43.001, Subdivision 2, is amended to read:

Subd. 2. The commissioner of personnel is appointed by the governor by and with the advice and consent of the senate for a

term which coincides with the term of the governor and until his successor is duly appointed and qualifies under the provisions of section 1. He shall have broad experience in a managerial position including about five years as an executive personnel manager in one or more organizations essentially similar in complexity to state government. The governor may remove the commissioner only for cause, and after a public hearing. A vacancy in the office of the commissioner shall be filled by the appointing authority for the unexpired term.

Sec. 7. Minnesota Statutes 1974, Section 43.001, Subdivision 3, is amended to read:

Subd. 3. The commissioner may appoint two deputy commissioners and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service. Except as may be otherwise provided for by law, the commissioner shall fix the compensation of each deputy commissioner. A deputy commissioner may perform and exercise a power, duty, or responsibility imposed by law on the commissioner when authorized so to do by the commissioner.

Sec. 8. Minnesota Statutes 1974, Section 45.02, is amended to read:

45.02 [COMMISSIONERS; APPOINTMENT, TERMS, VACANCIES.] The governor ; by and with the advice and consent of the senate, shall appoint the members of the commission under the provisions of section 1. The term of each member shall be six years. In case of a vacancy it shall be filled for the unexpired portion of the term. Each member of the commission, before entering upon the discharge of his duties, shall take ; subscribe, and file with the secretary of state ; the oath of office prescribed by the constitution ; and shall give bond to the state, the commissioner of banks in the amount of \$50,000, the commissioner of insurance in the amount of \$25,000, and the commissioner of securities in the amount of \$10,000, conditioned for the faithful discharge of his duties during his continuance in office and for the payment without delay to the officer or person entitled by law thereto of all moneys which shall come into his hands by virtue thereof.

A majority of the commission shall constitute a quorum.

Each commissioner shall receive a salary in an amount set by the legislature payable semi-monthly, and each shall devote his entire time to the duties of his office.

Sec. 9. Minnesota Statutes 1974, Section 45.15, is amended to read:

45.15 [ESTABLISHMENT OF CONSUMER SERVICES SECTION.] A section of consumer services is established in the department of commerce under the supervision and control of a director of consumer services. The director of consumer services is appointed by the governor ; by and with the advice and consent of the senate, for a four-year term which shall coincide with the term of the governor and until a successor is duly appointed and quali-

ties. A vacancy in the office of director shall be filled for the unexpired term under the provisions of section 1.

Sec. 10. Minnesota Statutes 1974, Section 84.01, Subdivision 2, is amended to read:

Subd. 2. The commissioner of natural resources is appointed by the governor; by and with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualifies. A vacancy in the office of the commissioner shall be filled for the unexpired portion of the term under the provisions of section 1. The commissioner may appoint a deputy who shall serve at the pleasure of the commissioner in the unclassified service. The salary of such deputy is fixed by the commissioner except when otherwise expressly provided for by law. The deputy may perform and exercise every power, duty, and responsibility imposed by law upon the commissioner when authorized so to do by the commissioner commissioner.

Sec. 11. Minnesota Statutes 1974, Section 116.03, Subdivision 1, is amended to read:

116.03 [DIRECTOR.] Subdivision 1. (a) The office of director of the pollution control agency is created and is under the supervision and control of the director, who is appointed by the governor by and with the consent of the senate for a four-year term, which shall coincide with the term of the governor, and until his successor is duly appointed and qualifies. The governor may remove the director at any time at his pleasure. A vacancy in the office of director shall be filled by the governor by and with the consent of the senate, for the unexpired portion of the term under the provisions of section 1.

(b) In order to expedite the establishing and functioning of the pollution control agency, the governor shall forthwith appoint an acting director, who shall have all the powers and duties of the director as provided in sections 116.01 to 116.08. The acting director may be a person in the service of the state at the time of his appointment, and who while serving as acting director is on leave of absence from his regular office or position in the state service. The acting director shall serve as such until the director is appointed and qualifies as such director, pending the abolishment of the water pollution control commission as specified in section 116.02, subdivision 5, the director or acting director, as the case may be, is the secretary of such commission in lieu of the secretary and executive officer of the state board of health.

(c) (b) The director may appoint a deputy director and an assistant director who shall be in the unclassified service. The director may designate the deputy director to the agency to act in his stead as a member, with all his rights and privileges therein, of any agency, board, committee, or commission that the director is made a member of by law. The designation shall be filed with secretary of state. The salary of the deputy director and of the assistant director shall be provided by law.

Sec. 12. Minnesota Statutes 1974, Section 116H.03, Subdivision 2, is amended to read:

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Sec. 13. Minnesota Statutes 1974, Section 116H.03, Subdivision 3, is amended to read:

Subd. 3. The director shall be appointed by the governor with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified *under the provisions of section 1*. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 116H.04. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salaries of the director and the deputy shall be fixed by the governor until otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 14. Minnesota Statutes 1974, Section 161.03, Subdivision 1, is amended to read:

161.03 [COMMISSIONER OF HIGHWAYS.] Subdivision 1. [OFFICE CREATED.] The office of commissioner of highways is created. He shall be appointed by the governor, by and with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualifies. The governor may remove any commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. The commissioner shall be in unclassified service. On January 4, 1971, the term of the incumbent commissioner of highways shall expire *under the provisions of section 1*.

Sec. 15. Minnesota Statutes 1974, Section 161.03, Subdivision 4, is amended to read:

Subd. 4. [DEPUTY COMMISSIONER.] The commissioner may appoint a deputy who shall serve in the classified service of

the state commissioner . The deputy may perform and exercise every power, duty, and responsibility imposed by law upon the commissioner when so authorized by the commissioner.

Sec. 16. Minnesota Statutes 1974, Section 175.001, Subdivision 1, is amended to read:

175.001 [DEPARTMENT OF LABOR AND INDUSTRY.] Subdivision 1. [CREATION AND ORGANIZATION.] The department of labor and industry is created under the supervision and control of the commissioner of labor and industry which office is hereby established. The commissioner of labor and industry ; who shall be in unclassified service, shall be appointed by the governor by and with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire *under the provisions of section 1* .

Sec. 17. Minnesota Statutes 1974, Section 179.02, is amended to read:

179.02 [BUREAU OF MEDIATION SERVICES.] *Subdivision 1.* There is hereby established in the department of labor and industry a bureau of mediation services ; but not in any way subject to the control of the department. This bureau shall be under the supervision and control of a director. The office of director shall, as of the effective date of this act, be filled by the person then holding the office of labor conciliator and his term shall expire as of the date his term as labor conciliator would have expired. Thereafter The director shall be appointed by the governor with the advice and consent of the senate. He shall hold office for a term of four years *under the provisions of section 1* .

*Subd. 2.* The governor may, from time to time, appoint special mediators to aid in the settlement of particular labor disputes or controversies who shall have the same power and authority as the director with respect to such dispute and such appointment shall be for the duration only of the particular dispute. Such special mediators shall be paid a per diem of \$75 per day while so engaged and their necessary expenses. The director shall prepare a roster of persons qualified to act as such special mediators and keep the same revised at all times and available to the governor and the public.

*Subd. 3.* The director may employ and discharge mediators, clerks and other employees as needed, fix their compensation, and assign them their duties. As of the effective date of this act the division of conciliation, heretofore established, shall be abolished, and all of its powers and duties transferred to the bureau of mediation services. Any matters pending in or by the division of

conciliation as of such date shall then and thereafter be carried on in the name of the bureau of mediation services.

Sec. 18. Minnesota Statutes 1974, Section 196.02, Subdivision 1, is amended to read:

196.02 [COMMISSIONER OF VETERANS AFFAIRS.] Subdivision 1. [APPOINTMENT; QUALIFICATIONS.] The department shall be under the supervision and control of a commissioner of Veterans' Affairs who shall be appointed by the governor by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. The commissioner shall be in unclassified service under the provisions of section 1. No person shall be eligible to receive appointment as commissioner unless he has the following qualifications:

(1) Residence in the state of Minnesota for at least five years prior to his appointment;

(2) Citizenship in the United States;

(3) Veteran of the armed forces of the United States as defined in section 197.447. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire.

Sec. 19. Minnesota Statutes 1974, Section 216A.06, Subdivision 1, is amended to read:

216A.06 [DIRECTOR.] Subdivision 1. [ESTABLISHMENT OF OFFICE, APPOINTMENT; TERM.] The office of director of the administrative division of the department of public service is hereby established. He shall be appointed by the governor with the advice and consent of the senate, for a four-year term and the initial term to expire on the first Monday in January, 1971 under the provisions of section 1.

Sec. 20. Minnesota Statutes 1974, Section 241.01, Subdivision 1, is amended to read:

241.01 [CREATION OF DEPARTMENT.] Subdivision 1. [COMMISSIONER.] The department of corrections is hereby created under the control and supervision of the commissioner of corrections which office is hereby established. The commissioner of corrections, who shall be in unclassified service, shall be selected without regard to political affiliation and shall have wide and successful administrative experience in correctional programs embodying rehabilitative concepts. The commissioner shall be appointed by the governor, by and with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time

for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire under the provisions of section 1.

Sec. 21. Minnesota Statutes 1974, Section 241.01, Subdivision 2, is amended to read:

Subd. 2. [DIVISIONS; DEPUTIES.] The commissioner of corrections may appoint and employ no more than four two deputy commissioners who shall serve at the pleasure of the commissioner in the unclassified service of the state civil service. Each deputy may perform and exercise every duty, power and responsibility imposed by law upon the commissioner when authorized to so do by the commissioner. Appointments to exercise delegated power shall be by written order filed with the secretary of state. Each deputy may perform and exercise every duty, power, and responsibility imposed by law upon the commissioner when authorized so to do by the commissioner. The commissioner may also appoint a personal secretary, who shall serve at his pleasure in the unclassified civil service of the state, and fix the salary of said secretary commensurate with salaries for similar services in the classified service.

Sec. 22. Minnesota Statutes 1974, Section 245.03, is amended to read:

245.03 [DEPARTMENT OF PUBLIC WELFARE ESTABLISHED; COMMISSIONER.] There is hereby created and established a department of public welfare. A commissioner of public welfare shall be appointed by the governor with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval under the provisions of section 1. The commissioner, who shall be in unclassified service, shall be selected on the basis of ability and experience in welfare and without regard to political affiliations. Subject to the provisions of sections 245.03 to 245.12 and other applicable law; now or hereinafter enacted, The commissioner shall have the power to organize his department in such manner as he may deem necessary, and to appoint a deputy commissioner in unclassified service. He shall also appoint such other subordinate officers, employees and agents as he may deem necessary to discharge the functions of the department; and define the duties of such officers, employees and agents and to delegate to them any of his powers or duties subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated powers shall be written orders filed with the secretary of state.

The commissioner shall give bond in the sum of \$10,000. On January 4, 1971, the term of the incumbent commissioner shall expire.

Sec. 23. Minnesota Statutes 1974, Section 268.12, Subdivision 1, is amended to read:

268.12 [CREATION.] Subdivision 1. [DEPARTMENT OF EMPLOYMENT SERVICES; COMMISSIONER.] (1) There is hereby created and established a department of employment security which shall be the successor to the division of employment and security, which said division is hereby abolished as a division of the department of social security as established by Laws 1930, Article VII, Section 1, *services under the control of* (2) a commissioner of employment security who shall be appointed by the governor with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified, to administer this chapter as the same may hereafter from time to time be amended. The commissioner, who shall be in unclassified service, may be removed by the governor at any time for cause after notice and hearing *under the provisions of section 1*. The commissioner shall be selected on the basis of ability and experience and without regard to political affiliations. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire. Subject to the provisions of sections 268.03 to 268.24 and other applicable laws now or hereafter enacted, the commissioner shall have the power to organize his department in such manner as he may deem necessary. Appointments to exercise delegated powers shall be written orders filed with the secretary of state. The salary of the commissioner shall be prescribed by the legislature and he shall give bond in the sum of \$10,000.

(3) All proceedings, court actions, prosecutions or other business undertaken or commenced prior to April 21, 1953, by the division of employment and security and any other matters of the division of employment and security pending at the time of the passage of this act may be conducted and completed by the new department of employment security in the same manner and under the same terms and conditions and with the same effect as though it were undertaken, commenced or conducted or completed by said division of employment and security prior to such change. All functions, powers and duties of such division of employment and security are by this act assigned and transferred to the department of employment security.

(4) All the powers and duties now vested in or imposed upon the director of the division of employment and security as a division of the department of social security are hereby vested in and imposed upon the commissioner of employment security.

All of the employees of said division of employment and security are hereby transferred to the department of employment security

created by this section, and said commissioner shall take charge of said employees and shall employ them in the exercise of the respective functions, powers and duties transferred as aforesaid without reduction of compensation or civil service status enjoyed by said employees at the time of such transfer, subject, however, to change of termination of employment, compensation or civil service status as may be otherwise provided by law.

(5) All other acts or parts of acts now in effect inconsistent with the provisions of this section are hereby repealed, superseded, modified or amended so far as necessary to conform to and give full force and effect to the provisions of this section.

(6) Laws 1953, Chapter 503, shall take effect and be in force from and after its passage; provided, that no transfer of functions, rights, powers, duties, or funds made thereby shall take effect until the commissioner of the department to whom the same are transferred shall have been appointed, taken his oath of office and filed oath and bond in the office of the secretary of state; and until then the former division or agency vested therewith shall continue to exercise and perform such functions, rights, powers, and duties, and to have charge of such funds.

Sec. 24. Minnesota Statutes 1974, Section 270.02, Subdivision 2, is amended to read:

Subd. 2. [TERM.] The commissioner of revenue shall be appointed by the governor by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor until his successor is duly appointed and qualified under the provisions of section 1. The commissioner, who shall be in unclassified service, shall be selected on the basis of ability and experience in the field of taxation and tax administration and without regard to political affiliations. The governor may remove the commissioner at any time for cause, after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall take office immediately and shall carry on the duties of the office until the next session of the legislature, when his appointment is submitted to the senate for approval. The commissioner shall give bond to the state in the sum of \$200,000. The person occupying the position of commissioner of taxation on July 1, 1973, shall be designated as commissioner of revenue, and his term of office shall coincide with the term of the office of governor.

Sec. 25. Minnesota Statutes 1974, Section 298.22, Subdivision 1, is amended to read:

298.22 [IRON RANGE RESOURCES AND REHABILITATION.] Subdivision 1. On and after July 1, 1969, (1) There is hereby appropriated from the general fund for the purposes hereinafter set forth, five percent of all amounts paid and credited to said fund from the proceeds of taxes paid under the provisions of sections 298.01 to 298.21.

(2) The office of commissioner of iron range resources and rehabilitation is hereby created. The commissioner shall be appointed by the governor; with the advice and consent of the

senate for a four year term which shall coincide with the term of the governor until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall take office immediately and shall carry on the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval under the provisions of section 1.

(3) The salary of the commissioner, who shall be in unclassified service, shall be paid from the amounts appropriated by this section; provided, that such salary shall be reduced by such amount as he may receive from other funds, and the commissioner may hold such other positions or appointments as are not incompatible with his duties as commissioner of iron range resources and rehabilitation. The commissioner may appoint a deputy commissioner who shall serve in the unclassified service at the pleasure of the commissioner. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by this section.

(4) When the commissioner shall determine that distress and unemployment exists or may exist in the future in any county by reason of the removal of natural resources of a possibly limited use thereof in the future and the decrease in employment resulting therefrom, now or hereafter, he may use such amounts of the appropriation made to him in this section as he may determine to be necessary and proper in the development of the remaining resources of said county and in the vocational training and rehabilitation of its residents. For the purposes of this section, "development of remaining resources" includes, but is not limited to, the promotion of tourism.

Sec. 26. Minnesota Statutes 1974, Section 299A.01, Subdivision 1, is amended to read:

299A.01 [DEPARTMENT OF PUBLIC SAFETY; CREATION AND ORGANIZATION.] Subdivision 1. In order that the functions and services of the state of Minnesota relating to the safety and convenience of its citizens might be coordinated and directed in an accessible, identifiable manner; and to promote and insure the existing public safety operations of that government; The department of public safety is created under the supervision and control of the commissioner of public safety, which office is established. The commissioner of public safety is appointed by the governor, by and with the advice and consent of the senate for four year term. The governor may remove the commissioner only for cause, after a public hearing. A vacancy in the office of the commissioner shall be filled for the unexpired portion of the term under the provisions of section 1. The commissioner may appoint a deputy commissioner who shall serve at the pleasure of the commissioner in the unclassified service. The salary of such deputy is fixed by the commissioner except when otherwise expressly provided for by law. The deputy may perform and exercise every power, duty, and responsibility imposed by law upon the commissioner when authorized so to do by the commissioner.

Sec. 27. Minnesota Statutes 1974, Section 299A.01, Subdivision 2, is amended to read:

Subd. 2. The duties of the *deputy commissioner* shall include ; ~~in addition to such other functions and responsibilities as may be delegated or assigned by the commissioner or imposed by law,~~ the following: (a) The coordination, development and maintenance of services contracts with existing state departments and agencies assuring the efficient and economic use of advanced business machinery including computers;

(b) The execution of contracts and agreements with existing state departments for the maintenance and servicing of vehicles and communications equipment, and the use of related buildings and grounds;

(c) The development of integrated fiscal services for all divisions, and the preparation of an integrated budget for the department;

(d) The establishment of a planning bureau within the department, which bureau shall consult and coordinate its activities with the state planning director.

Sec. 28. Minnesota Statutes 1974, Section 360.014, Subdivision 2, is amended to read:

Subd. 2. There is hereby created the office of commissioner of aeronautics ; ~~the incumbent of which shall have the powers and duties and privileges herein set forth . The governor ; by and with the advice and consent of the senate, shall appoint a suitable person, to serve in unclassified service, a commissioner having a knowledge of aeronautics to said office, to serve for a four year term which shall coincide with the term of the governor until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner of aeronautics shall expire under the provisions of section 1 .~~

Sec. 29. Minnesota Statutes 1974, Section 362.09, Subdivision 1, is amended to read:

362.09 [COMMISSIONER; ADVISORY COMMISSION.] Subdivision 1. The department shall be under the supervision and control of a commissioner of economic development, ~~in unclassified service, who shall be appointed by the governor ; by and with the advice and consent of the senate for a term of four years to coincide with that of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing under the provisions of section 1 . He shall be chosen with regard to his knowledge, training, experience, and ability in administering the functions of the department. In case of a vacancy, the governor may appoint a commissioner who shall thereupon immediately~~

take office and shall carry on all the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. The commissioner shall receive a salary as provided by law. He shall give a bond to the state in the sum of \$10,000. On January 4, 1971, the term of the incumbent commissioner shall expire.

The commissioner shall appoint a deputy ; fix his salary unless otherwise prescribed by law and define his duties. The deputy shall enjoy a confidential relationship with the commissioner and is in the unclassified service of the state commissioner .

Sec. 30. Minnesota Statutes 1974, Section 363.04, Subdivision 1, is amended to read:

363.04 [DEPARTMENT OF HUMAN RIGHTS.] Subdivision 1. [CREATION; COMMISSIONER.] There is hereby established at the seat of government an executive a department to be known as the department of human rights . There shall be at the head of the department *under the direction and supervision of* a commissioner of human rights, who shall be appointed by the governor ; by and with the advice and consent of the senate for a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire. The department shall be administered under the supervision and direction of the commissioner, who shall be in unclassified service, and shall receive compensation at the rate prescribed by law *under the provisions of section 1 .*

Sec. 31. Minnesota Statutes 1974, Section 144.02, is amended to read:

144.02 [MEETINGS; OFFICERS.] The state board of health shall hold an annual meeting during the first quarter of every year at a time and place designated by the board at which time it shall annually elect from its members a president. Regular meetings, one of which shall include the annual meeting, shall be held not less than four times a year. At least one such regular meeting shall be held each quarter. The time and place of all such regular meetings shall be determined by the board, and all board members shall be notified thereof by mail seven days in advance. Special meetings may be held at such times and places as *on the request of the secretary commissioner* or any two members of the board shall appoint upon three days' notice to the members by mail. The board shall elect a secretary to serve during its pleasure, who may or may not be one of its members. A majority shall be a quorum and any meeting may be adjourned from time to time.

Sec. 32. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.031] [COMMISSIONER.] Subdivision 1. [APPOINT-

MENT.] *The department of health shall be under the administrative control of the commissioner of health which office is established. He shall be appointed by the governor under the provisions of section 1.*

*Subd. 2. [DUTIES.] The commissioner shall be the chief administrative officer of the department and shall be responsible for the enforcement of all appropriate laws, the rules of the board, and for the management of the department. He shall appoint employees as he deems necessary to perform the functions mandated by law or rule of the board. He shall serve ex-officio without vote as secretary of the board.*

Sec. 33. Minnesota Statutes 1974, Section 144.04, is amended to read:

144.04 [EXPENSES.] *The members of the board shall receive compensation of the sum of \$35 per day for attendance at board meetings and ordinary and necessary expenses in the same amount and manner as state employees. Subject to the provisions of Laws 1939, Chapter 441, the board may employ, and at pleasure dismiss, such agents, experts, and other assistants as it may deem necessary and fix their compensation, prescribe their duties, and allow their necessary expenses. All such salaries, compensation, and expenses shall be paid by the state upon vouchers; but the total for any year shall not exceed the appropriation of the year therefor.*

Sec. 34. Minnesota Statutes 1974, Section 121.09, is amended to read:

121.09 [ADMINISTRATION; EXCEPTIONS.] *The state board commissioner shall administer all laws and rules promulgated by the board relating to the commissioner, libraries, and other public educational institutions, except such laws as may relate to the state university and to the state colleges.*

Sec. 35. Minnesota Statutes 1974, Section 121.16, is amended to read:

121.16 [COMMISSIONER OF EDUCATION.] ~~Subdivision 1. The state board shall elect a~~ *The department shall be under the administrative control of the commissioner who of education which office is established. The commissioner shall be the executive officer and secretary of the state board and whose term of office shall be four years. He shall be appointed by the board with the approval of the governor under the provisions of section 1. For purposes of section 1, the board of education shall be the appointing authority.*

~~He~~ *The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code chapter. The commissioner shall have authority to nominate, for approval by the state board, such officials and appoint employees as may be necessary to perfect and to maintain for the organization of the department as recommended by him and as adopted by the state*

board . He shall perform such duties as the law and the rules of the state board may provide and be held responsible for the efficient administration and discipline of the various offices and division in the organization of the department. He shall be required to make recommendations to the state board which shall facilitate all of the work of the state board , and he shall be charged with the execution of powers and duties which the state board may prescribe, from time to time, to promote public education in the state, to safeguard the finances pertaining thereto, and to enable the state board to carry out the provisions of this code *its duties* .

Subd. 2. This section shall apply to the appointment of the commissioner of education on the expiration of the term of the commissioner occupying the office on the effective date of this article.

Sec. 36. Minnesota Statutes 1974, Section 462A.04, Subdivision 8, is amended to read:

Subd. 8. The agency shall employ an executive director, legal and technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation *be under the administrative control of an executive director which office is established. He shall be appointed by the governor under the provisions of section 1 .*

*The executive director may appoint a deputy director. The executive director may further appoint such permanent and temporary employees as he deems necessary subject to the approval of the commissioner of personnel. The agency may delegate to one or more of its agents or employees such powers or duties as it might deem proper. All permanent employees of the agency, except the executive director, and deputy director are in the classified civil service of the state .*

Sec. 37. [TEMPORARY PROVISIONS.] *The term of any department head or commissioner dealt with in this act shall expire the first Monday in January 1979, unless Minnesota Statutes provide for an earlier expiration date. In this event, the new appointment shall be made so as to expire the first Monday of January 1979.*

*Any department head or commissioner dealt with in this act and serving on the effective date of this act is deemed to have been appointed in compliance with the provisions of this act.*

*If any position which currently bears the title of deputy loses this title pursuant to section 1, subdivision 6, or any other provision of this act, the commissioner of personnel shall assign a new title under the provisions of Minnesota Statutes, Section 15A.071. If the position is currently in the unclassified civil service, it shall remain in the unclassified civil service. In the event that authorized, unclassified deputy positions are not filled, the department head or commissioner may fill these positions but only as permitted by applicable personnel complement limitations.*

Sec. 38. [INSTRUCTION TO REVISOR.] *The revisor of statutes shall eliminate from the statutes any reference to the "secretary" or "executive officer" of the board of health or any similar title with this meaning, and shall substitute "commissioner" or "commissioner of health" as appropriate.*

Sec. 39. [REPEALER.] *Minnesota Statutes 1974, Sections 121.07, 121.08, 121.10, 175.003, Subdivision 4, 216A.06, Subdivision 2, and 144.03, are repealed.*

Sec. 40. [EFFECTIVE DATE.] *This act shall be effective the day following its final enactment.*"

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

"A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the governor; providing for the succession of commissioners; defining position and duties of deputy department heads; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 15.06; 16.01; 16A.01, Subdivision 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16; 144.02; 144.04; 161.03, Subdivisions 1 and 4; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1974, Sections 121.07; 121.08; 121.10; 175.003, Subdivision 4; 216A.06, Subdivision 2; and 144.03."

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

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

S. F. No. 866: A bill for an act relating to liquor; abolishing the office of liquor control commissioner and transferring the powers and duties thereof to the departments of public safety and revenue; amending Minnesota Statutes 1974, Chapter 299A, by adding a section; Sections 340.08, Subdivisions 1 and 2; 340.09, Subdivision 1; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 340.08, Subdivision 3; 340.401, Subdivision 7; 340.485, Subdivision 4; and 340.491.

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

Pages 1 to 3, strike sections 1 to 4 and insert:

"Section 1. Minnesota Statutes 1974, Section 299A.01, Subdivision 3, is amended to read:

Subd. 3. Subject to the provisions of Laws 1969, Chapter 1120, and to other applicable laws the commissioner shall organize the department and employ such other officers, employees, and agents as he may deem necessary to discharge the functions of his department, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated power shall be by written order filed with the secretary of state. No such delegation or assignment of a power or duty by the commissioner to an employee of the department shall be made in respect to, or in a manner resulting in a reenactment of, the powers, duties or responsibilities contained in section 299C.03, and acts amendatory thereof, except to the division of the bureau of criminal apprehension. Officers, Employees, and agents of the department of public safety are in the classified service of the state civil service except where otherwise specifically provided for by law.

Sec. 2. Minnesota Statutes 1974, Chapter 299A, is amended by adding a section to read:

[299A.02] [COMMISSIONER OF PUBLIC SAFETY; LIQUOR CONTROL FUNCTIONS.] *Subdivision 1. [DIRECTOR OF DIVISION OF LIQUOR CONTROL.] No employee of the department of public safety having any responsibility for the administration or enforcement of chapter 340 shall have a direct or indirect interest in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, non-intoxicating, or commercial or industrial alcohol. The commissioner shall remove an employee of the department in the unclassified civil service for any violation of sections 340.02, 340.031 to 340.036, 340.11 to 340.19, 340.355 to 340.357, 340.402 to 340.408, 340.44 to 340.493, 340.53 to 340.56, 340.601 to 340.62, or 340.70 to 340.983. Violation of the preceding sections by a classified employee of the department shall be grounds for removal of that employee pursuant to section 43.24.*

*Subd. 2. [GENERAL POWERS.] The commissioner shall administer and enforce the provisions of chapter 340 except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.*

*Subd. 3. [REPORTS; RULES.] The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of chapter 340. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.*

*Subd. 4. [SUBPOENAS.] In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who*

*manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties."*

Page 4, line 1, reinsert the stricken "(4) "Commissioner" means the"

Page 4, line 2, reinsert the stricken language

Page 4, line 2, after the reinserted "commissioner" insert "of public safety"

Page 4, line 3, reinsert the stricken old language and strike the new language

Page 6, line 19, strike "*department and the position of the*"

Page 6, line 20, strike "*commissioner*" and insert "*office*"

Page 6, line 20, after "*control*" insert "*commissioner*"

Page 6, line 20, strike "*are*" and insert "*is*"

Page 6, line 23, strike "*and*" and insert "*except for the duties specified in sections 4 to 6 which are transferred to*"

Page 6, line 24, strike "*except by sections 6, 7, and 8*"

Page 6, line 26, strike "*commissioner and the*"

Page 6, line 27, strike "*department of*"

Page 6, line 27, after "*control*" insert "*commissioner*"

Page 6, line 28, strike "*and department*"

Page 7, line 1, after "*revenue*" insert "*as appropriate*"

Page 7, line 12, strike "*finance*" and insert "*administration*"

Page 7, line 12, strike "*the*" and insert "*each*"

Page 7, after line 24, insert:

"Sec. 11. [REVISOR'S INSTRUCTIONS.] *In the next and subsequent editions of Minnesota Statutes, the Revisor shall change the references from the department of liquor control and the liquor control commissioner to the commissioner of public safety or, in the case of the transfers of functions under sections 4 to 6, to the commissioner of revenue consistent with this act.*"

Page 7, line 25, after "*Sections*" insert "*299A.01, Subdivision 4,*"

Page 7, line 25, strike the comma after "*340.08*"

Page 7, line 26, strike "Subdivision 3; 340.401, Subdivision 7" and insert "; 340.09"

Renumber the sections

Amend the title as follows:

Page 1, line 4, strike "departments" and insert "commissioners"

Page 1, line 7, strike "340.08, Subdivisions 1 and 2; 340.09,"

Page 1, line 8, strike "Subdivision 1" and insert "299A.01, Subdivision 3"

Page 1, line 10, after "Sections" insert "299A.01, Subdivision 4;"

Page 1, line 10, strike the comma after "340.08"

Page 1, line 11, strike "Subdivision 3; 340.401, Subdivision 7" and insert "; 340.09"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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

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

Page 2, line 1, after "shall" insert "by rule"

Page 2, line 1, strike ", evaluate"

Page 2, line 1, after "revise" insert ", as necessary,"

Page 2, line 26, after "board" insert "by rule"

Page 3, line 10, after "board" insert "by rule"

Page 3, line 12, after "board" insert "by rule"

Page 3, line 20, strike "council" and insert "task force"

Page 3, line 21, strike "not more than"

Page 3, line 22, strike "nurses of completion of specified"

Page 3, line 24, strike "and regulations"

Page 3, line 25, strike "advisory council" and insert "task force"

Page 3, line 26, strike "*implementing the procedures and requirements,*"

Page 4, line 1, strike "*a list*" and insert "*lists*"

Page 4, line 1, strike "*the Minnesota nurses*"

Page 4, strike lines 2 to 7

Page 4, line 8, strike "*employees*" and insert "*professional nursing organizations in the state. Members of the task force shall be entitled to expenses in the same manner and amount as received by state employees. The task force shall expire January 1, 1978.*"

Page 4, line 10, strike "*establish*" and insert "*by rule promulgate*"

Page 4, line 12, strike "*and regulations*"

Page 4, line 18, strike "*and regulations*"

Page 5, line 1, after "*board*" insert "*by rule*"

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

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

S. F. No. 1161: A bill for an act relating to the operation of state government; creating a state office of human services; providing for the development of a unified state plan and budget for human services; creating a human services task force; appropriating money.

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

Page 2, line 5, strike "*The salary of the director*"

Page 2, strike line 6

Page 2, line 7, strike "*of Minnesota Statutes, Section 43.064.*"

Page 2, line 10, after the period insert "*Persons filling*"

Page 2, line 17, strike "*office*" and insert "*director*"

Page 2, line 18, strike "*departments*" and insert "*commissioners*"

Page 2, line 19, after the comma insert "*the director of*"

Page 2, line 21, after "*and*" insert "*heads of*"

Page 2, line 24, strike "*regulations*" and insert "*rules*"

Page 2, line 26, strike "*; it*" and insert "*. He*"

Page 2, line 28, strike "*it*" and insert "*he*"

Page 2, line 30, strike "office" and insert "director"

Page 2, line 32, strike "It" and insert "He"

Page 3, line 7, strike "units" and insert "activities"

Page 3, line 11, strike "office" and insert "director"

Page 3, line 14, strike "; it" and insert ". The director"

Page 3, line 15, strike "their" and insert "the"

Page 3, line 18, strike "office" and insert "director"

Page 4, line 20, strike "state" and insert "human services"

Page 4, line 21, strike "defined in section 4"

Page 4, line 28, strike "state departments" and insert "commissionsers"

Page 4, line 29, after "the" insert "director of the"

Page 4, line 30, strike "office" and insert "director"

Page 4, line 30, strike "its" and insert "his"

Page 5, line 2, strike "office" and insert "director"

Page 5, line 3, strike "its" and insert "his"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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

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

Page 1, line 10, strike "*this act*" and insert "*Laws 1935, Chapter 208, as amended,*"

Page 1, line 10, strike "*or thereafter*"

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

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

H. F. No. 1311: A bill for an act relating to certain officers and employees of the state and their dependents; providing optional insurance coverage for certain officers and employees; amending Minnesota Statutes 1974, Section 43.491, Subdivision 2.

Reports the same back with the recommendation that the bill do

pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 416: A bill for an act relating to the city of Robbinsdale; firemen's service pensions; amending Laws 1969, Chapter 1105, Sections 1, 2, and 3.

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

Page 2, after line 6, add a new section to read:

*"Sec. 3. Section 1 applies to pensions payable in respect to periods commencing after June 30, 1975, and applies to persons who retire before the effective date of this act as well as to those who retire on or after that date."*

Page 2, strike lines 7 to 13

Further amend the title as follows:

Line 4, after "1" strike the comma and insert "and"

Line 4, strike ", and 3"

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

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

H. F. No. 1057: A bill for an act relating to education; school districts; Independent School District No. 518; powers and duties; requiring a public hearing and providing for an election before closing a schoolhouse; amending Minnesota Statutes 1974, Section 123.36, by adding a subdivision.

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

Page 1, line 21, strike *"After a public hearing as provided"*

Page 1, strike lines 22 to 24

Strike page 2

Strike page 3

Further, amend the title as follows:

Page 1, line 3, strike "Independent School District No. 518;"

Page 1, line 4, strike "and providing"

Page 1, line 5, strike "for an election"

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

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

S. F. No. 1689: A bill for an act relating to education; vocational-technical institutes; providing for student associations.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for May 1, 1975:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

Gerald Vizenor

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

Mr. Hughes 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. 1169 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1169	1009				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1169 be amended as follows:

Page 5, line 28, strike "location which is identified by a separate"

Page 5, line 29, strike "address, at which one or more" and insert before "vending" "*coin actuated*"

Page 5, line 29, strike "machines" and insert "*machine*"

Page 5, line 29, strike "process" and insert "*processes*"

Page 5, line 30, strike "dispense" and insert "*dispenses*"

Page 5, line 30, strike "are located"

Page 5, line 31, strike "place of business" and insert "*unit*"

Page 5, line 31, strike "this section" and insert "*establishing a license fee under section 28A.09*"

Page 9, line 30, delete "\$30" and insert "\$50" and delete "\$10" and insert "\$15"

Page 10, after line 6 insert the following:

"Sec. 13. Minnesota Statutes 1974, Section 28A.09, is amended to read:

**28A.09 [INSPECTION FEES FOR VENDING MACHINES.]**  
 The following combined license fee schedule, *except as provided in section 28A.15, subdivision 6*, shall be applied for an applicant's place(s) of business to a coin actuated vending machine where from which food is sold and dispensed solely through the use of vending machines, and the fees charged hereunder shall be in lieu of addition to any other fees the single retail food handler's license fee which may be applied to such place(s) of business is required of a vendor under section sections 28A.04 and 28A.08:

(a) \$2 for each of the first 100 such places of business vending machines of a vendor ;

(b) \$1 for each such place of business thereafter additional vending machine of a vendor ;

(c) ~~Provided that no applicant shall be required to pay a total of more than \$400 under (a) and (b) above regardless of the number of applicant's places of business hereunder;~~

*Provided that the minimum additional fee under this section shall be \$26.*

~~(d) (c) A place of business which consists solely of vending machines machine dispensing only bottled or canned soft drinks, prepackaged confections, and similar dry, nonperishable items, such as ball gum, nuts, and panned candies, shall not be counted for the purpose of determining applicant's license fees hereunder.~~

*(d) In addition to identification required by the commissioner, each vending machine for which inspection fees are provided in this section shall be identified with the name and telephone number of the owner or operator of said machine. Nothing in this section is intended to permit enactment of an ordinance regulating an activity where the state has pre-empted the field."*

Page 10, line 19, delete the apostrophe after "HEARINGS" and insert a semicolon

Renumber the sections in sequence

Further amend the title in line 7, after "28A.08;" insert "28A.09;"

And when so amended, H. F. No. 1169 will be identical to S. F. No. 1009 and further recommends that H. F. No. 1169 be given its second reading and substituted for S. F. No. 1009 and that the Senate File be indefinitely postponed.

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

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 432, 1145, 580, 46, 1499, 1551, 1448, 1073, 778, 643, 519, 197, 1207, 1187, 779, 1500, 1596, 1315, 1428, 447, 1335, 576, 339, 638, 696, 218, 858, 1167, 109, 784, 1501, 1311, 416, 1057 and 1169 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Stokowski moved that S. F. No. 476 be taken from the table. The motion prevailed.

Mr. Stokowski moved that the Senate do not concur in the amendments by the House to S. F. No. 476 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. Gearty moved that H. F. No. 1331 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 1442 be taken from the table. The motion prevailed.

**CONCURRENCE AND REPASSAGE**

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1442 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1442: A bill for an act relating to real estate; changing certain procedure involving mortgage discharges and release of attachment; amending Minnesota Statutes 1974, Sections 507.40 and 507.11.

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

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

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

Those who voted in the affirmative were:

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

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Davies moved that H. F. No. 718 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration. The motion prevailed.

### SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Calendar of Ordinary Matters and that the rules be so far suspended as to waive the lie-over requirement. The motion prevailed.

### CALENDAR OF ORDINARY MATTERS

**H. F. No. 47:** A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H. F. No. 155:** A bill for an act relating to the city of Minnetonka; volunteer firemen's 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 254: A bill for an act relating to the city of Roseville; firemen's relief association service pensions; amending Laws 1973, Chapter 464, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Olson, A. G.	Sillers
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Solon
Bang	Fitzsimons	Knutson	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.	Tennessee
Brataas	Hanson, R.	McCutcheon	Pillsbury	Ueland
Brown	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Humphrey	Moe	Renneke	Willet
Coleman	Jensen	North	Schaaf	
Conzemius	Josefson	Ogdahl	Schmitz	
Davies	Keefe, J.	Olhoft	Schrom	

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 113: A bill for an act relating to Clay county; probate judge's service and retirement contributions; appropriating money for refunds.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 939: A bill for an act relating to retirement; increasing firemen's service pensions payable to members of the Lake Johanna Volunteer Firemen's Benefit 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 590: A bill for an act relating to retirement; police pensions in the city of Eveleth; amending Laws 1965, Chapter 636, as amended, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1008: A bill for an act relating to retirement; investment and redemption of shares in the supplemental retirement fund by Hennepin county employees; amending Laws 1969, Chapter 950, Sections 3 and 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 944: A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's relief association lump sum 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Bernhagen	Brown	Davies	Frederick
Ashbach	Blatz	Chmielewski	Doty	Gearty
Bang	Borden	Coleman	Dunn	Hansen, Baldy
Berg	Brataas	Conzemius	Fitzsimons	Hansen, Mel

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

So the bill passed and its title was agreed to.

H. F. No. 110: A bill for an act relating to retirement; authorizing purchase of service credit by certain members of the Minnesota state retirement system.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1136: A bill for an act relating to the city of Duluth; firemen's service pensions and survivor benefits; amending Laws 1965, Chapter 179, Section 1; repealing Laws 1955, Chapter 188, Section 8.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Frederick	Keefe, J.	McCutcheon
Arnold	Chenoweth	Gearty	Keefe, S.	Merriam
Ashbach	Chmielewski	Hansen, Baldy	Kirchner	Milton
Bang	Coleman	Hansen, Mel	Kleinbaum	Moe
Berg	Conzemius	Hanson, R.	Knutson	North
Bernhagen	Davies	Hughes	Kowalczyk	Ogdahl
Blatz	Doty	Humphrey	Larson	Olhoff
Borden	Dunn	Jensen	Laufenburger	Olson, A. G.
Brataas	Fitzsimons	Josefson	Lewis	Olson, H. D.

Olson, J. L.	Pillsbury	Schrom	Stokowski	Willet
O'Neill	Purfeerst	Sillers	Stumpf	
Patton	Renneke	Solon	Tennessee	
Perpich, A. J.	Schaaf	Spear	Ueland	
Perpich, G.	Schmitz	Stassen	Wegener	

So the bill passed and its title was agreed to.

H. F. No. 530: A bill for an act relating to retirement; redefining membership and allowing the purchase of prior service credit by members of the Bloomington police 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1254: A bill for an act relating to the city of New Brighton; firemen's relief pensions; amending Laws 1967, Chapter 742, Section 1, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 1674, No. 179 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing district for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

**CALL OF THE SENATE**

Mr. Perpich, A. J. imposed a call of the Senate. The following Senators answered to their names:

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

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

Mr. Perpich, A. J. moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 24, line 15, delete "*federal*" and insert "*Minnesota*"

Page 24, line 15, after "*the*" insert "*taxable*"

Page 24, line 16, after "*made*" insert "*; provided that a taxpayer who was a qualified home owner according to the provisions of this subdivision in one year but who in the following year had a household income in excess of \$15,000 may retain during the first taxable year in which his income increased above the maximum for eligibility the same base tax which he had during the year in which he was a qualified home owner*"

Page 25, line 24, after "*preceding the*" insert "*first*"

Page 25, line 25, after "*payable*" insert "*and the person claims the credit*"

Page 26, after line 24, insert

*"Subd. 2. By January 31 of each year, the county auditor shall send to each person who had submitted a claim the preceding year, a form on which the claimant shall give his name and social security number and indicate whether his income for the year is below the maximum for eligibility stated in Minnesota Statutes, Section 273.011, Subdivision 2. The claimant shall also indicate on the annual form any changes in information previously given to determine eligibility for the credit in prior years. The form shall clearly state that each claimant must submit the required information by March 1 in each year for which he intends to claim the credit and that copies of the completed forms will be sent to the commissioner of revenue who may audit them for accuracy and consistency with income tax returns."*

Renumber remaining subdivisions

Page 27, after line 15, insert

*"Subd. 6. [AUDIT OF CLAIM.] Whenever on the audit of any claim filed under Minnesota Statutes, Sections 273.011 and 273.012 and sections 6 and 7 of this article, the department of revenue or the county auditor determines the amount thereof to have been incorrectly determined the claimant shall be assessed*

*in the manner in which income taxes are assessed for the amount paid by the state to the local taxing unit to compensate for the reduced tax on the claimant's property, together with interest at a nine percent annual rate from the date of the state's payment. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the amount paid by the state to the local taxing unit may be recovered by assessment as income taxes are assessed. A penalty of 25 percent shall be imposed and the assessment shall bear interest from the date of payment by the state at the rate of nine percent per annum. The claimant shall be guilty of a misdemeanor."*

Page 30, after line 2, insert

*"Sec. 3. [EFFECTIVE DATE.] This article shall be effective for taxes levied in 1975 and payable in 1976."*

Page 33, line 28, strike "45 percent" and insert "100 percent of the first \$100 and 45 percent of the remainder"

Page 33, line 29, strike "said" and insert "the total"

Page 33, line 30, strike "\$325" and insert "\$375"

Page 34, delete lines 10 to 13

Page 35, line 18, delete "section 1" and insert "subdivision 2"

Page 36, line 18, delete "act" and insert "article"

Page 36, line 32, delete "3" and insert "2"

Page 37, delete lines 1 to 13 and insert

*"Subd. 2. The levy limit base per capita, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed six percent of the previous year's levy limit base per capita. The levy limit base per capita as adjusted for previous increases pursuant to this section may be increased for taxes payable in the year 1976 by an amount not to exceed 11 percent."*

Page 38, after line 7, insert

*"Sec. 4. [REPEALER.] Minnesota Statutes 1974, Section 275.52, Subdivision 3, is repealed."*

Renumber the remaining section

Page 42, delete lines 27 to 29

Renumber the remaining section

Page 44, delete lines 14 to 32 and insert

*"Section 1. Minnesota Statutes 1974, Section 477A.01, Subdivision 1, is amended to read:*

*477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, The state shall distribute \$36 local aid*

for each person residing in the territory comprising each county of for the calendar year 1974 and \$33 for the calendar year 1975 years 1976 and 1977 to the several taxing authorities, except school districts, with authority to impose taxes tax on property located in the county's territory state .

Sec. 2. Minnesota Statutes 1974, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. *The Every county government except that of a county containing a city of the first class shall receive 85 percent of the same percentage of the distributions pursuant to subdivision 1; that a distribution equal to the distribution it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory 1975 pursuant to Minnesota Statutes 1969, Sections 273.69 and 207A.61 to 207A.60, except that distributions to school districts under these laws shall be disregarded in making the calculation 1974, Section 477A.07 .*

Sec. 3. Minnesota Statutes 1974, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns, shall receive in 1974 and 1975 1976 and 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1974, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in 1974 1976 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1973 bears to the total dollar amount of the levy limitations and special levies of all the cities and towns for taxes payable in 1973.

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities and towns for taxes payable in 1974.

For the purposes of the subdivision, the levy limitation of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Min-

nesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1975 times its city or town 1974 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns.

*The balance of the distributions in 1977 pursuant to subdivision 1 shall be distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1976 times its city or town 1975 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns .*

Sec. 5. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

*Subd. 4a. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town received in 1975, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in 1975, before corrections for prior year aid payments, and the distributions to the other cities and towns shall be proportionately reduced as necessary to supply the difference.*

Sec. 6. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

*Subd. 4b. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in 1976 and 1977."*

Page 45, delete lines 1 to 32

Page 46, delete lines 1 to 32

Page 47, delete lines 1 to 32

Page 48, delete lines 1 to 17

Renumber the remaining sections

Page 48, line 22, delete " 1, 2, 3, 4, "

Page 48, line 27, after " 94-12" delete "of" and insert a comma

Further, amend the title as follows:

Page 1, line 24, after the semicolon insert "providing a penalty; appropriating money;"

Page 1, line 38, delete "275.51, Subdivision 3;"

Page 2, line 1, after "Subdivision 1;" insert "477A.01, Subdivisions 1, 2, 3, 4;"

Page 2, line 4, after "5;" insert "275.53, Subdivision 3;"

Page 2, line 6, delete "1, 2, 3, 4,"

Mr. Jensen moved to amend the Perpich, A. J. amendment to H. F. No. 1674, the Unofficial Engrossment, as follows:

In the amendment to page 24, line 16, strike "*according to*" and insert "*whose real estate taxes are in excess of \$2,000 shall not be frozen*"

Strike the balance of the amendment to page 24

Strike all amendments to pages 25, 26, 27 and 30

The question being taken on the adoption of the amendment to the Perpich, A. J. amendment;

And the roll being called, there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question recurred on the Perpich, A. J. amendment.

Mr. Jensen requested division of the amendment as follows:

First portion:

Page 24, line 15, delete "*federal*" and insert "*Minnesota*"

Page 24, line 15, after "*the*" insert "*taxable*"

Page 24, line 16, after "*made*" insert "*; provided that a taxpayer who was a qualified home owner according to the provisions of this subdivision in one year but who in the following year had a household income in excess of \$15,000 may retain during the first taxable year in which his income increased above the maximum for eligibility*"

*the same base tax which he had during the year in which he was a qualified owner"*

Page 25, line 24, after "*preceding the*" insert "*first*"

Page 25, line 25, after "*payable*" insert "*and the person claims the credit*"

Page 26, after line 24, insert

*"Subd. 2. By January 31 of each year, the county auditor shall send to each person who had submitted a claim the preceding year, a form on which the claimant shall give his name and social security number and indicate whether his income for the year is below the maximum for eligibility stated in Minnesota Statutes, Section 273.011, Subdivision 2. The claimant shall also indicate on the annual form any changes in information previously given to determine eligibility for the credit in prior years. The form shall clearly state that each claimant must submit the required information by March 1 in each year for which he intends to claim the credit and that copies of the completed forms will be sent to the commissioner of revenue who may audit them for accuracy and consistency with income tax returns."*

Renumber remaining subdivisions

Page 27, after line 15, insert

*"Subd. 6. [AUDIT OF CLAIM.] Whenever on the audit of any claim filed under Minnesota Statutes, Sections 273.011 and 273.012 and sections 6 and 7 of this article, the department of revenue or the county auditor determines the amount thereof to have been incorrectly determined the claimant shall be assessed in the manner in which income taxes are assessed for the amount paid by the state to the local taxing unit to compensate for the reduced tax on the claimant's property, together with interest at a nine percent annual rate from the date of the state's payment. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the amount paid by the state to the local taxing unit may be recovered by assessment as income taxes are assessed. A penalty of 25 percent shall be imposed and the assessment shall bear interest from the date of payment by the state at the rate of nine percent per annum. The claimant shall be guilty of a misdemeanor."*

Page 30, after line 2, insert

*"Sec. 3. [EFFECTIVE DATE.] This article shall be effective for taxes levied in 1975 and payable in 1976."*

Second portion:

Page 33, line 28, strike "*45 percent*" and insert "*100 percent of the first \$100 and 45 percent of the remainder*"

Page 33, line 29, strike "*said*" and insert "*the total*"

Page 33, line 30, strike "*\$325*" and insert "*\$375*"

Page 34, delete lines 10 to 13

Page 35, line 18, delete " *section 1* " and insert " *subdivision 2* "

Page 36, line 18, delete " *act* " and insert " *article* "

Page 36, line 32, delete "3" and insert "2"

Page 37, delete lines 1 to 13 and insert

"Subd. 2. The levy limit base per capita, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed six percent of the previous year's levy limit base per capita. *The levy limit base per capita as adjusted for previous increases pursuant to this section may be increased for taxes payable in the year 1976 by an amount not to exceed 11 percent.*"

Page 38, after line 7, insert

"Sec. 4. [REPEALER.] *Minnesota Statutes 1974, Section 275.52, Subdivision 3, is repealed.*"

Renumber the remaining section

Page 42, delete lines 27 to 29

Renumber the remaining section

Page 44, delete lines 14 to 32 and insert

"Section 1. Minnesota Statutes 1974, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. ~~Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington,~~ The state shall distribute \$35 local aid for each person residing in the territory comprising each county of for the calendar year 1974 and \$36 for the calendar year 1975 years 1976 and 1977 to the several taxing authorities, except school districts, with authority to impose taxes tax on property located in the county's territory state .

Sec. 2. Minnesota Statutes 1974, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. ~~The Every county government except that of a county containing a city of the first class shall receive 85 percent of the same percentage of the distributions pursuant to subdivision 1; that a distribution equal to the distribution it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory 1975 pursuant to Minnesota Statutes 1969, Sections 273.69 and 207A.51 to 207A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation 1974, Section 477A.01 .~~

Sec. 3. Minnesota Statutes 1974, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns, shall receive

in 1974 and 1975 1976 and 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1974, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in 1974 1976 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1973 bears to the total dollar amount of the levy limitations and special levies of all the cities and towns for taxes payable in 1973.

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities and towns for taxes payable in 1974.

For the purposes of this subdivision, the levy limitation of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1975 times its city or town 1974 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns.

The balance of the distributions in 1977 pursuant to subdivision 1 shall be distributed to each of the cities and towns in the proportion that the product of the city or town's 1970 federal census population times its average mill rate payable in 1976 times its city or town 1975 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns .

Sec. 5. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

Subd. 4a. If the amount distributed to a city or town pursuant to

*subdivision 4 is less than the aids the city or town received in 1975, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in 1975, before corrections for prior year aid payments, and the distributions to the other cities and towns shall be proportionately reduced as necessary to supply the difference.*

Sec. 6. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

*Subd. 4b. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in 1976 and 1977."*

Page 45, delete lines 1 to 32

Page 46, delete lines 1 to 32

Page 47, delete lines 1 to 32

Page 48, delete lines 1 to 17

Renumber the remaining sections

Page 48, line 22, delete "1, 2, 3, 4,"

Page 48, line 27, after "94-12" delete "of" and insert a comma

Further, amend the title as follows:

Page 1, line 24, after the semicolon insert "providing a penalty; appropriating money;"

Page 1, line 38, delete "275.51, Subdivision 3;"

Page 2, line 1, after "Subdivision 1;" insert "477A.01, Subdivisions 1, 2, 3, and 4;"

Page 2, line 4, after "5;" insert "275.53, Subdivision 3;"

Page 2, line 6, delete "1, 2, 3, 4,"

The question being taken on the adoption of the first portion of the Perpich, A. J. amendment,

And the roll being called, there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Olson, A. G.	Schrom
Arnold	Doty	Laufenburger	Olson, H. D.	Spear
Borden	Gearty	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Hansen, Mel	Merriam	Pillsbury	Tennessen
Coleman	Hughes	Moe	Purfeerst	Wegener
Conzemius	Humphrey	North	Schmitz	Willet

Those who voted in the negative were:

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

The motion prevailed. So the first portion of the Perpich, A. J. amendment was adopted.

The question being taken on the second portion of the Perpich, A. J. amendment,

The motion prevailed. So the second portion of the Perpich, A. J. amendment was adopted.

Mr. Perpich, A. J. then moved to amend the Perpich, A. J. amendment to H. F. No. 1674, the Unofficial Engrossment, adopted by the Senate May 8, 1975, as follows:

Section 477A.01, subdivision 1, before "*local*" insert "\$159,000,000 in"

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

Mr. Blatz moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 12, line 14 strike "90" and insert "70"

Page 12, line 28 strike "90" and insert "70"

Page 14, line 22 strike "*ten*" and insert "30"

Page 15, line 20 strike "*Ninety*" and insert "*Seventy*"

Page 16, line 2 strike "*ten*" and insert "*thirty*"

Page 16, line 7 strike "90" and insert "70"

Page 17, line 27 strike "90" and insert "70"

Page 17, line 28 strike "*ten*" and insert "*thirty*"

Page 18, line 25 strike "90" and insert "70"

Page 18, line 26 strike "*ten*" and insert "*thirty*"

Page 30, delete lines 30 to 32

Page 31, delete lines 1 to 32

Page 32, delete lines 1 to 32

Page 33, delete lines 1 to 32

Page 34, delete lines 1 to 13 and insert:

"Sec. 2. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.139] [HOMESTEAD PROPERTY AND AGRICULTURAL LAND TAX RELIEF.] *Subdivision 1. The property tax to be paid with respect to all real property and class 2a property used for purposes of a homestead and all agricultural land shall be reduced by an amount equal to ten percent of the tax, commencing with the taxes payable in 1976.*

*Subd. 2 Each county auditor shall certify not later than May 1 of each year to the commissioner of revenue the amount of reduction resulting from this section in each taxing district in*

his county. This certification shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under the provisions of Minnesota Statutes, Section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner of revenue shall review the certifications to determine their accuracy. He may make changes in the certification he may deem necessary or return a certification to the county auditor for corrections.

*Subd. 3. Based on current year tax data reported in the abstracts of tax lists, the commissioner of revenue shall annually determine each taxing district's distribution of the amounts certified under subdivision 2. On or before July 15, 1976, and each year thereafter, the commissioner of revenue shall pay to each taxing district one half of its distribution. The remaining one half shall be paid on or before November 15, 1976 and each year thereafter.*

*Subd. 4. There is hereby appropriated from the general fund the amounts necessary to make the payments required by this section. "*

Page 44, delete lines 14 to 32 and insert:

"Section 1. Minnesota Statutes 1974, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute ~~\$36~~ \$38 for each person residing in the territory comprising each county for the calendar year ~~1974~~ years 1976 and ~~\$36~~ for the calendar year ~~1975~~ 1977 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory.

Sec. 2. Minnesota Statutes 1974, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns, shall receive in ~~1974~~ 1976 and ~~1975~~ 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 3. Minnesota Statutes 1974, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in ~~1974~~ 1976 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in ~~1973~~ 1975 bears to the total dollar amount of the levy limitations and special levies of all the cities and towns for taxes payable in ~~1973~~ 1975 .

The balance of the distribution in ~~1975~~ 1977 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the

levy limitation and special levies of each city and town for taxes payable in 1974 1976 bears to the total dollar amount of the levy limitations and special levies of all cities and towns for taxes payable in 1974 1976 .

For the purposes of this subdivision, the levy limitation of a city or town with statutory city powers for taxes payable in 1973 1975 or 1974 1976 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in 1973 1975 or 1974 1976 shall be the amounts of the governmental unit's tax levy payable in 1973 1975 or 1974 1976 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in 1974 1976 and 1975 1977 , pursuant to this subdivision, based on their levies payable in 1973 1975 and 1974 1976 , respectively.

Sec. 4. Minnesota Statutes 1974, Section 477A.01, Subdivision 5, is amended to read:

Subd. 5. (a) The department of revenue shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, town, and county government within each county subject to the provisions of subdivision 1, or within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.50;

(4) The November 30, 1972 and May 31, 1973 distributions of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 207.12;

(7) 1973 gross earnings aid to cities, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 369.42; and 373.20 to 373.24.

(b) If the total amount distributed to the several taxing authorities within a county pursuant to subdivision 1 or to the territory

specified in subdivision 7 is less than the aggregate of aids to the several taxing authorities within such county or territory, except school districts, as calculated by the department of revenue pursuant to clause (a) for calendar year 1975, the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution to the several taxing authorities within the territory specified in subdivision 7.

Sec. 5. Minnesota Statutes 1974, Section 477A.01, Subdivision 6, is amended to read:

Subd. 6. (a) The department of revenue shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, town and county government within each county subject to the provisions of subdivision 1:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.351;

(5) 1973 gross earnings aids to cities, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24;

(6) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(7) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the amount distributed to a city, town or county government pursuant to subdivision 2 or subdivision 4 is less than the aggregate of aids for such county government, city, or town as calculated by the department of revenue pursuant to clause (a) for calendar year 1975, the amount distributed to it shall be raised to the amount for such county, city, or township as calculated by the department of revenue pursuant to clause (a) for calendar year 1975, and the distributions to each of the other cities and towns and the county government shall be proportionately reduced as necessary to supply the difference.

Sec. 6. Minnesota Statutes 1974, Section 477A.01, Subdivision 7, is amended to read:

Subd. 7. In the territory comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute \$36 \$39 for each person residing in the territory for the calendar year 1974 years 1976 and \$27 for the calen-

calendar year 1975 1977 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the territory.

Sec. 7. Minnesota Statutes 1974, Section 477A.01, Subdivision 8, is amended to read:

Subd. 8. The seven county governments shall receive in total, in 1974, 16 percent of \$36 times the population of the seven counties, and, in 1975 1976 and 1977 , 16 percent of \$37 \$39 times the population of the seven counties. That distribution in 1974 1976 shall be divided among the seven county governments in the proportion that the levy of each payable in 1973 1975 bears to the total levy of the seven. That distribution in 1975 1977 shall be divided among the seven county governments in the proportion that the levy of each payable in 1974 1976 bears to the total levy of the seven. For the purposes of this subdivision the levy of a county payable in 1973 1975 and 1974 1976 shall exclude that portion of the levy which was subject to the penalty provisions of section 275.51, subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). If any county government would receive less pursuant to this subdivision than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60 it shall receive an amount equal to the amount to which it was entitled in 1971 and the distribution to other counties shall be proportionately reduced.

Sec. 8. Minnesota Statutes 1974, Section 477A.01, Subdivision 9, is amended to read:

Subd. 9. Each taxing authority in the counties named in subdivision 7, other than the counties, the school districts and the cities and towns, shall receive in 1974 1976 and 1975 1977 , a distribution equal to the distribution to which it was entitled in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 9. Minnesota Statutes 1974, Section 477A.01, Subdivision 10, is amended to read:

Subd. 10. In 1974 \$36 1976 and 1977 \$39 shall be multiplied times the population of the seven counties named in subdivision 7. The distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 10. Minnesota Statutes 1974, Section 477A.01, Subdivision 11, is amended to read:

Subd. 11. *In the calendar year 1976*, the balance remaining after the calculation provided by subdivision 10 shall be divided among the cities and towns in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in 1973 1975 bears to the dollar amount of the levy limitations and special levies of all cities and towns in the seven named counties. For the purposes of this subdivision limitation of a city or town with statutory city powers for taxes payable in 1973 1975 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of

revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in ~~1973~~ 1975 shall be the amounts of the governmental unit's tax levy payable in ~~1973~~ 1975 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in ~~1974~~ 1976, pursuant to this subdivision, based on their levies payable in ~~1973~~ 1975.

Sec. 11. Minnesota Statutes 1974, Section 477A.01, Subdivision 14, is amended to read:

Subd. 14. *In the calendar year 1977*, the balance remaining after the calculation provided by subdivision ~~1~~ 10 shall be divided among the cities and towns in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in ~~1974~~ 1976 bears to the dollar amount of the levy limitations and special levies of all cities and towns in the seven named counties. For purposes of this subdivision the levy limitation of a city or town with statutory city powers for taxes payable in ~~1974~~ 1976 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in ~~1974~~ 1976 shall be the amounts of the governmental unit's tax levy payable in ~~1974~~ 1976 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in ~~1975~~ 1977, pursuant to this subdivision, based on their levies payable in ~~1974~~ 1976.

Sec. 12. Minnesota Statutes 1974, Section 477A.01, Subdivision 16, is amended to read:

Subd. 16. (a) The department of revenue shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, town, and county government within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 201.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12;

(7) 1973 gross earnings aids to cities, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.30 to 368.42; 373.20 to 373.24.

(b) If the amount distributed to a city, town, or county in 1974 1976 or 1975 1977 in the seven named counties pursuant to this section is less than the aggregate of aids for such county, city, or town as calculated by the department of revenue pursuant to clause (a) for calendar year 1975, the amount distributed to it shall be raised to the amount for such county, city, or town as calculated by the department of revenue pursuant to clause (a); and the distributions to each of the other counties, cities and towns shall be proportionately reduced as necessary to supply the difference.

Sec. 13. [REPEALER.] *Minnesota Statutes 1974, Section 477A.01, Subdivision 13, is repealed.*"

Page 45, delete lines 1 to 32

Page 46, delete lines 1 to 32

Page 47, delete lines 1 to 32

Page 48, delete lines 1 to 23

Further, amend the title as follows:

Page 1, line 9, after the colon insert: "providing for a decrease in property taxes with the state to compensate the counties for lost revenue;"

Page 1, line 37, delete "273.13, Subdivisions 6 and 7;"

Page 1, line 38, delete "275.51, Subdivision 3;"

Page 2, line 1, after "3;" insert "and"

Page 2, line 1, after "1;" delete "and"

Page 2, line 2, delete "510.02;"

Page 2, line 5, after "290.921;" insert "and"

Page 2, line 5, delete "; and 477A.01," and insert a period

Page 2, delete lines 6 and 7

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. O'Neill moved to amend H. F. No. 1674 the Unofficial En-grossment, as follows:

Page 48 after line 29 add a new article as follows:

#### "Article XVII

Section 1. Minnesota Statutes 1974, Section 290.06, Subdivision 3c. is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1974, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, ~~\$21~~ \$25, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, ~~\$42~~ \$50. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, ~~\$21~~ \$25 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be dis-allowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional ~~\$21~~ \$25;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional ~~\$21~~ \$25;

(c) In the case of a married individual, living with husband or

wife, an additional \$21 \$25 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 2. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. For taxable years beginning after December 31, 1974, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be reduced by a credit equal to 5 percent of the income tax so computed.*

Sec. 3. This article is effective for taxable years beginning after December 31, 1974."

Further amend the title accordingly.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 30 and nays 33, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	Merriam	Perpich, A. J.	Spear
Arnold	Gearty	Milton	Perpich, G.	Stokowski
Borden	Hansen, Baldy	Moe	Purfeerst	Stumpf
Chmielewski	Hughes	North	Schaaf	Tennessee
Coleman	Humphrey	Olhoff	Schmitz	Wegener
Conzemius	Kleinbaum	Olson, A. G.	Schrom	
Davies	McCutcheon	Olson, H. D.	Solon	

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

Mr. Brown moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 38, after line 27, insert:

"Sec. 2. Minnesota Statutes 1974, Section 290.06, Subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULE OF RATES FOR INDIVIDUALS, ESTATES AND TRUSTS.] (a) For taxable years beginning after December 31, 1971, the income taxes imposed by chapter 290 upon individuals, estates and trusts, other than those taxable as corporations, shall be computed by applying to their taxable net income in excess of the applicable credits allowed by section 290.21, the following schedule of rates:

- (1) On the first \$500, one ~~and six-tenths~~ percent;
- (2) On the second \$500, two ~~and two-tenths~~ percent;
- (3) On the ~~next \$1,000~~ *third \$500* , three ~~and five-tenths~~ percent;
- (4) On the ~~next \$1,000~~ *fourth \$500* , five ~~and eight-tenths~~ *four* percent;
- (5) On the next \$1,000, ~~seven and three-tenths~~ *five* percent;
- (6) On the next \$1,000, ~~eight and eight-tenths~~ *six* percent;
- (7) On the next ~~\$2,000~~ *\$1,000* , ~~ten and two-tenths~~ *seven* percent;
- (8) On the next ~~\$2,000~~ *\$1,000* , ~~eleven and five-tenths~~ *eight* percent;
- (9) On the next ~~\$3,500~~ *\$1,000* , ~~twelve and eight-tenths~~ *nine* percent;
- (10) On ~~all over \$12,500, and not over \$20,000~~ *the next \$1,000* , ~~fourteen~~ *ten* percent;

- (11) On the next \$1,000, eleven percent;
- (12) On the next \$1,000, twelve percent;
- (13) On the next \$2,500, thirteen percent;
- (14) On the next \$2,500, fourteen percent;
- ~~(11)~~ (15) On the remainder, fifteen percent.

(b) In lieu of a tax computed according to the rates set forth in clause (a) of this subdivision, the tax of any individual taxpayer whose adjusted gross income for the taxable year is less than \$10,000, at his election shall be computed in accordance with tables prepared and issued by the commissioner of revenue. Such tables shall be prepared upon the same basis as the tables contained in Minnesota Statutes 1961, Section 290.06, taking into account, however, the increase in rates provided by clause (a) of this section.

Sec. 2. Minnesota Statutes 1974, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1971, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, ~~\$21~~ \$25, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, \$42. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, ~~\$21~~ \$25 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional ~~\$21~~ \$25 ;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional ~~\$21~~ \$25 ;

(c) In the case of a married individual, living with husband or wife, an additional ~~\$21~~ \$25 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the in-

dividual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

*Sec. 3. Sections 1 and 2 are effective for taxable years commencing after December 31, 1974."*

Renumber the sections in the article in sequence

Amend the title as follows:

Page 1, line 17, after "individuals;" insert "changing the tax rates and credits for individuals;"

Page 1, line 40, after "Subdivisions" and before "3d" insert "2c, 3c,"

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 31 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Stassen moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Pages 28 to 30, strike Article V and renumber the succeeding articles accordingly

Amend the title as follows:

Page 1, line 6, strike everything after the semicolon

Strike line 7

Page 2, line 4, strike everything before "290.031"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Olson, J. L.	Sillers
Bang	Fitzsimons	Knutson	O'Neill	Stassen
Berg	Frederick	Larson	Patton	Ueland
Bernhagen	Hanson, R.	Milton	Pillsbury	Willet
Brataas	Josefson	Nelson	Renneke	
Brown	Keefe, J.	Ogdahl	Schrom	

Those who voted in the negative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Tennessee
Coleman	Hughes	Merriam	Purfeerst	Wegener
Conzemius	Humphrey	Moe	Schaaf	
Davies	Keefe, S.	North	Schmitz	
Doty	Kleinbaum	Olhoft	Solon	
Dunn	Kowalczyk	Olson, A. G.	Spear	

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

Mr. Berg moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 30, strike lines 1 and 2 and insert:

“Sec. 2. Minnesota Statutes 1974, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. In the case of property described in section 273.13, subdivisions 6, 7, 7B, 10, 12, 17, 17b, and 19, plus all agricultural property and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, the assessor after determining the value of any such property shall compare the value with that determined in the preceding assessment. If the increase exceeds five ten percent of the preceding valuation, the amount of the increase entered in the current assessment shall not exceed five ten percent; the excess ~~(not exceeding five percent of the latest assessors market valuation)~~ may be entered in the following years assessment, notwithstanding the provisions of section 273.17, according to the following schedule: (a) twenty percent in the next assessment year (b) forty percent in the next assessment year (c) the remainder in the next assessment year.

Sec. 3. Minnesota Statutes 1974, Section 273.11, Subdivision 3, is amended to read:

Subd. 3. ~~In the event that, for the assessment year 1973, the assessor has increased the value of such property by an amount in excess of the five percent limitation provided for in subdivision 2, he shall mail revised statement notices advising the property owner of the reduction required by this section. The revised notice shall state that the reduction is made pursuant to a statute enacted by the 1973 legislature.~~

*The provisions of subdivision 2 shall apply only to excess assessments which pursuant to Minnesota Statutes 1974, 273.11 were not included in the assessors market valuation prior to the 1976 assessment year.*

Sec. 4. Minnesota Statutes 1974, Section 273.11, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in subdivisions 1 to 3 shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, the state board of equalization and the commissioner of taxation as provided in sections 270.11, 270.12 and 270.16, and any increase effected by these boards, the cumulative effect of which may increase property above the five percent permissible increase shall be invalid.”

Amend the title as follows:

Page 1, line 6, strike “eliminating” and insert “changing”

Page 1, line 37, strike “Subdivision 1” and insert “Subdivisions 1, 2, 3, and 5”

Page 2, line 4, strike everything before “290.031”

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 26 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Knutson moved to amend H. F. No. 1674, the Unofficial En-grossment, as follows:

Page 30, after line 1, insert a new section 2 to read:

"Sec. 2. Minnesota Statutes 1974, Section 273.11, is amended by adding a subdivision to read:

*Subd. 2a. The five percent limitation imposed by subdivision 2, as amended by Laws 1974, Chapter 556, Section 14, shall also apply to assessments for 1973. If application of this subdivision reduces a taxpayer's property tax bill for any year in which he has already paid the tax, he shall be entitled to a refund of the overpayment. A refund application shall be submitted to the taxpayer's county treasurer. The property tax levy limitation computed pursuant to chapter 275 shall not be reduced by application of this subdivision."*

Renumber the remaining subdivisions accordingly.

Further amend the title as follows:

Page 1, line 37, after "subdivision 1" insert "and by adding a sub-division"

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 29 and nays 37, as fol-lows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Knutson then moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 37, after line 13, insert a new subdivision 4 to read:

*Subd. 4. If the population of any city or town has increased or increases from one year to the next, the levy limit base per capita may be increased by an additional amount not to exceed three percent for each one percent increase in population. The provisions of this subdivision are retroactive to population increases occurring on or after January 1, 1971. Cumulative increases may be added to the levy limit base per capita calculated for levy year 1975 taxes payable 1976.*

Renumber the remaining subdivisions accordingly

Further amend the title accordingly

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Larson moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 48, after line 29, insert:

#### “ARTICLE XVII

Section 1. *Subdivision 1. The following words and phrases when used in this article, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.*

*Subd. 2. “Railroad company” means any company which as a common carrier operates a railroad or a line or lines of railway situated within or partly within Minnesota.*

*Subd. 3. “Operating property” means and includes franchises, rights of way, bridges, trestles, shops, docks, wharves, buildings and structures used by a railroad company in the performance of transportation services.*

*Subd. 4. “Nonoperating property” means and includes all property other than property defined in subdivision 3. Nonoperating property shall include real property which is leased or rented or available for lease or rent to a nonrailroad company. Vacant land shall be presumed to be available for lease or rent if it has not been used as operating property for a period of one year preceding the assessment date. The provisions of this subdivision shall be strictly construed in favor of the taxing authority.*

*Subd. 5. “Commissioner” means the commissioner of revenue.*

*Sec. 2. Subdivision 1. The operating property of every railroad company doing business in Minnesota shall be assessed by the commissioner in the manner prescribed herein.*

*Subd. 2. The nonoperating property of every railroad company doing business in Minnesota shall be assessed as otherwise provided by law.*

*Subd. 3. The commissioner shall have exclusive primary jurisdiction to determine what is operating property and what is nonoperating property.*

*Subd. 4. Every railroad company doing business in Minnesota shall annually file with the commissioner on or before April 30 a report under oath setting forth the information prescribed by the commissioner to enable him to make the assessment herein provided.*

*Sec. 3. Subdivision 1. The commissioner shall annually make an assessment of the operating property of every railroad company doing business in this state, and between April 30 and July 31 shall prepare an assessment roll on which he shall enter and assess the market value of the operating property of each railroad company as of January 2 of the year in which the assessment is made. In the case of a railroad company which owns or operates lines or roads lying partly within and partly without this state, the commissioner shall only value and assess the operating property within this state. In determining the*

market value of the portion within this state, the commissioner shall use established taxing procedures so that this state shall receive its fair, equitable and reasonable proportion of the railroad company's operating property values.

*Subd. 2.* After the commissioner has prepared the assessment roll and entered thereon the market value of the operating property of each railroad company, he shall give notice by certified mail to the railroad company of such assessed valuation.

*Subd. 3.* A railroad company may within 15 days of receipt of the notice of assessed valuation file a written request for a hearing before the commissioner relating to the value of its operating property. The commissioner shall thereupon designate a time and place for the hearing which he shall conduct, the same to be on the commissioner's entire files and records and such further evidence as may be offered to provide for the fair and equitable taxation of railroad operating property in this state. Said hearing shall be held no later than 30 days after mailing of the commissioner's assessment notice.

*Subd. 4.* Upon determination of the market value of the operating property of each railroad company as above provided, the commissioner shall determine the amount of ad valorem property taxes payable thereon, assessing said market value at the same ratio as the ratio of assessed to actual value of commercial and industrial property in the state and applying to said assessed value the state-wide average mill rate of ad valorem taxes levied in all counties for all purposes. No railroad company shall be entitled to relief from the commissioner's determination unless the assessment ratio applied pursuant to this subdivision exceeds by at least five percent the ratio percentage applied to all other commercial and industrial property within the state.

*Subd. 5.* The ad valorem property taxes hereinbefore levied and assessed shall be paid by each railroad company to the commissioner in equal installments on or before May 31 and October 31.

*Subd. 6.* Notwithstanding any other provision of law, no administrative proceeding held in Minnesota shall allow the payment of ad valorem property taxes levied pursuant to this act to be used as evidence to establish possible savings out of pocket expense or part of the savings to a railroad company so that such payment shall be a reason to authorize abandonment of service upon railroad branch lines, and all such proceedings shall only be determined upon the basis of public need and public convenience and necessity. Further, in order to review the effect of this act upon railroad transportation in Minnesota, it is the policy of the state of Minnesota to request the interstate commerce commission to impose a two year moratorium on abandonment of branch lines from the effective date of this act.

*Sec. 4. Subdivision 1.* A special account is created in the general fund to be known as the railroad property revenue account. The taxes, interest and penalties accruing thereon shall be deposited in the account.

*Subd. 2.* Revenues in the railroad property revenue account shall be

*distributed by the commissioner pursuant to the provisions of section 477A.01 as additional local government aid.*

*Subd. 3. The distributions in this section provided shall be made in two equal installments on or before July 1 and December 31 each year, commencing in 1976, or as shall be determined as hereinafter provided.*

*Sec. 5. In 1975 only, the railroad company shall file the report prescribed by section 2, subdivision 4, on or before August 31, 1975. The commissioner shall make the assessment prescribed by section 3 on or before November 30, 1975, and the same shall constitute the ad valorem property taxes for the year 1975 due and payable in 1976.*

*Sec. 26. A commission is hereby created to study and consider a fair and equitable basis for future distribution of railroad ad valorem taxes. The commission shall consist of three members of the house of representatives appointed by the speaker, three members of the senate appointed by the president and three interested citizens, including the chairman, appointed by the governor. The commissioner shall be an ex officio member of the commission. The commission shall report its findings and recommendations to the legislature not later than January 15, 1977. There is appropriated from the general fund the sum of \$25,000, or as much thereof as may be necessary, to pay the expenses incurred by the commission. Expenses of the commission shall be approved by the chairman or another member as the rules of the commission provide and paid in the same manner that other expenses are paid.*

*Sec. 7. Subdivision 1. The provisions of other laws to the contrary notwithstanding, railroad companies, effective January 1, 1975, shall be subject to the annual excise tax measured by corporations' taxable net income as provided in Minnesota Statutes, Chapter 290.*

*Subd. 2. The railroad companies subject to this act shall continue to be exempt from payment of the sales and use tax to the extent provided in section 297A.25, subdivision 1, clause (1).*

*Subd. 3. This act shall not relieve the railroad companies subject to this act from liability for the payment of taxes on gross earnings for the period January 1 through June 30, 1975, as provided in section 295.02, the provisions of section 8 hereof notwithstanding.*

*Sec. 8. Minnesota Statutes 1974, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14 are repealed.*

*Sec. 9. This act shall be in effect for all years beginning after December 31, 1974."*

**Amend the title accordingly.**

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

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

And the roll being called, there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Frederick moved to amend H. F. No. 1674, the Unofficial Engrossment, by adding Article XVII as follows:

#### “ARTICLE XVII

Section 1. Minnesota Statutes 290.09 is amended by adding a subdivision to read:

*Subd. 30. [POST SECONDARY SCHOOL EXPENSE.] Fifty percent of the amount paid to others for tuition and textbooks (as defined in section 290.09, subdivision 22) of each dependent attending an accredited post secondary school; provided that the deduction for each dependent shall not exceed \$1,000 per year or a cumulative total of \$4,000. For the purposes of this subdivision any grant or scholarship received by a dependent shall be deemed to be for tuition and textbooks.”*

Further amend the title accordingly.

And the roll being called, there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Hansen, Mel moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 15, line 14, after "assistance" insert "*or medical costs paid for indigents*"

Page 15, line 14, after "county" insert "*or municipality*"

Page 15, line 16, after "county" insert "*or municipality*"

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

Mr. Ashbach moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 48, after line 29, add a new Article XVII to read:

#### *"Article XVII*

Section 1. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 13. [INVESTMENT CREDIT.] Effective for taxable years beginning after December 31, 1974, there shall be allowed a credit against the Minnesota tax an amount that is equal to fifty percent of the amount of the credit not to exceed \$100,000 that is allowed under Section 38 and Section 46 of the Internal Revenue Code of 1954, as amended through December 31, 1974, and as amended by Public Law 94-12, in the year the federal credit arises.*

*If any portion of the credit exceeds the taxpayer's Minnesota income tax liability for that year the excess credit shall be carried back in chronological order to the three taxable years immediately preceding and shall be carried forward in chronological order to the five subsequent years and applied against the liability of those years.*

*However, such credit shall be allowed only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter. The credits provided by section 290.06, subdivision 9 or subdivision 9a, shall not be applicable to property eligible for credit under this subdivision.*

*In the case of property disposed of on or after January 1, 1975, which results in an increase in the taxpayer's federal tax liability under Section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1974, and as amended by Public Law 94-12, in the year such increase occurs, there shall be added to the taxpayer's Minnesota tax liability an amount equal to fifty percent of such increase not exceeding the amount of the credit which was previously allowed to reduce the taxpayer's Minnesota income tax liability.*

*Sec. 2. The provisions of section 290.01, subdivision 20(a) (9), section 290.01, subdivision 20(b) (9) and section 290.09, subdivision 24 shall not be applicable to property which is acquired on or after*

*January 1, 1975, to the extent that the credit is allowed under this section."*

Further amend the title accordingly

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. O'Neil moved to amend H. F. No. 1674, the Unofficial En-grossment, as follows:

Pages 20 to 23, strike Article III in its entirety

Renumber the articles

Further, amend the title as follows:

Page 1, line 33, strike "272.02, Subdivision 1;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Nelson moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 48, following line 29, insert:

*“Article XVII*

Section 1. Minnesota Statutes 1974, Section 43.328, Subdivision 1, is amended to read:

43.328 [MILEAGE ALLOWANCES.] Subdivision 1. Except as provided in subdivision 3, the maximum amount which shall be paid by the state, any department or bureau thereof, or any county, city, town, or school district, to any officer or employee as compensation or reimbursement for the use by such officer of his own automobile in the performance of his duties shall not exceed 15 cents a mile, *except as hereafter provided. Notwithstanding the foregoing limitation, mileage allowances shall be adjusted from time to time to reflect changes in the price of gasoline in the manner prescribed by Minnesota Statutes, Section 290.09, Subdivision 2.*

Sec. 2. Minnesota Statutes 1974, Section 290.09, Subdivision 2, is amended to read:

Subd. 2. [TRADE OR BUSINESS EXPENSES; EXPENSES FOR PRODUCTION OF INCOME.] (a) In General. There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; ~~and the mileage portion of which shall be adjusted to compensate for fluctuation in gasoline prices as follows: The commissioner shall establish a “base rate” gasoline price, which shall represent the average retail selling or pump price for regular gasoline statewide as of June 30, 1975. A “new rate” shall be calculated in the same manner at the end of each calendar quarter thereafter. Effective upon computation of each “new rate”, the per mile deduction for mileage traveled in carrying on the trade or business of the taxpayer shall be increased or decreased by one cent for each full ten cents increase or decrease in the price of gasoline above or below the “base rate”; and~~

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity. For purposes of the preceding sentence, the place of residence of a member of congress within the state shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of \$3,000.

(b) Expenses for Production of Income. In the case of an individ-

ual, there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year.

(1) For the production or collection of income;

(2) For the management, conservation, or maintenance of property held for the production of income; or

(3) In connection with the determination, collection, or refund of any tax.

(c) Campaign expenditures in an amount not to exceed the limits set out in Minnesota Statutes, Section 211.06, not subsequently reimbursed, which have been personally paid by a candidate for public office if the candidate has complied with the expenditure limitations set out in Minnesota Statutes, Section 211.06:

(No deduction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section):

(d) All expense money paid by the legislature to legislators.

Sec. 3. Minnesota Statutes 1974, Section 357.09, Subdivision 2, is amended to read:

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held and, except as otherwise specially fixed, shall be at the rate of 15 cents per mile *except as hereafter provided*. When two or more witnesses subpoenaed in the same action live in the same general direction, mileage shall be charged only for the subpoenaing the most remote. When court is usually held at one or more places, other than the county seat of a county, such mileage shall be computed from the place from which the sheriff or deputy sheriff travels in performing any service. *Notwithstanding the forgoing limitation, mileage allowances shall be adjusted from time to time to reflect changes in the price of gasoline in the manner prescribed by Minnesota Statutes, Section 290.09, Subdivision 2.*

Sec. 4. *This Article is effective June 30, 1975.*

Further, amend the title on page 1 in line 35 after the semicolon by inserting "income tax mileage deduction and reimbursement;" in line 37 after "Sections" by inserting "43.328, Subdivision 1;" and on page 2 in line 5 after "276.04;" by inserting "290.09, Subdivision 2;" and in line 8 after "1 and 2;" by inserting "357.09, Subdivision 2;"

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Frederick moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 48, after line 29, add a new Article XVII to read:

### “ARTICLE XVII

Section 1. Minnesota Statutes 1974, Section 297A.14, is amended to read:

297A.14 [USING, STORING OR CONSUMING TANGIBLE PERSONAL PROPERTY; ADMISSIONS; UTILITIES.] For the privilege of using, storing or consuming in Minnesota tangible personal property, tickets or admissions to places of amusement and athletic events, electricity, gas, and local exchange telephone service purchased for use, storage or consumption in this state, there is hereby imposed on every person in this state a use tax at the rate of four percent of the sales price of sales at retail of any of the aforementioned items made to such person after October 31, 1971, unless the tax imposed by section 297A.02 was paid on said sales price.

Motor vehicles subject to tax under this section shall be taxed at the fair market value at the time of transport into Minnesota if such motor vehicles were acquired more than three months prior to its transport into this state.

~~Notwithstanding any other provisions of sections 207A.01 to 207A.44 to the contrary, the cost of paper and ink products exceeding \$100,000 in any calendar year, used or consumed in producing a publication as defined in section 207A.25, subdivision 1, clause (i) is subject to the tax imposed by this section.~~

Sec. 2. Minnesota Statutes 1974, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use of other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (Storage shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property ~~(except as provided in section 297A.14)~~ which is used or consumed in ~~producing or becomes an ingredient or component part~~ of any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, ac-

cessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of air flight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, and corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of cigarettes.

(s) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United

States in accordance with 38 United States Code, Section 1901, as amended.

(t) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(u) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(v) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(w) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota."

Further, amend the title accordingly.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 24 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Dunn	McCutcheon	Perpich, A. J.	Spear
Arnold	Gearty	Merriam	Perpich, G.	Stokowski
Borden	Hansen, Baldy	Moe	Purfeerst	Stumpf
Coleman	Hughes	North	Schaaf	Tennessee
Conzemius	Humphrey	Ogdahl	Schmitz	Wegener
Davies	Keefe, S.	Olhoft	Schrom	Willet
Doty	Kleinbaum	Olson, H. D.	Solon	

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

Mr. Frederick then moved to amend H. F. No. 1674, the Unofficial Engrossment, as follows:

Page 38, line 16, strike "not"

Page 38, line 17, after "compensation" and before the comma insert *"to the extent that such unemployment compensation benefits are attributable to employers contributions from the fund established by Minnesota Statutes, Section 268.06"*

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H. F. No. 1674 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 23, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Olhoft	Purfeerst
Arnold	Doty	Larson	Olson, A. G.	Schmitz
Blatz	Frederick	Laufenburger	Olson, H. D.	Solon
Borden	Gearty	Lewis	Olson, J. L.	Stokowski
Brataas	Hansen, Mel	McCutcheon	O'Neill	Stumpf
Chenoweth	Hughes	Merriam	Perpich, A. J.	Tennessee
Coleman	Humphrey	Moe	Perpich, G.	Wegener
Conzemius	Keefe, S.	Ogdahl	Pillsbury	Willet

Those who voted in the negative were:

Bang	Fitzsimons	Keefe, J.	Nelson	Sillers
Berg	Hansen, Baldy	Kirchner	North	Stassen
Bernhagen	Hanson, R.	Knutson	Patton	Ueland
Brown	Jensen	Kowalczyk	Renneke	
Dunn	Josefson	Milton	Schrom	

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

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

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 923, 1114 and 1169.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 8, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 78, 1292, 343 and 1074.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 574, 719, 744, 1277, 1107, 619, 629, 1020, 216 and 654.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 7, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1741:

H. F. No. 1741: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

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

Eckstein, Swanson, Erickson, Kahn and Arlandson have been appointed as such committee on the part of the House.

House File No. 1741 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. Arnold moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1741, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1743:

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

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

Samuelson, McCarron, Forsythe, Hanson and Corbid have been appointed as such committee on the part of the House.

House File No. 1743 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. Arnold moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1743, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

#### **FIRST READING OF HOUSE BILLS**

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

H. F. No. 78: A bill for an act relating to the operation of state government; requiring departments, agencies and institutions of the state to procure products and services from sheltered workshops and work activity programs.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Finance.

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

Referred to the Committee on Finance.

H. F. No. 1074: A bill for an act relating to public welfare; medical assistance for the needy; establishing a department lien on certain causes of action accruing to the needy; authorizing the assignment of insurance proceeds and the subrogation to the department of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; and 256B, by adding sections; Sections 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2.

Referred to the Committee on Finance.

H. F. No. 574: A bill for an act relating to pollution control; amending Minnesota Statutes 1974, Sections 115.03, Subdivision 2; 115.05, by adding a subdivision; 115.071, Subdivision 2; 116.07, by adding a subdivision; 116.16, by adding a subdivision; 648.39, Subdivision 1; repealing Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 719: A bill for an act relating to real estate; providing

for the extent of a lien; amending Minnesota Statutes 1974, Section 514.03, Subdivision 3.

Referred to the Committee on Rules and Administration.

H. F. No. 744: A bill for an act relating to public utilities; prohibiting certain discounts and rate reductions based on volume; providing for refund of overcharges if certain rates become effective before approval by the public service commission; removing construction in progress from rate bases; prohibiting approval of rates which make allowances for certain advertising expenses; delaying implementation of certain rate schedules; amending Minnesota Statutes 1974, Section 216B.07; 216B.16, Subdivision 2, 3 and 6, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 1277: A bill for an act relating to the legislature; prescribing powers and duties of the joint coordinating committee; amending Minnesota Statutes 1974, Chapter 3, by adding a section; Section 3.304, Subdivisions 1, 2, 3 and 5; and Chapter 482, by adding sections; repealing Minnesota Statutes 1974, Section 3.304, Subdivisions 4, 6 and 7.

Referred to the Committee on Rules and Administration.

H. F. No. 1107: A bill for an act relating to railroads; requiring certain railroad locomotives to have certain equipment; requiring certain records to be kept thereof; and prescribing certain duties of the department of public service in relation thereto.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Rules and Administration.

H. F. No. 629: A bill for an act relating to commerce; industrial loan and thrift companies; extending the period of maturity and increasing the size of loans in ratio to committed reserves; amending Minnesota Statutes 1974, Sections 53.04; and 53.05.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Rules and Administration.

H. F. No. 216: A bill for an act relating to estates; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; revising aspects of the

law relating to wills, intestacy, administration and distribution of estates; ordering the powers and proceedings of the court and certain officials concerned with the administration of estates of decedents and others; amending Minnesota Statutes 1974, Sections 287.22; 291.07, Subdivision 2; 502.71; 508.68; 508.69; 524.1-102; 524.1-107; 524.1-108; 524.1-201; 524.1-301; 524.1-302; 524.1-303; 524.1-307; 524.1-401; 524.1-403; 524.3-101; 524.3-102; 524.3-104; 524.3-105; 524.3-108; 524.3-109; 524.3-203; 524.3-204; 524.3-301; 524.3-303; 524.3-305; 524.3-306; 524.3-310; 524.3-311; 524.3-401; 524.3-402; 524.3-403; 524.3-406; 524.3-409; 524.3-412; 524.3-413; 524.3-502; 524.3-601; 524.3-602; 524.3-603; 524.3-604; 524.3-605; 524.3-606; 524.3-609; 524.3-703; 524.3-706; 524.3-711; 524.3-715; 524.3-717; 524.3-720; 524.3-901; 524.3-906; 524.3-910; 524.3-913; 524.3-914; 524.3-915; 524.3-1001; 524.3-1008; 524.3-1101; 524.3-1203; 524.03-1204; 524.4-201; 524.4-202; 524.4-203; 524.4-204; 524.4-205; 524.4-206; 524.4-301; 524.4-303; 524.8-101; 525.02; 525.03; 525.07; 525.08; 525.091, Subdivisions 1, 2, and 4; 525.112; 525.12; 525.122; 525.15; 525.161; 525.202; 525.212; 525.215; 525.223, Subdivisions 1 and 2; 525.253, Subdivision 1; 525.393; 525.48; 525.484; 525.491; 525.51; 525.515; 525.532, Subdivisions 4 and 5; 525.551; 525.591; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.71; 525.83; 525.84; 525.841; 541.16; 576.142, Subdivision 5; 576.16; amending Chapter 507 by adding a section and Chapters 524 and 525, by adding sections; repealing Minnesota Statutes 1974, Sections 524.1-105; 524.1-304; 524.1-305; 524.3-304; 524.3-705; 525.18; 525.181; 525.182; 525.183; 525.184; 525.19; 525.191; 525.203; 525.211; 525.26; 525.261; 525.262; 525.27; 525.271; 525.272; 525.33; 525.39; 525.41; 525.411; 525.412; 525.413; 525.42; 525.421; 525.43; 525.431; 525.44; 525.441; 525.442; 525.45; 525.46; 525.475; 525.521; 525.522; 525.523; 525.524; 525.525; 525.526; 525.527; 525.53; 525.531; 525.701; 525.86; and 525.87.

Referred to the Committee on Rules and Administration.

H. F. No. 654: A bill for an act relating to crimes; specifying the acts constituting sexual offenses; admissibility of evidence in sex offense prosecutions; providing penalties; amending Minnesota Statutes 1974, Section 609.185; Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.295; and 609.296.

Referred to the Committee on Rules and Administration.

### RECESS

Mr. Coleman moved that the Senate do now recess until 3:10 o'clock p.m. The motion prevailed.

The hour of 3:10 o'clock p.m. having arrived, the President called the Senate to order.

**CALL OF THE SENATE**

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

Anderson	Conzemius	Humphrey	Olhoft	Schmitz
Arnold	Davies	Josefson	Olson, A. G.	Schrom
Berg	Doty	Keefe, S.	Olson, H. D.	Solon
Blatz	Fitzsimons	Kirchner	Olson, J. L.	Spear
Borden	Frederick	Kleinbaum	Patton	Stokowski
Brataas	Gearty	Kowalczyk	Perpich, A. J.	Stumpf
Brown	Hansen, Baldy	Lewis	Perpich, G.	Tennessee
Chenoweth	Hansen, Mel	McCutcheon	Pillsbury	Ueland
Chmielewski	Hanson, R.	Merriam	Renneke	Wegener
Coleman	Hughes	Moe	Schaaf	Willet

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

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1758, No. 180 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

**CALL OF THE SENATE**

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

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

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

Mr. Kowalczyk moved to amend the amendment placed on H. F. No. 1758 by the Committee on Finance, adopted by the Senate May 6, 1975, as follows:

Section 3, Subdivision 1, strike "\$52,034,856" and "\$53,099,194" and insert "\$53,522,856" and "\$55,817,194"

Section 3, Subdivision 1, after the last paragraph insert "Resident tuition rates will remain at the present level for the biennium ending June 30, 1977."

Section 4, Subdivision 1, strike "\$115,769,904" and "\$119,091,870" and insert "\$116,743,904" and "\$122,973,870"

Section 4, Subdivision 1, after the last paragraph insert "Resident tuition rates will remain at the present levels for the biennium ending June 30, 1977."

Section 9, Subdivision 2, strike "\$5,000,000" and "\$6,000,000" and insert "\$4,885,000" and "\$5,467,000"

Section 9, Subdivision 3, strike "\$8,500,000" and "\$10,500,000" and insert "\$5,304,000" and "\$5,900,000"

Section 9, strike Subdivision 4 and renumber the subdivisions in sequence

Section 10, Subdivision 1, strike "\$22,839,747" and "\$23,258,459" and insert "\$23,520,447" and "\$24,489,459"

Section 10, Subdivision 1, after the last paragraph insert "Resident tuition rates will remain at the present levels for the biennium ending June 30, 1977."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 30 and nays 32, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Kirchner	North	Schmitz
Berg	Dunn	Knutson	Ogdahl	Sillers
Bernhagen	Frederick	Kowalczyk	O'Neill	Solon
Blatz	Hanson, R.	Larson	Patton	Spear
Brataas	Jensen	Milton	Renneke	Stassen
Brown	Keefe, J.	Nelson	Schaaf	Ueland

Those who voted in the negative were:

Anderson	Fitzsimons	Keefe, S.	Olson, A. G.	Stumpf
Arnold	Gearty	Kleinbaum	Olson, J. L.	Tennessen
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Wegener
Chenoweth	Hansen, Mel	McCutcheon	Perpich, G.	Willet
Conzemius	Hughes	Merriam	Pillsbury	
Davies	Humphrey	Moe	Schrom	
Doty	Josefson	Olhoft	Stokowski	

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

Mr. Ueland moved to amend the amendment placed on H. F. No. 1758 by the Committee on Finance, adopted by the Senate on May 6, 1975, as follows:

After Section 3, insert a new section to read:

"Sec. 4. Subdivision 1. The State College Board shall designate the state colleges as defined in Minnesota Statutes, Section 136.01, as state universities.

Subd. 2. The designation of a state college as a state university

as provided in subdivision 1 shall in no manner affect the management or control of the state college board of the college and obligations or bonds heretofore issued by the state college board which may apply to the college.

Subd. 3. When the state college board has designated the state colleges as state universities as provided in subdivision 1, the name of the state college board shall be changed to the state university board.

Subd. 4. The state college board shall obtain the concurrence of each institution in designating the name of that institution and may use only the community or regional name, in conjunction with the phrase "state university", in the name of each institution.

Subd. 5. The state college board when it designates the state colleges as state universities as provided in subd. 1 shall give written notice to the revisor of statutes to that effect and the revisor of statutes in preparing the next and subsequent editions of Minnesota Statutes shall change the name of the "state college board" where it appears in Minnesota Statutes, Chapter 136, or any other law to "state university board", and change the name of the individual colleges to the name designated pursuant to subdivision 4."

Renumber the sections accordingly.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 34 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Laufenburger	Schaaf
Bang	Fitzsimons	Keefe, J.	Merriam	Sillers
Berg	Frederick	Kirchner	Milton	Solon
Bernhagen	Hansen, Mel	Kleinbaum	Ogdahl	Stassen
Blatz	Hanson, R.	Knutson	O'Neill	Ueland
Brataas	Humphrey	Kowalczyk	Patton	Willet
Brown	Jensen	Larson	Pillsbury	

Those who voted in the negative were:

Arnold	Davies	Moe	Olson, J. L.	Stokowski
Borden	Gearty	Nelson	Perpich, A. J.	Stumpf
Chenoweth	Hansen, Baldy	North	Perpich, G.	Tennessee
Chmielewski	Hughes	Olhoff	Schmitz	Wegener
Chzemius	Keefe, S.	Olson, A. G.	Spear	

The motion prevailed. So the amendment was adopted.

H. F. No. 1758 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1759, No. 181 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 308.905; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

### CALL OF THE SENATE

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

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

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

Mr. Kleinbaum moved to amend H. F. No. 1759, as amended by the Committee on Finance and adopted by the Senate May 6, 1975, as follows:

Sec. 31, Subd. 2, strike the last paragraph of the subdivision beginning with "The commissioner is directed"

The question being taken on the adoption of the amendment.

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

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	O'Neill	Sillers
Bang	Frederick	Kowalczyk	Patton	Solon
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Brataas	Hanson, R.	McCutcheon	Pillsbury	
Brown	Keefe, J.	Olson, H. D.	Renneke	
Chmielewski	Kleinbaum	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Davies	Kirchner	Ogdahl	Stokowski
Arnold	Doty	Lewis	Olhoff	Stumpf
Blatz	Fitzsimons	Merriam	Olson, A. G.	Tennessee
Borden	Gearty	Milton	Purfeerst	Wegener
Chenoweth	Jensen	Moe	Schaaf	Willet
Coleman	Josefson	Nelson	Schmitz	
Conzemius	Keefe, S.	North	Spear	

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

Mr. Brown moved to amend H. F. No. 1759, as amended by the Committee on Finance and adopted by the Senate May 6, 1975, as follows:

Sec. 18, before Subd. 2, insert the following paragraph:

"None of the appropriations in this section shall be used for the monitoring of the state legislature or any of its committees without the consent of the committee on rules and administration of the Senate as to the Senate and Senate committees, and the committee on rules and legislative administration of the House of Representatives as to the House and House committees."

Mr. Davies moved to amend the Brown amendment to H. F. No. 1759, as amended by the Committee on Finance, as follows:

The second line of the Brown amendment, after "monitoring" insert "or examining of waste basket notes"

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

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

And the roll being called, there were yeas 43 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson, R.	Laufenburger	Patton
Arnold	Conzemius	Jensen	Lewis	Perpich, A. J.
Ashbach	Doty	Josefson	McCutcheon	Pillsbury
Bang	Dunn	Keefe, J.	Merriam	Renneke
Berg	Fitzsimons	Kirchner	Milton	Stassen
Bernhagen	Frederick	Kleinbaum	Nelson	Tennessee
Blatz	Gearty	Knutson	North	Ueland
Brataas	Hansen, Baldy	Kowalczyk	Olson, J. L.	
Brown	Hansen, Mel	Larson	O'Neill	

Those who voted in the negative were:

Borden	Keefe, S.	Olson, H. D.	Schrom	Stumpf
Chenoweth	Moe	Perpich, G.	Sillers	Wegener
Chmielewski	Ogdahl	Purfeerst	Solon	Willet
Davies	Olhoft	Schaaf	Spear	
Humphrey	Olson, A. G.	Schmitz	Stokowski	

The motion prevailed. So the amendment was adopted.

Mr. Brown then moved to amend H. F. No. 1759, as amended by the Committee on Finance and adopted by the Senate May 6, 1975, as follows:

After section 64, insert:

"Sec. 65. Minnesota Statutes 1974, Section 10A.07, is amended by adding a subdivision to read:

*Subd. 3. A person who has been an officer or employee of the executive branch of this state or an independent agency of this state, after his employment has ceased, shall not knowingly act as agent or attorney for anyone other than this state in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the state is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed. A person so employed, within one year after his employment has ceased, shall not appear personally before any court or department or agency of the state as agent, or attorney for anyone other than the state in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the state is a party or directly and substantially interested, and which was under his official responsibility as an officer or employee of the state at any time within a period of one year prior to the termination of such responsibility. This subdivision does not prohibit a former officer or employee, including a former special state employee, with outstanding scientific or technological qualifications from acting as attorney or agent or appearing personally in connection with a particular matter in a scientific or technological field if the head of the department or*

agency concerned with the matter shall make a certification in writing, published in the state register, that the state interest would be served by such action or appearance by the former officer or employee. A person who violates the provisions of this subdivision is guilty of a felony and shall be fined not more than \$10,000 or imprisoned for not more than two years or both.

Sec. 66. Minnesota Statutes 1974, Section 10A.07, is amended by adding a subdivision to read:

*Subd. 4. A person who is a partner of an officer or employee of the executive branch of the state, or any independent agency of the state, shall not act as agent or attorney for anyone other than the state, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the state is a party or has a direct and substantial interest and in which such officer or employee of the state participates or has participated personally and substantially as a state employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or which is the subject of his official responsibility. A person who violates the provisions of this subdivision is guilty of a gross misdemeanor and shall be fined not more than \$5,000, or imprisoned for not more than one year, or both."*

Renumber the remaining sections

Amend the title amendment as follows:

Tenth line of the title amendment, after "Subdivision 2," insert "10A.07, by adding subdivisions;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Kirchner	Patton
Bang	Dunn	Hanson, R.	Larson	Pillsbury
Berg	Fitzsimons	Jensen	Milton	Renneke
Bernhagen	Frederick	Josefson	Nelson	Schaaf
Blatz	Gearty	Keefe, J.	North	Spear
Brataas	Hansen, Baldy	Keefe, S.	Olson, J. L.	Ueland

Those who voted in the negative were:

Anderson	Doty	Lewis	O'Neill	Solon
Arnold	Hughes	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Perpich, G.	Stumpf
Chmielewski	Kleinbaum	Ogdahl	Purfeerst	Tennessee
Coleman	Knutson	Olhoff	Schmitz	Wegener
Conzernius	Kowalczyk	Olson, A. G.	Schrom	Willet
Davies	Laufenburger	Olson, H. D.	Sillers	

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

Mr. Nelson moved to amend H. F. No. 1759, as amended by the Committee on Finance and adopted by the Senate May 6, 1975, as follows:

Sec. 11, Subdivision 1, strike "697,047" and "755,618" and insert "539,500" and "542,500"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 17 and nays 42, as follows:

Those who voted in the affirmative were:

Bang	Brataas	Hansen, Mel	Keefe, J.	Ueland
Berg	Brown	Hanson, R.	Knutson	
Bernhagen	Dunn	Jensen	Larson	
Blatz	Frederick	Josefson	Nelson	

Those who voted in the negative were:

Anderson	Fitzsimons	Lewis	O'Neill	Stassen
Arnold	Gearty	Merriam	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Milton	Perpich, G.	Stumpf
Chenoweth	Hughes	Moe	Pillsbury	Tennessee
Chmielewski	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Ogdahl	Schaaf	Willet
Conzemius	Kleinbaum	Olhoff	Schmitz	
Davies	Kowalczyk	Olson, A. G.	Solon	
Doty	Laufenburger	Olson, H. D.	Spear	

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

H. F. No. 1759 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 60 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Brown	Jensen	Knutson	Stassen
Bernhagen				

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman 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 that the House refuses to concur in the Senate amendments to House File No. 1674:

**H. F. No. 1674:** A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

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

Kelly, W.; Sabo; Anderson, I.; Johnson, D. and Vanasek have been appointed as such committee on the part of the House.

House File No. 1674 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 8, 1975

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1674, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that H. F. No. 1009 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Rules and Administration. The motion prevailed.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 476, pursuant to the request of the Senate:

Messrs. Stokowski, Keefe, J. and Keefe, S.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1741, pursuant to the request of the House:

Messrs. Purfeerst, Willet, Merriam, Kirchner and Ogdahl.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Friday, May 9, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

## FORTY-NINTH DAY

St. Paul, Minnesota, Friday, May 9, 1975

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Myron E. Nysether.

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

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

Messrs. Schaaf and Stokowski were excused from the Session of today. Messrs. Frederick; Jensen; Knutson; Perpich, A. J. and Perpich, G. were excused from this morning's Session. Mr. Patton was excused from the Session of today from 1:30 o'clock p.m. until 4:30 o'clock p.m. Mr. Solon was excused from the Session of today at 4:00 o'clock p.m.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received

from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
38		91	May 7	May 7
146		92	May 7	May 7
157		93	May 7	May 7
182		94	May 7	May 7
236		95	May 7	May 7
565		96	May 7	May 7
1302		97	May 7	May 7
	259	98	May 7	May 7

Sincerely,

Joan Anderson Growe  
Secretary of State

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Moe introduced—

S. F. No. 1737: A bill for an act relating to retirement; survivor benefits to certain surviving spouses of deceased members of the public employees retirement association.

Referred to the Committee on Governmental Operations.

#### MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

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

Patton, Faricy and Moe.

Senate File No. 476 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1975

Mr. President:

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

S. F. No. 1183: A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

Senate File No. 1183 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 8, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Bernhagen moved that the Senate concur in the amendments by the House to S.F. No. 1183 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1183 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hanson, R.	North	Renneke
Arnold	Coleman	Hughes	Ogdahl	Schmitz
Ashbach	Conzemius	Humphrey	Olhoft	Schrom
Berg	Davies	Kirchner	Olson, A. G.	Solon
Bernhagen	Doty	Kleinbaum	Olson, H. D.	Spear
Blatz	Fitzsimons	Larson	Olson, J. L.	Stumpf
Borden	Gearty	Lewis	O'Neill	Ueland
Brataas	Hansen, Baldy	Milton	Patton	Wegener
Chenoweth	Hansen, Mel	Moe	Pillsbury	Willet

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1758:

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to

libraries, community colleges, higher education coordinating commission, and moneys for medical education.

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

Smith, Faricy, Searle, Enebo and Fugina have been appointed as such committee on the part of the House.

House File No. 1758 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. Arnold moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1758, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1759:

H. F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of the fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 308.905; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivision 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

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

Haugerud, Eken, Voss, Knickerbocker and Norton have been appointed as such committee on the part of the House.

House File No. 1759 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. Arnold moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1759, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a

like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 557, 831 and 1476.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 404, 534, 581, 749, 951, 929 and 1304.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 8, 1975

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 557: A bill for an act relating to commerce; consumer fraud; providing an exclusion for mass media; amending Minnesota Statutes 1974, Sections 325.774, Subdivision 1, and by adding a subdivision; and 325.79, Subdivision 3.

Referred to the Committee on Rules and Administration.

H. F. No. 831: A bill for an act relating to crimes; prescribing penalties for certain acts relating to the crime of prostitution; prescribing penalties; amending Minnesota Statutes 1974, Section 609.32, Subdivisions 2, 3, and 4, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 1476: A bill for an act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota Statutes 1974, Section 162.10.

Referred to the Committee on Rules and Administration.

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.

Referred to the Committee on Rules and Administration.

H. F. No. 534: A bill for an act relating to chiropractic; fur-

ther defining the term "chiropractic"; amending Minnesota Statutes 1974, Section 148.01, by adding a subdivision; and 148.08, Subdivision 2.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Rules and Administration.

H. F. No. 749: A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 951: A bill for an act relating to education; state colleges; authorizing the state college board to enter into reciprocity agreements with foreign institutions; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Rules and Administration.

H. F. No. 1304: A bill for an act relating to banks and savings banks; providing for installment and open end loans; amending Minnesota Statutes 1974, Chapter 48, by adding a section; Sections 48.153; 48.154; 48.155; and repealing Minnesota Statutes 1974, Sections 50.161; 50.162; 50.163; 50.164 and 50.165.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S. F. Nos. 1390, 1220, 1177, 1647, 1171, 1642, 1041, 685 and 1700. The motion prevailed.

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

S. F. No. 1390: A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; Chapter 504, by adding sections; Chapter 566, by adding a section.

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

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

Page 1, line 18, after "*sell*" insert "*or otherwise dispose of*"

Page 1, line 20, after "*appears*" insert "*to the landlord*"

Page 1, line 21, after "*premises*" insert "*whichever occurs last*"

Page 1, line 24, after the period insert "*Any remaining proceeds of the sale shall be paid to the tenant upon written demand.*"

Page 2, line 2, after "*sale*" insert "*at least 14 days prior to the sale,*"

Page 2, line 2, strike "*including*" and insert "*by personal service in writing or*"

Page 2, line 10, strike "*return or*"

Page 2, line 19, strike "*may*" and insert "*shall*"

Page 2, line 19, strike "*of*" and insert "*not to exceed*"

Page 2, line 21, after the period insert "*In determining the amount of punitive damages the Court shall consider (a) the nature and value of the property; (b) the effect the deprivation of the property has had on the tenant; (c) if the landlord, his agent or person acting under the landlord's direction or control unlawfully took possession of the tenant's property; and (d) if the landlord, his agent or person under the landlord's direction or control acted in bad faith in failing to allow the tenant to retake possession of the property. The provisions of this subdivision shall not apply to personal property which has been sold or otherwise disposed of by the landlord in accordance with subdivision 1.*"

*Subd. 3. If the landlord, his agent or person acting under the landlord's direction or control has unlawfully taken possession of a tenant's personal property the landlord shall be responsible for paying the cost and expenses relating to the removal, storage or care of the property.*"

Page 3, line 1, after "*person*" insert "*acting under the landlord's direction or control*"

Page 3, line 19, strike the second "*the*" and insert "*a*"

Page 4, line 17, after "*other*" insert "*rights or*"

Page 4, after line 17, insert "*Any provision, whether oral or*"

*written, of any lease or other agreement, whereby any provision of sections 1 to 4 is waived by a tenant is contrary to public policy and void."*

Page 5, line 17, strike "may" and insert "shall"

Page 5, line 32, after "premises" strike ", breaking in if necessary,"

Page 6, line 7, after "served" insert "by mail or personally"

Page 6, line 8, strike "and in the manner as"

Page 6, line 9, strike "a summons is required to be served under section 566.06"

Page 6, line 15, after "566.17" insert "or where otherwise provided by law"

Page 8, after line 11 insert:

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

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

Amend the title as follows:

Page 1, line 3, after "tenants;" insert "security deposits; withholding rent for last payment period;"

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

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1220: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. I 94.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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.

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

Page 1, line 13, after "*agencies for*" insert "*all*"

Page 1, line 15, strike "*and children*"

Page 1, line 19, strike "*15*" and insert "*14*"

Page 1, line 22, strike "*15*" and insert "*14*"

Page 2, line 3, strike "*the*" and insert "*his*"

Page 2, line 8, after "*homes*" insert a comma

Page 2, line 11, strike "*county*" and insert "*local*"

Page 2, line 11, strike "*department*" and insert "*agency*"

Page 2, line 13, strike "*Minnesota Statutes,*"

Page 2, line 27, strike "*the*"

Page 2, line 30, strike "*their*" and insert "*the person's*"

Page 2, line 30, strike "*homes*" and insert "*home*"

Page 3, lines 5 and 6, strike all the semicolons and insert commas

Page 3, strike lines 9 through 11

Renumber the subdivisions in sequence

Page 3, line 26, after "*specified*" insert "*period of*"

Page 3, line 28, strike "*department*" and insert "*commissioner*"

Page 3, line 32, after "*specified*" insert "*period of*"

Page 4, line 2, strike "*department, although*" and insert "*commissioner. A provisional license may be issued if*"

Page 4, line 8, strike "*overall*"

Page 4, line 8, strike "*one*" and insert "*a*"

Page 4, line 14, strike "*department, provided that operation of a day*" and insert "*commissioner*"

Page 4, strike lines 15 and 16

Page 4, line 17, strike "*is made for one*"

Page 4, line 18, strike "*placing out*" and insert "*placement*"

Page 4, line 19, strike *"in any way"*

Page 4, line 20, strike *"such"* and insert *"the"*

Page 4, line 22, strike *"department"* and insert *"commissioner"*

Page 4, line 22, strike *"it"* and insert *"he"*

Page 4, line 23, after *"offer"* insert *"consultation,"*

Page 4, line 27, strike *"affecting"* and insert *"which affect"*

Page 4, line 27, after *"applicant"* and before the period insert *“, and shall assist applicants and operators to meet and maintain requirements for licensure”*

Page 4, line 28, strike *"department"* and insert *"commissioner"*

Page 4, line 29, after the period insert

*“The commissioner shall coordinate the licensure and inspection responsibilities contained herein with other state agencies and departments which have specific statutory responsibility relating to the investigation and review of facilities and agencies required to be licensed pursuant to this act.”*

Page 4, strike lines 30 through 32

Page 5, strike lines 1 through 12

Page 5, line 14, strike *"department"* and insert *"commissioner"*

Page 5, line 15, strike *"proposed program of care for persons and for"* and insert *"the agency or"*

Page 5, line 16, strike *"operating"*

Page 5, line 16, strike *"or agency"*

Page 5, line 17, strike *"results of the study satisfy the department"* and insert *"commissioner is satisfied"*

Page 5, line 19, strike *"the department"* and insert *"him"*

Page 5, line 19, strike *"being"*

Page 5, line 21, strike *"show to the department"* and insert *"indicate"*

Page 5, line 22, after *"applicable"* insert *"laws,"*

Page 5, line 24, strike *"human"*

Page 5, line 25, after *"persons"* and before the comma insert *"to be served"*

Page 5, line 28, after *"the facility"* and before *"or"* insert *“, agency,”*

Page 5, line 28, after *"similar facility"* and before *"or"* insert *“, agency,”*

Page 5, line 31, strike *"When"*

Page 5, line 31, strike *"is being issued to"*

Page 5, line 32, strike *"any day care or residential facility or agency, it"*

Page 6, line 1, strike *"When"*

Page 6, line 1, after *"a"* insert *"renewal"*

Page 6, line 1, strike *"is being"*

Page 6, line 2, strike *"renewed, it"*

Page 6, line 4, strike *"day care and residential facility"*

Page 6, line 5, after *"license"* insert *"issued to a day care or residential facility"*

Page 6, strike lines 14 to 16

Page 6, line 17, strike *"15"* and insert *"14"*

Page 6, line 20, strike *", or by a legally appointed guardian."* and insert a semicolon

Page 6, line 23, strike the period and insert a semicolon

Page 6, line 24, strike *"one"* and insert *"a single"*

Page 6, line 25, strike the period and insert a semicolon

Page 6, line 28, strike the period and insert a semicolon

Page 6, line 30, strike *"department"* and insert *"state board"*

Page 6, line 30, strike *"caring for fewer than"* and insert *"except that an identifiable unit of such a facility which regularly provides care for more than five handicapped persons must be licensed under sections 2 to 14:"*

Page 6, strike line 31

Page 7, line 1, strike *". This"* and insert a semicolon

Page 7, line 2, strike *"includes any"* and insert *"(7) A"*

Page 7, line 3, strike the period and insert a semicolon

Renumber the clauses in sequence

Page 7, line 5, strike *"department"* and insert *"state board"*

Page 7, line 5, strike the period and insert a semicolon

Page 7, line 7, strike *"department"* and insert *"state board"*

Page 7, line 7, strike the period and insert a semicolon

Page 7, line 9, strike *"the"* and insert *"his"*

Page 7, line 11, strike the period and insert a semicolon

Page 7, line 13, strike the period and insert a semicolon

Page 7, line 16, strike *"department."* and insert *"commissioner;"*

Page 7, line 18, strike *"parents or"* and insert *"his"*

Page 7, line 19, strike "*of persons*"

Page 7, line 20, strike the period and insert a semicolon

Page 7, line 26, after "*meet the*" insert "*applicable*"

Page 7, line 26, strike "*department*" and insert "*commissioner*"

Page 7, line 27, after "*state*" insert "*board of*"

Page 7, line 27, strike "*department*"

Page 8, line 2, strike "*that there is a*" and insert "*of his*"

Page 8, line 3, strike "*, in writing,*" and insert "*. Written notice of appeal must be mailed*"

Page 8, line 3, strike "*the*" and insert "*receipt*"

Page 8, line 4, strike "*mailing*"

Page 8, line 7, strike "*On the basis of the*"

Page 8, line 8, strike "*evidence adduced at the hearing,*"

Page 8, line 9, strike "*final*"

Page 8, line 10, after "*be*" insert "*denied or*"

Page 8, line 10, strike the comma

Page 8, line 11, strike "*for*"

Page 8, line 11, strike "*, or denied*"

Page 8, line 11, after the period insert "*The commissioner shall not be bound by the recommendation of the hearing examiner. The final decision of the commissioner shall be sent to the applicant by certified or registered mail, and shall inform the applicant of his rights under chapter 15.*"

Page 8, line 12, strike "*department*" and insert "*commissioner*"

Page 8, line 15, strike "*department*" and insert "*commissioner*"

Page 8, line 16, after "*with*" insert "*applicable laws or*"

Page 8, line 17, strike "*department*" and insert "*commissioner*"

Page 8, line 18, strike "*is about to be*" and insert "*the commissioner proposes to*"

Page 8, line 19, strike "*suspended*" and insert "*suspend*"

Page 8, line 19, strike "*revoked*" and insert "*revoke*"

Page 8, line 19, strike "*made*" and insert "*make*"

Page 8, line 23, strike "*that there is a*" and insert "*of his*"

Page 8, line 25, strike "*the mailing*" and insert "*receipt*"

Page 8, line 29, strike "*On the basis of the evidence adduced at the hearing,*"

Page 8, line 30, strike "*final*"

Page 9, line 1, after "*health*" strike "*or*" and insert a comma

Page 9, line 1, strike "*human*"

Page 9, line 1, after "*of*" insert "*the*"

Page 9, line 1, after "*persons*" insert "*served by the facility or agency are in imminent danger*"

Page 9, line 2, strike "*requires*"

Page 9, line 6, strike "*that there is a*" and insert "*of his*"

Page 9, line 7, strike "*to reconsider*" and insert "*for reconsideration of*"

Page 9, line 13, strike "*On the basis of the*"

Page 9, line 14, strike "*evidence adduced at the hearing,*"

Page 9, line 15, strike "*the final*" and insert "*a*"

Page 9, line 17, after the period insert "*The commissioner shall not be bound by the recommendation of the hearing examiner. The final decision of the commissioner shall be served on the operator by personal service, and shall inform the applicant of his rights under chapter 15.*"

Page 9, line 22, after "*of*" strike "*the*" and insert "*any party*"

Page 9, line 23, strike "*appellant or department*"

Page 9, line 23, after the period insert "*Each decision of a*"

Page 9, line 23, strike "*decisions*"

Page 9, line 25, after "*parties*" strike "*to the*"

Page 9, line 26, strike "*proceedings*"

Page 9, line 27, strike "*, or otherwise*"

Page 9, line 29, after "*with*" insert "*applicable laws, or*"

Page 9, line 30, strike "*make*" and insert "*be granted a*"

Page 9, line 30, strike "*application for*"

Page 9, line 31, after "*years*" and before the period insert "*following the revocation or denial of renewal*"

Page 9, line 31, strike "*An applicant whose application for license has*"

Page 9, strike line 32

Page 10, strike line 1

Page 10, line 3, strike "*department*" and insert "*commissioner*"

Page 10, line 8, strike "*the department*" and insert "*he*"

Page 10, line 10, strike the first "*department*" and insert "*state board*"

Page 10, line 10, strike the second "*department*" and insert "*state board*"

Page 10, line 11, after the comma insert "*and*"

Page 10, line 11, strike "*and the attorney general*"

Page 10, line 11, strike "*The*" and insert "*Any*"

Page 10, line 12, strike "*agencies*" and insert "*agency*"

Page 10, line 12, strike "*are*" and insert "*is*"

Page 10, line 13, strike "*department*" and insert "*commissioner*"

Page 10, line 15, strike the period and insert a semicolon

Page 10, line 16, strike "*, or the parents, guardians,*" and insert "*and the*"

Page 10, line 16, strike "*, or*"

Page 10, line 17, strike "*custodians of those*" and insert "*of the*"

Page 10, line 17, strike the period and insert a semicolon

Page 10, line 18, strike the period and insert a semicolon

Page 10, line 20, strike the period and insert a semicolon

Page 10, line 21, strike "*the various*" and insert "*relevant*"

Page 10, line 21, strike "*as are*"

Page 10, line 22, strike "*relevant*"

Page 10, strike lines 23 to 32

Page 11, strike lines 1 to 13

Page 11, line 14, strike "*3*" and insert "*2*"

Page 11, line 14, strike "*department*" and insert "*commissioner*"

Page 11, line 15, strike "*its licensing*" and insert "*the*"

Page 11, line 15, after "*regulations*" insert "*promulgated under sections 2 to 14*"

Page 11, line 19, strike "*15*" and insert "*14*"

Page 11, line 21, strike "*department*" and insert "*commissioner*"

Page 11, line 24, strike "*When there is a*" and insert "*If the facility or agency is in*"

Page 11, line 24, strike "*15*" and insert "*14*"

Page 11, line 25, strike "*department*" and insert "*commissioner and the operator has failed to correct the violation within 30 days of receipt of a written order to do so*"

Page 11, line 26, strike "*When*" and insert "*If*"

Page 11, line 29, after "*by the*" insert "*appropriate*"

Page 11, line 29, strike "*of the*" and insert a period

Page 11, strike lines 30 and 31

Page 11, line 32, strike "*offers or*"

Page 12, line 2, strike "*15*" and insert "*14*"

Page 12, line 3, strike "*application of the foregoing*"

Page 12, line 3, after "*sanctions*" insert "*provided in sections 2 to 14 are cumulative, and shall not be construed as restricting any sanctions otherwise available.*"

Page 12, strike lines 4 and 5

Page 12, line 8, strike "*department*" and insert "*commissioner*"

Page 12, line 10, strike "*department*" and insert "*commissioner*"

Page 12, line 14, strike "*department*" and insert "*commissioner*"

Page 12, line 18, strike "*department*" and insert "*commissioner*"

Page 12, line 20, after "*the*" insert "*applicant or*"

Page 12, line 25, strike "*department*" and insert "*commissioner*"

Page 12, line 26, strike "*a ground*" and insert "*cause*"

Page 13, line 2, strike "*a duly authorized*"

Page 13, line 3, strike "*representative of the department*" and insert "*the commissioner*"

Page 13, line 5, after "*applicable*" insert "*law or*"

Page 13, line 5, after "*regulation*" insert a comma

Page 13, line 7, after "*specific*" insert "*law or*"

Page 13, line 8, strike "*A*"

Page 13, strike lines 9 and 10

Page 13, line 15, after the period insert "*A forfeiture order may be appealed in accordance with the procedures set forth in section 6.*"

Page 13, strike lines 18 to 23

Page 13, line 32, strike "*such a*" and insert "*the*"

Page 14, line 10, strike "*Except as specified in Minnesota*"

Page 14, line 11, strike "*Statutes 252.28,*"

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

Page 14, line 17, strike "*The commissioner shall establish rules*"

Page 14, strike line 18

Page 14, line 30, strike "*such*"

Page 14, line 31, strike "*such*" and insert "*the*"

Page 15, line 5, strike "*such*"

Page 15, line 10, after "*notice*" insert "*from the commissioner*"

Page 15, line 15, strike "*and subdivision 6,*"

Page 15, line 22, strike "*shall*" and insert "*may*"

Page 15, line 22, strike "*Minnesota Statutes, Sections*" and insert "*section*"

Page 15, line 23, strike "*or 609.231*"

Page 15, after line 23, insert:

*"It shall be the responsibility of any operator of a facility or agency required to be licensed to provide living conditions, programs, policies and procedures to safeguard the well-being and safety of any person in the care of that facility or agency. Any operator who permits conditions to exist which result in the physical or sexual abuse or willful neglect of any person in the care of that agency or facility may be charged pursuant to section 609.23."*

Page 15, line 29, after "*facility*" insert "*or agency*"

Page 15, line 31, after "*facility*" insert "*or agency*"

Page 15, line 32, strike "*department*" and insert "*commissioner*"

Page 16, line 1, strike "*appropriate*" and insert "*local welfare agency or*"

Page 16, line 2, strike "*local*" and insert "*commissioner*"

Page 16, line 3, strike "*welfare agency*"

Page 16, line 7, after "*the*" insert "*commissioner, the*"

Page 16, line 10, after "*facility*" insert "*or agency*"

Page 16, line 12, after "*facility*" and before the period insert "*or agency*"

Page 16, line 12, after "*The*" insert "*local welfare agency or*"

Page 16, line 13, strike "*local welfare agency*" and insert "*commissioner*"

Page 16, line 23, after "*court*" and before the period insert "*or jury*"

Page 16, line 32, after "*the*" strike "*department*" and insert "*commissioner*"

Page 17, line 2, after "*facility*" insert "*or agency*"

Page 17, line 5, after "*department*" insert "*or local welfare agency*"

Page 17, line 6, strike "*local welfare agency*" and insert "*commissioner*"

Page 17, line 10, after "*of*" insert "*neglect or*"

Page 17, line 12, strike "*instead of the local welfare agency or*"

Page 17, line 13, strike "*police department*"

Page 17, line 14, strike "*department*" and insert "*commissioner*"

Page 17, line 16, after "*of*" insert "*neglect or*"

Page 17, line 19, after "*authorities*" insert "*, the commissioner,*"

Page 17, line 20, strike "*agencies*" and insert "*agency*"

Page 17, line 20, insert:

*"Subd. 8. [INVESTIGATION.] The commissioner shall immediately investigate any report received under this section. The commissioner shall arrange for the transmittal of reports received by local agencies to him, and may delegate to any local welfare agency the duty to investigate reports.*

*Subd. 9. [RECORDS.] All records maintained by the commissioner or a local welfare agency under this section, including any written reports filed under subdivision 6, shall be private. The records shall be collected and maintained in accordance with the provisions of Minnesota Statutes, Sections 15.162 to 15.168, and an individual subject of a record shall have access to the record in accordance with those sections except that the name of the reporter shall be disclosed only (a) by the commissioner or the local welfare agency if the report is unsubstantiated and (b) upon court order if the report is substantiated.*

*Records maintained by the commissioner or local welfare agencies under this section must be destroyed as follows:*

*(a) All records relating to reports which, upon investigation, are found to be unsubstantiated shall be destroyed immediately;*

*(b) All records relating to reports which, upon investigation, are found to be substantiated shall be destroyed 7 years after the date of the final entry in the case record; and*

*(c) All records of reports which, upon initial investigation, cannot be substantiated to the satisfaction of the commissioner or the local agency may be kept for a period of one year. If the commissioner or the local agency is unable to substantiate the report within that period, all records relating to the report shall be destroyed immediately."*

Page 17, strike lines 21 to 32

Page 18, strike line 1

Page 19, line 12, strike "*continuously effective and shall be*" and insert "*in effect until expressly superseded by the rules and regulations promulgated*"

Page 19, line 13, strike "*prospectively effective*"

Page 19, line 13, strike "*15 enacted by*" and insert "*14*"

Page 19, line 14, strike "*this act*"

Renumber the sections in sequence

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

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

S. F. No. 1177: A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch no. 27; setting limits for the expenditure of money for the improvement thereof; authorizing the issuance of bonds and levying of special assessments for the payment thereof.

Reports the same back with the recommendation that the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1003: A bill for an act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; requiring public notice of seized animals prior to sale or destruction; amending Minnesota Statutes 1974, Section 35.71, Subdivision 3.

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

Page 2, line 2, strike "*two years*" and insert "*six months*"

Page 2, line 14, strike "*Prior*"

Page 2, strike lines 15 through 19

Page 2, line 20, strike "*the county in which the animal was seized.*"

Amend the title as follows:

Page 1, strike line 5

Page 1, line 6, strike "*sale or destruction;*"

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

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

S. F. No. 1647: A bill for an act relating to natural resources; powers of the commissioner; forest pest control; expanding volunteer programs; public access; commercial fishing on Lake Superior; decoys and erection of blinds on public lands; prescribing penalties for certain violations; amending Minnesota Statutes

1974, Sections 18.341, Subdivision 3; 18.391, Subdivision 1; 85.041, Subdivision 1; 97.48, Subdivision 15; 97.55, Subdivisions 1, 2, 3 and 4; 98.46, Subdivision 12; 98.47, Subdivision 9; 100.29, Subdivision 18; and 102.28, Subdivisions 2, 3 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

Page 3, lines 8 and 9, strike "from the game and fish fund,"

Page 3, line 9, reinstate the stricken "of not to exceed"

Page 3, line 9, after "five" insert "seven"

Page 3, line 10, reinstate the stricken "acres,"

Page 3, lines 31 and 32, strike "from the game and fish fund"

Page 6, line 9, strike "\$100" and insert "\$50"

Page 6, line 13, strike "\$100" and insert "\$50"

Page 8, line 3, strike "The"

Page 8, strike lines 4 through 7

Amend the title as follows:

Lines 2 and 3, strike "powers of the commissioner;"

Line 3, before "forest" insert "transferring"

Line 3, after "control" insert "jurisdiction from the commissioner of agriculture to commissioner of natural resources"

Line 4, before "public" insert "eliminating certain restrictions on acquisition of"

Line 4, before "commercial" insert "changing license fees for"

Line 5, before "decoys" insert "prohibiting"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 532: A bill for an act relating to public health; Minnesota board of nursing; nursing schools; providing for registering, licensing and disciplining registered and practical nurses; unauthorized practice of nursing; amending Minnesota Statutes 1974, Sections 148.181, Subdivisions 1 and 2; 148.191; 148.211, Subdivisions 1 and 3; 148.231, Subdivisions 1 and 2; 148.251; 148.261; 148.271; 148.281, Subdivision 1; 148.286, Subdivisions 1 and 3; 148.29, Subdivision 2; 148.291, Subdivisions 1 and 4; 148.292; 148.293, Subdivision 1; 148.294, Subdivisions 1 and 2; 148.296, Subdivision 1; 148.297; Chapter 148, by adding sections; repealing Minnesota Statutes 1974, Sections 148.282; and 148.291, Subdivision 5.

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

Page 3, line 17, strike "such"

Page 3, line 17, strike "and regulations"

Page 3, line 20, after "prescribe" insert "*by rule*"

Page 3, line 26, strike "of the"

Page 3, line 26, after "board" insert "*rules*"

Page 3, line 31, after "*shall*" insert "*by rule*"

Page 4, line 1, after "hearings" insert "*pursuant to the administrative procedure act*"

Page 4, line 13, strike "fix"

Page 4, line 13, strike "compensation and"

Page 4, line 14, strike "*appoint*" and insert "*as necessary from time to time secure the services of*"

Page 4, line 15, strike "*and fix the*"

Page 4, line 16, strike everything before the period and insert "*consistent with chapters 15 and 43*"

Page 4, line 18, strike "The treasurer or any other"

Page 4, strike lines 19 to 20

Page 5, line 15, strike "*not*"

Page 5, line 16, strike "*more than \$50 to the board*" and insert "*an amount determined by rule by the board so that total fees collected by the board will as closely as possible equal anticipated expenditures*"

Page 5, line 19, strike "*not more than \$40*" and insert "*an amount determined in the same manner*"

Page 6, line 18, after "*board*" insert "*by rule*"

Page 7, line 25, after "power" insert "*pursuant to procedures specified in the administrative procedure act, unless otherwise permitted in this section,*"

Page 8, line 30, strike "60" and insert "30"

Page 8, line 32, strike "*alleged by the executive director to be*"

Page 9, line 1, after "*board*" and before "*and*" insert "*a citation has been issued by the board pursuant to this subdivision,*"

Page 9, line 1, strike "*determines*" and insert "*has determined*"

Page 9, line 3, after the period insert "*The board must schedule a hearing on a temporary suspension within ten days after the date of suspension. At any hearing under this section,*"

Page 9, line 5, strike "*employed by the board shall*" and insert "*may*"

Page 9, line 9, strike "at the election of the licensee by a writ"

Page 9, line 10, strike "of certiorari brought"

Page 9, line 10, strike "the"

Page 9, line 10, strike "of Ramsey" and insert "*pursuant to sections 15.0424 to 15.0426.*"

Page 9, strike lines 11 to 15

Page 11, lines 10 to 17, reinsert the stricken language

Page 11, line 10, strike the reinserted "(8)" and insert "(6)"

Page 11, line 18, strike "(6)" and insert "(7)"

Page 15, line 29, after "prescribe" insert "by rule"

Page 16, line 5, strike "*not more than \$45 to the board*" and insert "*an amount determined by rule by the board so that total fees collected by the board will as closely as possible equal anticipated expenditures*"

Page 16, line 6, strike "*not more than \$35*" and insert "*an amount determined in the same manner*"

Page 16, line 11, after "shall" insert "by rule"

Page 16, line 15, after "may" insert "by rule"

Page 16, line 23, strike "of the"

Page 16, line 23, after "board" insert "rules"

Page 18, line 26, after "board" insert "by rule"

Page 19, line 28, after "power" insert "*pursuant to procedures specified in the administrative procedure act, unless otherwise permitted in this section,*"

Page 20, line 31, strike "60" and insert "30"

Page 21, line 1, strike "*alleged by the executive*"

Page 21, line 2, strike "*director to be*"

Page 21, line 2, after "board" insert "*, a citation has been issued by the board pursuant to this subdivision,*"

Page 21, line 3, strike "*determines*" and insert "*has determined*"

Page 21, line 4, after the period insert "*The board must schedule a hearing on a temporary suspension within ten days after the date of suspension. At any hearing under this section,*"

Page 21, line 6, strike "*employed by the board shall*" and insert "*may*"

Page 21, line 10, after "court" insert "*pursuant to sections 15.0424 to 15.0426*"

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

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

H. F. No. 1133: A bill for an act relating to police pensions in the city of Duluth; amending Laws 1953, Chapter 91, Section 1, Subdivisions 7 and 8, as amended; Section 7; and Section 11, Subdivisions 1, as amended; and 2.

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

Page 1, line 10, strike "his or her" and insert "*the member's*"

Page 1, line 13, strike "his or her" and insert "*the member's*"

Page 1, line 13, strike "him or her" and insert "*the member*"

Page 1, line 14, strike "his or her" and insert "*the member's*"

Page 2, line 17, strike "his or her" and insert "*the member's*"

Page 2, line 19, strike "his or her" and insert "*the member's*"

Page 2, line 27, strike "he or she" and insert "*the member*"

Page 2, line 28, strike "his or her" and insert "*the member's*"

Page 2, line 29, strike "his"

Page 2, line 30, strike "or her" and insert "*the member's*"

Page 3, line 5, strike "him or her" and insert "*the member*"

Page 3, line 7, strike "his or her" and insert "*the member's*"

Page 3, line 17, strike "him or her" and insert "*the member*"

Page 3, line 24, strike "his or her" and insert "*the member's*"

Page 3, line 29, strike "his or her" and insert "*the member's*"

Page 4, line 13, strike "remarry, his or her" and insert "*remarries, the spouse's*"

Page 4, line 31, strike "he or she" and insert "*such person*"

Page 4, line 32, strike "his"

Page 4, line 32, strike "or her" and insert "*such person's*"

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

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

S. F. No. 863: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1974, Section 123.34, Subdivision 1.

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

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

S. F. No. 1171: A bill for an act relating to forcible entry and unlawful detainer; amending Minnesota Statutes 1974, Section 566.06.

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

Page 2, after line 24 insert:

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

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

Amend the title as follows:

Page 1, line 2, after "detainer;" insert "providing for stay of writ of restitution;"

Page 1, line 3, strike "Section" and insert "Sections"

Page 1, line 3, after "566.06" insert "and 566.09"

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

H. F. No. 142: A bill for an act adding a new route to the trunk highway system.

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

Page 1, line 15, strike "and" and insert "and/or"

Page 1, line 16, strike "and"

Page 1, line 17, strike "municipalities"

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

H. F. No. 1127: A bill for an act relating to veterans; authorizing the apportionment of Vietnam veterans bonus payments between surviving parents and person in loco parentis in certain instances; amending Minnesota Statutes 1974, Section 197.971, Subdivision 4.

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

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

S. F. No. 1642: A bill for an act relating to state employees; providing for transfers, relocation expenses, early retirement and the maintenance of benefits for state employees who have lost their positions because of the closing or phasing out of state institutions or facilities.

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

Strike everything after the enacting clause and insert:

“Section 1. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meanings given.

Subd. 2. “Closing” means the termination of service operations at a state institution or an identifiable unit of the institution which employs 10 or more either for fiscal reasons, changes in service modes, or obsolescence of programs or facilities.

Subd. 3. “State institution” means any hospital, home, or school operated by the commissioner of public welfare and any correctional institution operated by the commissioner of corrections.

Subd. 4. “Employee” means a full-time employee in the classified civil service of the state currently employed at a state institution scheduled for closing who will have at least six months service in any state institution at the scheduled time of closing.

Subd. 5. “Affected employee” is an employee who will suffer unemployment as a result of the closing of a state institution.

Sec. 2. [ANNOUNCEMENT OF CLOSING; PLAN.] The head of the state agency or department operating a state institution scheduled for closing shall announce the scheduled closing to the public and the employees of the institution at least six months prior to the scheduled closing date. No institution may be closed without this prior announcement. Within 20 days after the announcement, the head of the agency or department shall, after consultation with the commissioners of administration and personnel issue a written plan which shall provide for the rights of

affected employees pursuant to sections 3 to 9. Copies of the plan shall be made available to affected employees.

**Sec. 3. [PREFERENCE FOR AFFECTED EMPLOYEES.]** An affected employee shall be given preference over new hires for same or similar positions in all state departments or agencies. The preference given in this section shall expire upon acceptance of a job offer or the tender of a second job offer pursuant to this section, or the expiration of one year after the date of closing, whichever occurs first. If after a year an employee has not received at least two job offers pursuant to this section he may elect retraining under section 4. An affected employee re-employed pursuant to section 43.23 shall not be reduced in compensation or benefits except that he shall receive no compensation or be entitled to no benefits from the state for the periods, if any, not working for the state, except as provided in this section, an affected employee who does not waive the rights given by this section prior to the date of closing shall not be entitled to any of the rights given by sections 4, 5 and 8.

**Sec. 4. [ALTERNATIVE RIGHT; RETRAINING.]** In lieu of the preference given by sections 3, 5, 8 and 9, an affected employee may elect prior to the date of closing to waive other preference rights and to undergo retraining. This option is available upon certification by the commissioner of personnel that other positions are available in state departments or agencies, or in succeeding institutions to which section 9 is applicable, for which the employee would be qualified if retrained. The head of the department or agency which operated the state institution shall provide to the affected employee during the period of retraining the employee's wage or salary at the time of closing. In addition, during the period of retraining the department head shall pay any tuition and any other expenses reasonably necessary to the employee's completion of the retraining program. Payments to or for the benefit of the affected employee for compensation, tuition and expenses shall not exceed \$250 per week during the period of retraining. The determination of when training is appropriate and the approval of any specific training program shall be made by the commissioner of personnel who shall have a continuing responsibility to supervise and evaluate any approved training. The period of re-training shall not exceed twelve months.

**Sec. 5. [ALTERNATIVE RIGHT; EARLY RETIREMENT.]** In lieu of the rights granted by sections 3, 4, 7, 8 and 9, an affected employee of a state institution scheduled for closing who does not continue public employment and who is or will be at least age 55 at the scheduled time of closing, if not otherwise entitled to receive an immediate full normal annuity, may elect upon application to the appropriate retirement fund or funds in which the employee has allowable service credit to receive a retirement annuity based upon all credited service at the time of closing or the value of the monies credited to his account as the case may be. The election by the affected employee must be made prior to the date of closing. The benefit shall be computed as if the employee

were age 65 or normal retirement age and shall not be reduced for retirement prior to normal retirement age. If an employee has less than 10 years of service or is otherwise not vested, his retirement annuity shall be computed on a pro-rata basis. Provisions in the law governing the retirement funds in respect to benefits based on service in more than one fund shall be applicable where not inconsistent herewith. The employee may select an actuarially equivalent joint and survivor annuity in lieu of the full normal annuity if available under the laws of the respective retirement fund.

The department or agency which operated the closed institution shall semi-annually reimburse the retirement fund for the full amount of benefits paid to the retired employee receiving benefits under this act until the employee reaches age 65 or normal retirement age if normal retirement age for the employee would be less than age 65 considering the employee's length of service.

**Sec. 6. [DEFERRED ANNUITY; COMBINED SERVICE.]** Subdivision 1. In the event that any employee does not continue in public service covered by a public pension fund and does not qualify for a service annuity, a deferred annuity or a combined service annuity, the employee shall qualify for a pro rata deferred service annuity upon reaching normal retirement age, which deferred annuity shall be augmented at the rate specified under the law of the retirement fund in effect when the employee last terminates public service.

Subd. 2. For any employee who transfers to other public employment covered by a public pension fund, that employee shall qualify for a combined service annuity or an augmented deferred annuity based on service in more than one fund pursuant to the law in effect when the employee last terminates public service, notwithstanding any law to the contrary.

**Sec. 7. [RELOCATION EXPENSES.]** Any employee who accepts employment under the provisions of sections 3 or 9 or after completion of re-training pursuant to section 4 or who accepts private or public employment elsewhere within 12 months of the closure of the state institution shall be entitled to relocation expenses in the manner provided in an existing collective bargaining agreement in section 43.327. The expenses shall be charged against the department or agency which operated the closed institution.

**Sec. 8. [ALTERNATIVE RIGHT; SEVERANCE PAY.]** In lieu of the rights given by sections 3 through 7, an affected employee may prior to the date of closing elect to be paid severance pay in the amount of five percent of the employee's last annual salary or wage, not to exceed \$1,000, multiplied by the number of years of state service and fraction thereof, but in no case shall the amount of severance pay receivable under this section exceed \$5,000. Severance pay paid pursuant to this section shall be charged against the department or agency which operated the institution at the time of closing and shall be in lieu of any severance pay otherwise available to the employee pursuant to other law.

**Sec. 9. [SUCCESSOR OPERATING AGENCIES.]** Any institu-

tion or facility which succeeds in whole or in part to the functions of a state institution upon its closing shall, as a condition of its receiving any state funds, observe the preference hiring right granted affected employees in section 3 to the extent that granting the preference would not be inconsistent with any duly enacted merit or civil service system and laws or rules enacted pursuant thereto.

Sec. 10. [PROCEDURES.] Any elections of rights which may be made pursuant to sections 3 to 9 shall be pursuant to procedures and on forms adopted by the commissioner of personnel. The commissioner of personnel may promulgate rules necessary to implement the provisions of sections 1 to 9. The commissioner shall annually report to the legislature pursuant to section 3.195 on the benefits given to affected employees pursuant to this act and his suggestions on legislation needed to insure equitable treatment for all state employees in connection with the closing of a state institution."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1041: A bill for an act relating to crimes; specifying the acts constituting sexual offenses; admissibility of evidence in sex offense prosecutions; providing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.294; 609.295; and 609.296.

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

Strike everything after the enacting clause and insert:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) *The actor is aided or abetted by one or more accomplices*

*within the meaning of section 609.05, and either of the following circumstances exists:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the complainant and not in a position of authority over the complainant. In any such case it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor believes the complainant to be 16 years of age or older. If the actor in such a case is no more than 48 months but more than 24 months older than the complainant, he may be sentenced to imprisonment for not more than 5 years. Consent by the complainant is not a defense; or*

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

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

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

**[609.294] [CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.]** *A person is guilty of criminal sexual conduct in the fourth degree and may be sentenced to imprisonment for not more than 5 years, if he engages in sexual contact with another person and if any of the following circumstances exists:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant regarding the sexual conduct of the complainant is relevant and material to the fact of consent, and is not so prejudicial as to be inadmissible, the court shall make an order stating the extent to which evidence is admissible under subdivision 3 and prescribing the nature of questions to be permitted at trial. The defendant may then offer evidence pursuant to the order of the court;

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

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

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

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

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

(d) The jury should scrutinize the testimony of the complain-

*ant any more closely than it should scrutinize the testimony of any witness in any felony prosecution.*

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

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

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

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

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

[609.299] [COSTS OF MEDICAL EXAMINATION.] *No costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a complainant of criminal sexual conduct, when the examination is performed for the purpose of gathering evidence for possible prosecution, shall be charged directly or indirectly to the complainant. The reasonable costs of such examination shall be paid by the county in which the alleged offense was committed. Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private.*

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

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

Sec. 13. *Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.295; 609.296; 609.34; and 609.36 are repealed."*

Amend the title as follows:

Page 1, line 5 after "1974," insert "Section 609.185; and"

Page 1, line 8, strike "609.294;"

Page 1, line 8 after "609.295;" strike "and 609.296" and insert "609.296; 609.34; and 609.36 "

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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.

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

Page 1, line 17, after "employee" insert "*nor shall any person knowingly sell to or interpret for an employer or agent thereof such a test*"

Page 1, line 18, after "person" insert "*knowingly*"

Page 1, line 19, strike "*such*"

Page 1, line 23, strike "*such*" and insert "*any*"

Page 1, line 23, strike "*as is*"

Page 2, line 19, strike "*and*" and insert "*to*"

Page 2, line 20, after "*recover*" insert "*any and all*"

Page 2, line 20, after "*damages*" insert "*recoverable at law*"

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

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

H. F. No. 597: A bill for an act relating to the Minnesota society for the prevention of cruelty; eliminating jurisdiction of society over matters of cruelty to children; amending Minnesota Statutes 1974, Sections 343.01, Subdivision 1; 343.04; 343.05; 343.06; 343.07; 343.08; 343.10; 343.11; and 343.12.

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

Page 1, line 18, strike "*Pursuant to chapter 15,*"

Page 1, line 19, strike "*and regulations*"

Page 2, line 5, strike "*in prosecuting*" and insert "*lawfully empowered officials in the prosecution of*"

Page 3, line 5, strike "dumb"

Page 3, line 10, strike "dumb"

Page 3, line 12, strike "dumb"

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

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

H. F. No. 1328: A bill for an act relating to real estate; abstracters; increasing fees and amount of bonds; changing enforcement procedures; providing for greater access to public records; changing registration requirement; amending Minnesota Statutes 1974, Sections 386.62; 386.66; 386.68; 386.70; 386.71; and Chapter 386, by adding sections.

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

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

H. F. No. 789: A bill for an act relating to real estate; instruments of conveyance; recording requirements; providing that instruments of conveyance include name and address of grantee to whom tax statement should be sent; amending Minnesota Statutes 1974, Section 507.092, Subdivision 1.

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

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

H. F. No. 795: A bill for an act relating to Chisago county; requiring the Chisago county attorney to prosecute misdemeanors occurring within municipalities in Chisago county; providing for the disposition of fines.

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

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

H. F. No. 1423: A bill for an act relating to the Minnesota Statutes; providing for publication thereof; amending Minnesota Statutes 1974, Section 648.31, Subdivisions 1 and 3; and 648.45, Subdivision 4.

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

Page 1, line 15, strike "*annual*"

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

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

H. F. No. 720: A bill for an act relating to district courts; providing for the appointment and compensation of law clerks.

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

Page 1, line 7, strike "*Notwithstanding*"

Page 1, line 8, strike "*any other law to the contrary,*"

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

Page 1, line 12, strike "*clerks to hold office*" and insert "*clerk for every three judges and additional fraction of three judges of the judicial district*"

Page 1, line 13, strike "*during the pleasure of the judges*"

Page 1, line 14, strike "*with the approval of the county*"

Page 1, line 15, strike "*board of each of the counties involved,*"

Page 1, line 19, after "*clerk*" insert "*not to exceed \$15,000 per year without the approval of the county board of each of the counties involved*"

Page 2, after line 11, insert:

"Sec. 2. [SUPERSEDED LAWS.] *Any other law not repealed by section 3 that provides for the employment of law clerks by district judges in judicial districts other than the second and fourth is superseded only to the extent it provides fewer clerks than provided by section 1.*

Sec. 3. [REPEALER.] *Laws 1967, Chapter 355, Section 1 as amended by Laws 1974, Chapter 189, Section 1, is repealed.*"

Amend the title as follows:

Page 1, line 3, before the period insert "; providing for the sharing of such costs among the several counties of the district; amending Minnesota Statutes 1974, Chapter 484, by adding a section; repealing Laws 1967, Chapter 355, Section 1, as amended"

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

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

H. F. No. 605: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; prohibiting driving under the influence of a controlled substance; providing penalties; amending Minnesota Statutes 1974, Section 169.121, Subdivision 1.

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

Page 1, line 19, strike "*, or*"

Page 1, line 20, strike "*any drug or other substance*"

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

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

S. F. No. 685: A bill for an act relating to real estate; providing for the extent of a lien; amending Minnesota Statutes 1974, Section 514.03, Subdivision 3.

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

Page 1, line 10, strike "40" and insert "80"

Page 1, lines 10 to 11, strike the new language

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1700: A bill for an act relating to crimes; prescribing penalties for certain acts relating to the crime of prostitution; providing minimum sentences for certain felonies relating to soliciting another to practice prostitution; prescribing penalties; amending Minnesota Statutes 1974, Sections 609.11, by adding a subdivision; and 609.32, Subdivisions 2, 3, and 4, and by adding a subdivision.

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

Page 1, line 17, after "and" insert "*if the defendant has been previously convicted of this crime*"

Page 3, after line 26, insert:

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

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1309: A bill for an act relating to the operation of state government; authorizing the commissioner of administration to establish on a demonstration basis a regional service center comprising selected state agencies and to enter into a lease for purposes of acquiring suitable space for the center.

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 were referred

H. F. Nos. 1020, 1107, 619 and 216 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1020	986				
1107	1115				
619	881				
216	134				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1020 be amended as follows:

Page 1, line 7, after "1." insert "Subdivision 1."

Page 1, line 8, strike "acquire by" and insert "lease for \$1 per year and operate"

Page 1, strike lines 9 to 21

Page 1, line 22, strike "to the acquisition or lease of"

Page 1, line 23, strike "by the county of Hennepin, such" and insert a period

Page 2, line 1, strike "negotiation shall include" and insert "The lease shall run until July 1, 1977 and"

Page 2, line 1, strike "as to" and insert "between the county and the city of Minneapolis shall be entered into which states"

Page 3, line 14, strike "2" and insert "1"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 3, strike "acquire" and insert "lease"

And when so amended, H. F. No. 1020 will be identical to S. F. No. 986 and further recommends that H. F. No. 1020 be given its second reading and substituted for S. F. No. 986 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1107 be amended as follows:

Page 2, line 16, after "Statutes" insert "1974"

And when so amended, H. F. No. 1107 will be identical to S. F. No. 1115 and further recommends that H. F. No. 1107 be given its second reading and substituted for S. F. No. 1115 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 619 be amended as follows:

Page 1, line 14, delete "directly or indirectly"

Page 2, lines 6 and 7 delete "At the time of initial contact or communication and"

Page 2, line 8, delete "of the potential buyer," and after "shall" insert ", at the time of initial contact or communication with the potential buyer,"

Page 2, line 13, after "sell the" insert "identified"

Page 2, line 18, after the period insert "Non-profit organizations are exempt from the requirement of showing identification cards."

And when so amended, H. F. No. 619 will be identical to S. F. No. 881 and further recommends that H. F. No. 619 be given its second reading and substituted for S. F. No. 881 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 216 be amended as follows:

Page 2, delete lines 33 and 34 and insert:

"Sec. 2. Minnesota Statutes 1974, Section 291.005, is amended to read:

291.005 [DEFINITIONS.] *Subdivision 1.* Unless the context otherwise clearly requires, the following terms used in this chapter shall have the following meanings:

~~(1) "Representative" means and includes all executors of the will of a decedent and all administrators of any description, whether general or special, of a decedent's estate to whom letters are issued by a probate court of this state.~~

~~(2) (1) "Probate Assets" means and includes all property of owned by a decedent at the time of his death required by chapter 525 section 524.3-706 to be listed on a personal representative's inventory in a case where administration is to be had in a probate court of this state and appraisal .~~

~~(3) (2) "Non-Probate Assets" means and includes all property of every kind transferred from a decedent or at or by reason of the decedent's death which is subject to the inheritance tax imposed by this chapter (without regard to deductions or exemptions) and which does not consist of probate assets.~~

~~(4) (3) "Commissioner" means and refers to the commissioner of revenue of this state or any person or body within the state department of revenue to whom he may have delegated his functions under this chapter.~~

~~(5) (4) "Dependent child" means a natural child of the decedent, or a child adopted by the decedent who is incapable of furnishing his own support by reason of a physical or mental ailment, illness or deformity. The commissioner may request verification of the physical or mental condition of the child before allowing the exemptions and rates applicable to a dependent child under this chapter.~~

~~(6) (5) "Stepchild" means a child who is not the decedent's~~

natural or adopted child but is the natural or adopted child of the decedent's surviving or deceased spouse.

*Subd. 2. The definitions set forth in section 524.1-201, wherever appropriate to the administration of the provisions of chapter 291 are incorporated by reference.*

Sec. 3. Minnesota Statutes 1974, Section 291.07, is amended to read:

291.07 [DEDUCTIONS.] Subdivision 1. In determining the tax imposed by section 291.01, where the estate has been submitted to the jurisdiction of the probate court, the following deductions shall be allowed *if approved by the court in a formal proceeding* :

(1) funeral expenses

(2) probate administration expenses, including but not limited to expenses incurred during administration in converting real and personal property held by the estate into cash

(3) expenses of last illness unpaid at death

(4) *valid* claims against the decedent which have been properly filed ~~and allowed as such by the probate court and duly paid~~

(5) family maintenance to the extent provided by section 291.10

(6) value of personal property to the extent of the amount allowed under the provisions of section 525.15

(7) federal estate taxes determined as follows:

(a) the value of the net estate taxable in Minnesota reduced by the deduction allowable for transfer for public, charitable and religious use as prescribed by Internal Revenue Code, Section 2055 and by the marital deduction as prescribed by Internal Revenue Code, Section 2056, shall be the numerator of a fraction;

(b) the denominator of the fraction shall be the value of the net estate everywhere reduced by the same class of deductions allowable in subparagraph (a) above;

(c) the ratio of the fraction so derived shall be multiplied by the federal estate tax due and payable to the United States Treasury.

(d) for purposes of this clause, the net estate is defined as the gross value of the estate on the applicable valuation date reduced by any unpaid mortgages on, or any indebtedness in respect of, property where the decedent's interest therein, undiminished by such mortgage or indebtedness, is included in the value of the gross estate.

(8) other taxes which have accrued and are a lien on property in the estate at the time of death

(9) reasonable fees for legal or fiduciary services incident to non-probate assets

(10) Minnesota and federal income taxes on "income in respect of a decedent," as computed under subdivision 3."

Page 4, delete lines 16 to 22 and insert:

"Sec. 4. Minnesota Statutes 1974, Section 291.07, is amended by adding a subdivision to read:

*Subd. 2a. Subject to approval by the commissioner, the deductions set forth in subdivision 1 of this section shall be allowed where the estate has been submitted to the jurisdiction of the court and the deductions taken have not been approved by the court in a formal proceeding. The deductions taken shall be submitted to the commissioner prior to the closing of the estate. The deductions so claimed thereafter shall be allowed unless the commissioner objects to any deduction so claimed in the manner provided by section 291.09, subdivision 2.*

Sec. 5. Minnesota Statutes 1974, Section 291.09, Subdivision 1, is amended to read:

291.09 [DETERMINATION OF TAX.] Subdivision 1. (a) Every *personal representative at the time of filing with the probate court a verified inventory and appraisal of the probate assets of the decedent as prescribed in chapter 525 shall submit to the court shall submit to the commissioner a copy of the inventory and appraisal prepared by him in accordance with sections 524.3-706 to 524.3-708 relating to such inventory and appraisal, and a true and complete schedule of non-probate assets, on a form prescribed by the commissioner.*

(b) Every *personal representative shall file with the commissioner, on a form prescribed by the commissioner, an inheritance tax return showing the values contained in the inventory and appraisal and schedule of non-probate assets and deductions and exemptions claimed by the representative, and containing a computation of the inheritance tax due under the provisions of this chapter. The representative shall file a true copy of such return with the probate court.*

(c) *Except as hereinafter provided, such inheritance tax return shall be conclusive as to the valuation of both probate and non-probate assets, to all other matters relating to the taxability of probate assets, and to the computation of the tax, unless, within 90 days after such filing, the commissioner, or any other person from whom any portion of such tax is due, has filed with the personal representative or any other person from whom any portion of such tax is due has filed with the probate court written objections to any such matter reflected in such return. Upon the filing of such objections, the probate court shall fix the time and place of a hearing thereon and shall give 30 days mailed notice thereof to the commissioner, to the representative and to each person from whom any portion of such tax is due. At such hearing the court shall hear such objections and shall make its order determining the matter so objected to and with the commissioner if the person objecting is one other than a personal representative, written objections to any such matter. Except as provided in clause (f) of this subdivision, upon objection the commissioner shall fix the time and place of a hearing thereon no earlier than ten*

*days subsequent to the date of such filing of objection and no later than 30 days subsequent thereto. At such hearing the commissioner shall consider all available material submitted by the personal representative for the purpose of substantiating or verifying the matters subject to the objections. Not later than 30 days after such hearing, the commissioner shall issue an order indicating the adjustment, if any, of the computation of the inheritance tax due .*

(d) If the probate court upon a hearing on a representative's account allows a deduction different in amount than that used in the determination of the inheritance tax return as provided in the preceding subparagraph (b), or if the probate court in its decree assigning the property determines :

(i) assigns such property passes to a person or persons other than the person or persons reported on the inheritance tax return; or

(ii) distributes such property passes to the person or persons reported on the inheritance tax return in amounts or shares different than those reported thereon; or

(iii) determines the relationship between the decedent and any person to whom property is assigned as passes is other than the relationship reported on the inheritance tax return,

the commissioner not later than 90 days after receipt of a copy of the court's order or decree adjusting, settling or allowing the account or assigning the property may issue an order adjusting the computation of the inheritance tax due in accordance therewith.

(e) The probate court may waive the filing of any inheritance tax return required by subparagraph (b) where it appears that no inheritance tax is due, but such waiver shall not limit the right of the commissioner to file a return pursuant to subdivision 3 hereof.

(f) *In the event objections have been filed as provided in clause (c) of this subdivision, the personal representative or any other objector, in lieu of the hearing prescribed in said clause (c) or subsequent to such hearing, may elect to have a formal proceeding under chapter 524 to determine the disputed matters.*

(g) *Any determination made by the commissioner may be appealed to the Minnesota tax court as provided in section 271.09.*

Sec. 6. Minnesota Statutes 1974, Section 291.14, Subdivision 1, is amended to read:

**291.14 [INHERITANCE TAX A LIEN UPON PROPERTY.]**  
Subdivision 1. Every tax imposed by this chapter shall be a lien upon the property embraced in any inheritance, devise, bequest, legacy, or gift until paid, and the person to whom such property is transferred shall be personally liable for such tax, until its payment, to the extent of the value of such property. No such lien shall be enforced against real property, included in the probate estate, unless the state shall assert the same by filing a statement of its lien in the office of the register of deeds or registrar of titles in the county wherein such real estate may be situated, within ten

years after the date of any final decree or order of distribution which may be entered in the estate involved.

Sec. 7. Minnesota Statutes 1974, Section 291.14, is amended by adding subdivisions to read:

*Subd. 3. (1) Where an order approving distribution of property is not issued by the court, any tax due on the transfer of such property or interest to a devisee or to heirs who are entitled under the statutes of intestate succession shall be a lien upon such property until the tax imposed by chapter 291 is paid.*

*(2) No such lien shall be enforced against real property subject to the provisions of clause (1) of this subdivision unless the state shall assert the same by filing a statement of such lien in the office of the register of deeds or the registrar of titles in the county wherein such real estate may be situated within ten years from the date of recording a copy of the death record of the testate or intestate decedent, as the case may be, together with a statement by the commissioner acknowledging receipt of an inventory and appraisal listing such real property.*

*(3) Where the tax on property subject to the provisions of this subdivision has been paid, or if there be deposited with the commissioner a sum of money in an amount equal to the tax which, in the judgment of the commissioner may be due upon the transfer of such property, or if there be no tax required to be paid, the commissioner shall certify on an affidavit prescribed by him or instrument of conveyance that the lien for inheritance tax has been satisfied or has been waived, as the case may be. The affidavit or instrument of conveyance so certified may be recorded as are other instruments affecting the title to real estate.*

*Subd. 4. The lien of the state for inheritance taxes payable by a personal representative shall not extend to any right acquired by a bona fide purchaser, mortgagee, or lessee through any conveyance made by such personal representative, provided that such personal representative delivers to the register of deeds or registrar of titles, as the case may be, a declaration that the property described therein has been sold to a bona fide purchaser, or has been mortgaged or leased, as the case may be. The declaration so submitted shall have attached thereto a certified copy of letters evidencing the appointment of such personal representative. The register of deeds or registrar of titles shall submit a copy of such declaration to the commissioner at his office in St. Paul, Minnesota, without any requirement that the statements made therein by such personal representative have been verified.*

Sec. 8. Minnesota Statutes 1974, Section 502.71, is amended to read:

502.71 [EFFECT OF DEED.] When the donee of a power of appointment makes a deed or a will purporting to transfer all of his property, the property covered by the power is included in such transfer unless it be shown that the donee did not so intend."

Page 5, after line 6 insert:

"Sec. 10. Minnesota Statutes 1974, Section 508.22, is amended to read:

508.22 [DECREE OF REGISTRATION; EFFECT.] If, after hearing, the court finds the applicant has a title proper for registration, whether as stated in his application or otherwise, it shall make and file its decree therein, confirming the title of the applicant and ordering the registration thereof. Except as herein otherwise provided, every decree of registration shall bind the land described therein, forever quiet the title thereto, and be forever binding and conclusive upon all persons, whether mentioned by name in the summons, or included in the phrase, "all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the application herein," and such decree shall not be opened, vacated, or set aside by reason of the absence, infancy, or other disability of any person affected thereby, nor by any proceeding at law or in equity for opening, vacating, setting aside, or reversing judgments and decrees, except as herein especially provided. The decree shall forever determine, bind, and conclude all the right, title, interest, estate, or lien in the land described therein of the husband or wife of any defendant acquired or growing out of the marriage relation in like manner as if such husband or wife had been expressly named in the decree.

*No decree of registration to property wherein the title is based upon a transfer from a decedent whose death occurred after January 1, 1976 shall be entered until the commissioner of revenue has been duly notified thereof and has been granted an opportunity to appear in such action, unless the tax imposed by chapter 291 has been paid, or the lien prescribed by section 291.14 has been duly waived."*

Page 15, line 11, strike "applies" and insert "*and chapter 525 apply*"

Page 15, line 13, restore the stricken language and delete "*non-resident*"

Page 15, line 14, delete "*decedents*"

Page 17, delete lines 14 to 17 and insert:

*"by publishing at least once a week for three consecutive weeks, a copy thereof in a legal newspaper having general circulation in the county where the hearing is to be held, the last publication of which is to be at least 10 days"*

Page 22, line 1 delete "*A beneficial devise made in a will*"

Page 22, delete lines 2 to 8

Page 37, lines 2 and 3 reinstate the stricken "*to which the demand relates*"

Page 37, line 5, delete "*for an order or filing to which the demand relates*"

Page 43, lines 9 and 10, delete "*a week for three successive weeks*"

Page 43, line 25, delete "*a week for three successive weeks*"

Page 43, delete lines 29 to 31

Page 47, line 26, delete "*a week for three consecutive weeks*"

Page 47, line 29, the words "*If the decedent was*" should begin a new paragraph

Page 58, line 27, delete the new language

Page 58, line 28, delete the new language

Page 60, line 13, delete "*registrar and*"

Page 60, line 23, after "and" insert "*in a supervised administration*" and restore the stricken language

Page 60, line 25, delete "*or registrar*"

Page 81, line 32, before "UNCLAIMED" insert "DISPOSITION OF"

Page 85, line 5, delete "*inheritance*" and insert "*state estate*" and delete "*imposed*" and insert "*determined*"

Page 89, line 30, delete "(a)"

Page 90, line 10, delete "(a)"

Page 90, line 16, delete "(a)"

Page 95, lines 23 and 24, delete "*a week for three successive weeks*"

Page 100, line 9, before "PROVISIONS" insert "TIME OF TAKING EFFECT;" and restore the stricken language

Page 100, line 10, restore the stricken "takes effect on" and after "~~1975~~" insert "*January 1, 1976*"

Page 100, line 11, restore the stricken language

Page 101, restore the stricken lines 7 to 12

Page 103, line 21, delete "*conservatorship or*"

Page 105, lines 26 and 27, delete the new language

Page 106, line 2, delete "*or conservatorships*"

Page 108, line 22, restore the stricken language and delete the comma

Page 110, line 1, after "in" insert "*a lump sum not exceeding \$6,000 if the estate is insolvent or \$9,000 if the estate is solvent, or*"

Page 115, line 15, delete the semicolon and insert a period

Page 115, line 23, delete the semicolon and insert a period

Page 122, line 3, delete "*descretion*" and insert "*discretion*"

Page 123, line 14, delete the comma after "name"

Page 126, line 2, delete the new language

Page 126, line 3, delete the new language and insert in lieu thereof "Part 4 of section 524.3"

Page 130, delete lines 12 to 32

Page 131, delete lines 1 to 5

Page 138, line 9, restore the stricken language

Page 143, line 23, strike "interlocutory decree" and insert "order"

Page 143, line 24, strike "525.481" and insert "576.142"

Page 144, line 6, strike the semicolon and insert a period

Page 144, delete line 8

Page 144, line 13, delete the comma after "representatives"

Page 147, after line 15 insert the following:

"Sec. 142. Minnesota Statutes 1974, Section 559.013, is amended by adding a subdivision to read:

*Subd. 3. No decree to determine adverse claims to property wherein the title is based upon a transfer from a decedent whose death occurred after January 1, 1976 shall be entered until the commissioner of revenue has been duly notified thereof and has been granted an opportunity to appear in such action, unless the tax imposed by chapter 291 has been paid, or the lien prescribed by section 291.14 has been duly waived."*

Page 148, line 18, delete "515.182;" and insert "525.182;"

Page 148, line 23, after "525.531;" insert "525.693;"

Renumber the sections in sequence

Further amend the title as follows:

Line 6, after "estates," insert "taxation of inheritances;"

Line 11, before "291.07," insert "291.005;" and after "291.07," delete "Subdivision 2" and insert "and by adding a subdivision"

Line 11, before "502.71;" insert "291.09, Subdivision 1; 291.14, Subdivision 1, and by adding subdivisions;"

Line 11, after "502.71;" insert "508.22;"

Line 34, delete "525.551;"

Line 38, after "541.16;" insert "559.013, by adding a subdivision;"

Line 39, delete "Chapter" and insert "Chapters" and insert a comma after "507"

Line 39, insert a semicolon after "section" and delete "and"

Line 40, delete "Chapters"

Page 2, line 9, after "525.531;" insert "525.693;"

And when so amended, H. F. No. 216 will be identical to S. F. No. 134 and further recommends that H. F. No. 216 be given its second reading and substituted for S. F. No. 134 and that the Senate File be indefinitely postponed.

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

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

H. F. Nos. 78 and 1277 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Readings and substituted for their companion Senate Files as follows:

<b>CALENDAR OF</b>					
<b>GENERAL ORDERS</b>		<b>ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
78	26				
1277	1610				

and that the above Senate Files be indefinitely postponed.

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

#### **APPOINTMENTS**

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1674, pursuant to the request of the House:

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

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

#### **SECOND READING OF SENATE BILLS**

S. F. No. 863 was read the second time.

#### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1003, 532, 1133, 142, 1127, 1330, 597, 1328, 789, 795, 1423, 720, 605, 1309, 1277, 619, 1107, 1020, 78 and 216 were read the second time.

#### **MOTIONS AND RESOLUTIONS**

Messrs. Schrom and McCutcheon introduced—

Senate Resolution No. 23: A senate resolution providing an interim committee to investigate the constitutionality of Federal and State metro regional government.

Referred to the Committee on Local Government.

Mr. Anderson moved that S. F. No. 637 be taken from the table. The motion prevailed.

**CONCURRENCE AND REPASSAGE**

Mr. Anderson moved that the Senate concur in the amendments by the House to S. F. No. 637 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 637: A bill for an act relating to county courts; establishing the manner of disposition of fines, fees and other moneys; amending Minnesota Statutes 1974, Section 487.33, Subdivision 5, and by adding a subdivision.

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

The question being taken on the repassage of the bill, as amended, And the roll being called, there were yeas 55, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Hughes moved that the report from the Committee on Education, reported May 8, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

**CONFIRMATION**

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported May 8, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

**MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION**

Gerald Vizenor, 810 Thornton S. E., Minneapolis, Hennepin County, appointed effective February 15, 1975, for a term expiring February 15, 1979.

The motion prevailed. So the appointment was confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

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

### SPECIAL ORDER

H. F. No. 587: A bill for an act relating to the department of administration; directing the release of certain lands and the conveyance of certain lands in Aitkin county.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 308: A bill for an act relating to health, defining and authorizing regulation of mass gatherings by the state board of health; amending Minnesota Statutes 1974, Section 144.12.

Mr. Tennessee moved to amend H. F. No. 308, as amended pursuant to Rule 49, adopted by the Senate April 14, 1975, as follows:

Page 1, line 9, before "The" insert "*Subdivision 1.*"

Page 4, line 7, restore the stricken language

Page 4, line 10, restore the stricken period and strike "; and"

Page 4, line 11, strike "(16) The" and insert "*Subd. 2. The board may regulate the*"

Page 4, line 11, after "gatherings" insert "*by the promulgation of rules*"

Page 4, line 18, after the period insert "*No permit, license, or other prior approval shall be required of the board for a mass gathering.*"

Page 4, line 24, strike "section" and insert "subdivision"

The motion prevailed. So the amendment was adopted.

H. F. No. 308 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 37 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	Milton	Spear
Arnold	Coleman	Humphrey	Moe	Stumpf
Bang	Conzemius	Keefe, S.	Nelson	Tennessee
Blatz	Davies	Kleinbaum	North	Wegener
Borden	Doty	Kowalczyk	Pillsbury	Willet
Brataas	Fitzsimons	Laufenburger	Purfeerst	
Brown	Gearly	Lewis	Schmitz	
Chenoweth	Hansen, Mel	McCutcheon	Sillers	

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Larson	Olson, H. D.	Renneke
Berg	Hanson, R.	Olhoff	Olson, J. L.	Schrom
Bernhagen	Josefson	Olson, A. G.	Patton	Stassen
Dunn				

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

### SPECIAL ORDER

H. F. No. 899: A bill for an act relating to highways; county state-aid highway system; allocations; authorizing money credited to the municipal account to be used, under certain conditions, on other county state-aid highways outside the limits of cities having a population of less than 5,000; amending Minnesota Statutes 1974, Section 162.08, Subdivision 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 264: A bill for an act relating to regional development commissioners; authorizing per diem compensation for members; amending Minnesota Statutes 1974, Section 462.388, Subdivision 5.

Mr. Moe moved to amend H. F. No. 264 as follows:

Page 1, line 9, strike "shall" and insert "may"

The motion prevailed. So the amendment was adopted.

H. F. No. 264 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### SPECIAL ORDER

H. F. No. 666: A bill for an act relating to the city of Minneapolis; authorizing housing finance program; providing for the issuance of limited general obligation bonds.

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 3, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hughes	Lewis	Renneke
Bang	Coleman	Humphrey	McCutcheon	Schmitz
Berg	Conzemius	Josefson	Nelson	Schrom
Bernhagen	Doty	Keefe, S.	North	Spear
Blatz	Fitzsimons	Kirchner	Ogdahl	Stassen
Borden	Gearty	Kleinbaum	Olhoff	Stumpf
Brataas	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Brown	Hansen, Mel	Larson	O'Neill	Wegener
Chenoweth	Hanson, R.	Laufenburger	Patton	Willet

Messrs. Davies, Pillsbury and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1156: A bill for an act authorizing the city of Duluth to negotiate contracts for maintenance of city parks and public works under terms and conditions as will promote the employment of needy elderly citizens; limiting the amount of total annual compensation for individuals under such contracts.

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:

Arnold	Coleman	Humphrey	Nelson	Schrom
Ashbach	Conzemius	Josefson	North	Solon
Bang	Davies	Keefe, J.	Ogdahl	Spear
Berg	Doty	Kirchner	Olhoft	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Olson, J. L.	Stumpf
Blatz	Gearty	Knutson	O'Neill	Tennesen
Borden	Hansen, Baldy	Larson	Patton	Ueland
Brown	Hansen, Mel	Laufenburger	Pillsbury	Wegener
Chenoweth	Hanson, R.	Lewis	Renneke	Willet
Chmielewski	Hughes	McCutcheon	Schmitz	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 281: A bill for an act relating to teachers; availability of teacher evaluations and files; amending Minnesota Statutes 1974, Section 125.12, Subdivision 6.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Sillers
Arnold	Davies	Keefe, S.	North	Spear
Berg	Doty	Kirchner	Olhoft	Stumpf
Bernhagen	Dunn	Knutson	Olson, A. G.	Tennesen
Blatz	Fitzsimons	Kowalczyk	Olson, H. D.	Ueland
Borden	Frederick	Larson	Olson, J. L.	Wegener
Brataas	Hansen, Mel	Laufenburger	Patton	Willet
Brown	Hanson, R.	Lewis	Pillsbury	
Chenoweth	Hughes	McCutcheon	Renneke	
Chmielewski	Humphrey	Merriam	Schmitz	
Coleman	Josefson	Moe	Schrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1422: A bill for an act relating to highways; adding an additional leg or alternative route to the highway route designated as the Voyageur highway; amending Minnesota Statutes 1974, Section 161.14, Subdivision 18.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Brown	Dunn	Hansen, Mel
Arnold	Blatz	Chenoweth	Fitzsimons	Hanson, R.
Bang	Borden	Chmielewski	Frederick	Hughes
Berg	Brataas	Davies	Hansen, Baldy	Humphrey

Josefson	Larson	Nelson	Renneke	Tennessee
Keefe, J.	Laufenburger	North	Schmitz	Ueland
Keefe, S.	Lewis	Olhoft	Schrom	Wegener
Kirchner	McCutcheon	Olson, H. D.	Sillers	Willet
Kleinbaum	Merriam	Olson, J. L.	Spear	
Knutson	Milton	O'Neill	Stassen	
Kowalczyk	Moe	Patton	Stumpf	

Messrs. Ashbach; Olson, A. G. and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 276: A bill for an act relating to agriculture; dairy industry unfair trade practices; amending Minnesota Statutes 1974, Sections 32A.05, Subdivision 4; 32A.06, Subdivision 1; 32A.07; and 32A.09, Subdivision 6.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	Laufenburger	Patton
Ashbach	Coleman	Humphrey	Moe	Pillsbury
Bang	Conzemius	Josefson	North	Schmitz
Berg	Dunn	Keefe, J.	Ogdahl	Sillers
Bernhagen	Fitzsimons	Kirchner	Olhoft	Stassen
Blatz	Frederick	Kleinbaum	Olson, A. G.	Wegener
Borden	Gearty	Knutson	Olson, H. D.	Willet
Brataas	Hansen, Baldy	Kowalczyk	Olson, J. L.	
Brown	Hanson, R.	Larson	O'Neill	

Those who voted in the negative were:

Davies	Lewis	Merriam	Stumpf	Tennessee
Hansen, Mel	McCutcheon	Renneke		

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1160: A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

Mr. Laufenburger moved to amend H. F. No. 1160, as amended pursuant to Rule 49, adopted by the Senate April 19, 1975, as follows:

Page 2, line 4, strike "in excess of" and insert "within"

Page 2, line 5, strike "any"

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

H. F. No. 1160 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Josefson	Ogdahl	Schmitz
Arnold	Dunn	Keefe, J.	Olhoff	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olson, H. D.	Sillers
Bang	Frederick	Knutson	Olson, J. L.	Solon
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Patton	Ueland
Blatz	Hanson, R.	Lewis	Pillsbury	
Brataas	Hughes	Nelson	Purfeerst	
Brown	Humphrey	North	Renneke	

Those who voted in the negative were:

Borden	Conzemius	Kirchner	Olson, A. G.	Tennessee
Chenoweth	Davies	McCutcheon	Spear	Wegener
Coleman	Doty	Milton	Stumpf	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 434: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1974, Section 18.022, Subdivision 1, and by adding a subdivision; and Chapter 18 by adding a section.

Mr. Conzemius moved to amend H. F. No. 434 as follows:

Page 2, after line 15, insert:

"Sec. 4. Minnesota Statutes 1974, Section 18.55, Subdivision 2, is amended to read:

Subd. 2. [FILING OUT-OF-STATE CERTIFICATES OF INSPECTION.] Each out-of-state nurseryman or dealer whose nursery stock is sold, offered for sale, or distributed within this state shall file a certified current copy of his out-of-state certificate in the office of the commissioner. ~~Such filed certificate is void if said person has violated any provisions of the plant pest act. The commissioner may accept, in lieu of such individual certificates, a certified list of current certified nurserymen or dealers from the regulatory agency having jurisdiction in the state of origin, and may distribute such lists to persons in the state of Minnesota requesting them. The commissioner also may supply certified lists of certified Minnesota nurserymen and dealers offering nursery stock for sale in Minnesota and other states on request of any person. If any certified nurseryman or dealer has violated any provisions of the plant pest act, his filed certificate will be voided or his name will be stricken from the appropriate certified list.~~

Page 2, line 16, after "sec." strike "4" and insert "5"

Further amend the title as follows:

Line 2, after "control;" insert "regulating the sale of nursery stock by out-of-state nurserymen; requiring certificates of inspection; providing reciprocity with other states;"

Line 3, strike "Section" and insert "Sections"

Line 4, after "subdivision;" insert "18.55, Subdivision 2;"

The motion prevailed. So the amendment was adopted.

H. F. No. 434 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### SPECIAL ORDER

S. F. No. 886: A bill for an act relating to commerce; interest rates on money; requiring a forfeiture of interest on usurious contracts; providing for recovery of an amount equal to twice the amount of interest paid on an usurious contract; amending Minnesota Statutes 1974, Sections 334.02; 334.03; and 334.05.

Mr. Hansen, Baldy moved to amend S. F. No. 886 as follows:  
Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 334, is amended by adding a section to read:

[334.055] [FINANCIAL INSTITUTIONS USURIOUS INTEREST; RECOVERY.] *Any financial institution as defined in section 47.015, subdivision 1, or a mortgage bank who directly or indirectly takes or receives interest on any loan or forbearance of money, goods, or things in action, in excess of what is permitted by law, shall forfeit the entire interest which the loan or forbearance carries with it and shall be liable to the debtor for an amount equal to twice the amount of interest paid by the debtor. This section shall not apply to bona fide purchasers of negotiable paper. Any loan or forbearance which is subject to this section is not subject to the provisions of sections 334.02, 334.03 and 334.05."*

Further, amend the title as follows:

Page 1, line 2, strike "interest rates on money;"

Page 1, strike line 3

Page 1, line 4, strike "contracts;"

Page 1, line 6, after "contract" insert "held by financial institutions"

Page 1, line 7, strike "Sections 334.02; 334.03; and 334.05" and insert "Chapter 334, by adding a section"

The motion prevailed. So the amendment was adopted.

S. F. No 886: A bill for an act relating to commerce; providing for recovery of an amount equal to twice the amount of interest paid on an usurious contract held by financial institutions; amending Minnesota Statutes 1974, Chapter 334, by adding a section.

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

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

And the roll being called, there were yeas 35 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	Moe	Patton
Arnold	Doty	Humphrey	Nelson	Pillsbury
Bang	Fitzsimons	Josefson	North	Purfeerst
Berg	Frederick	Keefe, J.	Ogdahl	Schmitz
Bernhagen	Gearty	Kleinbaum	Olson, H. D.	Schrom
Borden	Hansen, Baldy	Larson	Olson, J. L.	Ueland
Brown	Hanson, R.	Laufenburger	O'Neill	Wegener

Those who voted in the negative were:

Ashbach	Davies	Kowalczyk	Milton	Spear
Blatz	Dunn	Lewis	Olhoft	Stumpf
Brataas	Hansen, Mel	McCutcheon	Olson, A. G.	Tennessee
Chenoweth	Knutson	Merriam	Sillers	Willet

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

#### SPECIAL ORDER

H. F. No. 864: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1974, Chapter 356, by adding a section; and Sections 356.20, Subdivisions 2 and 4; 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1974, Sections 356.21; 356.211; and 356.212.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 927: A bill for an act relating to fiduciaries; authorizing deposit of certain securities with the federal reserve bank under certain conditions; amending Minnesota Statutes 1974, Chapter 520, 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1238: A bill for an act relating to Lincoln county; authorizing Lincoln county to perform or contract for the performance of weather modification activities.

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 16, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Kleinbaum	Ogdahl	Renneke
Berg	Hansen, Mel	Knutson	Olhoft	Schmitz
Blatz	Hanson, R.	Larson	Olson, A. G.	Sillers
Brataas	Hughes	Laufenburger	Olson, H. D.	Spear
Chmielewski	Humphrey	Merriam	Olson, J. L.	Ueland
Dunn	Josefson	Moe	O'Neill	Wegener
Fitzsimons	Keefe, J.	Nelson	Patton	
Frederick	Kirchner	North	Purfeerst	

Those who voted in the negative were:

Anderson	Chenoweth	Doty	Milton	Stumpf
Bernhagen	Coleman	Lewis	Pillsbury	Tennessee
Borden	Davies	McCutcheon	Schrom	Willet
Brown				

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 840: A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, by adding a section.

**CALL OF THE SENATE**

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

Anderson	Conzemius	Hughes	Moe	Renneke
Ashbach	Davies	Humphrey	Nelson	Schmitz
Berg	Doty	Josefson	North	Schrom
Bernhagen	Dunn	Keefe, J.	Ogdahl	Solon
Blatz	Fitzsimons	Keefe, S.	Olson, A. G.	Spear
Borden	Frederick	Kirchner	Olson, H. D.	Stassen
Brataas	Gearty	Kleinbaum	O'Neill	Stumpf
Brown	Hansen, Baldy	Knutson	Patton	Tennesen
Chenoweth	Hansen, Mel	Laufenburger	Pillsbury	Willet
Chmielewski	Hanson, R.	Milton	Purfeerst	

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

S. F. No. 840 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 15, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Humphrey	Lewis	Schmitz
Ashbach	Davies	Keefe, J.	McCutcheon	Solon
Bang	Doty	Keefe, S.	Milton	Spear
Blatz	Dunn	Kirchner	Moe	Stassen
Borden	Fitzsimons	Kleinbaum	Nelson	Stumpf
Brataas	Gearty	Knutson	North	Tennesen
Brown	Hansen, Mel	Kowalczyk	Ogdahl	Ueland
Chenoweth	Hanson, R.	Larson	O'Neill	Wegener
Coleman	Hughes	Laufenburger	Pillsbury	

Those who voted in the negative were:

Anderson	Chmielewski	Josefson	Olson, J. L.	Renneke
Berg	Frederick	Olson, A. G.	Patton	Schrom
Bernhagen	Hansen, Baldy	Olson, H. D.	Purfeerst	Willet

So the bill passed and its title was agreed to.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 1:35 o'clock p.m. The motion prevailed.

The hour of 1:35 o'clock p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

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

Arnold	Doty	Keefe, S.	North	Schrom
Berg	Dunn	Kirchner	Olhoft	Solon
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Spear
Borden	Gearty	Knutson	Olson, H. D.	Stassen
Brown	Hansen, Baldy	Kowalczyk	O'Neill	Stumpf
Chenoweth	Hansen, Mel	Lewis	Patton	Tennessee
Chmielewski	Hanson, R.	McCutcheon	Pillsbury	Willet
Conzemius	Hughes	Merriam	Purfeerst	
Davies	Humphrey	Milton	Schmitz	

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

### SPECIAL ORDER

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

Mr. Doty moved to amend H. F. No. 493, as amended pursuant to Rule 49, adopted by the Senate April 24, 1975, as follows:

Page 9, line 20, after "*therefrom*" insert "*;* *provided, however, that a supplier may sell motor vehicle fuel at a lower price to dealers if the lower price is necessary to meet retail price competition in the particular geographic area* "

The motion prevailed. So the amendment was adopted.

Mr. Doty then moved to amend H. F. No. 493, as amended pursuant to Rule 49, adopted by the Senate April 24, 1975, as follows:

Page 9, after the last line of the bill, insert:

"Sec. 10. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

The motion prevailed. So the amendment was adopted.

### CALL OF THE SENATE

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

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

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

H. F. No. 493 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 13 and nays 40, as follows:

Those who voted in the affirmative were:

Coleman	Gearty	Merriam	Solon	Ueland
Davies	Hansen, Mel	North	Spear	
Doty	Keefe, S.	Schmitz	Stumpf	

Those who voted in the negative were:

Arnold	Chmielewski	Kleinbaum	Ogdahl	Pillsbury
Ashbach	Dunn	Knutson	Olhoft	Purfeerst
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Renneke
Bernhagen	Frederick	Larson	Olson, H. D.	Schrom
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Sillers
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Brataas	Josefson	Moe	Patton	Wegener
Brown	Keefe, J.	Nelson	Perpich, G.	Willet

So the bill failed to pass.

### SPECIAL ORDER

H. F. No. 490: A bill for an act relating to hearing aids; providing a penalty; amending Minnesota Statutes 1974, Chapter 145, by adding a section; repealing Minnesota Statutes 1974, Section 145.43, Subdivision 3.

Mr. Spear moved to amend H. F. No. 490 as follows:

Page 1, line 15, before the period insert "*, subdivision 1*"

The motion prevailed. So the amendment was adopted.

H. F. No. 490 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 42 and nays 12, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Larson	Olhoft	Stassen
Bang	Gearty	Laufenburger	Olson, A. G.	Stumpf
Borden	Hansen, Mel	Lewis	Olson, H. D.	Tennessee
Brown	Hanson, R.	McCutcheon	O'Neill	Ueland
Chenoweth	Hughes	Merriam	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Keefe, S.	Moe	Purfeerst	
Conzemius	Kleinbaum	Nelson	Schmitz	
Davies	Kowalczyk	North	Spear	

Those who voted in the negative were:

Berg	Hansen, Baldy Knutson	Patton	Schrom
Bernhagen	Josefson	Olson, J. L.	Renneke
Frederick	Keefe, J.		Sillers

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

### SPECIAL ORDER

H. F. No. 593: A bill for an act relating to retirement; computation of legislative annuities; mandatory age for legislative employees; miscellaneous changes in the Minnesota state retirement system law; amending Minnesota Statutes 1974, Chapters 3A; 352; and 352B, by adding sections; Sections 3A.01, Subdivisions 2 and 4; 3A.02, Subdivisions 1, 3, and 4; 3A.03, Subdivision 2; 3A.04, Subdivisions 1 and 2; 3A.05; and 3A.10, Subdivision 1; 43.051, Subdivision 1; 352.01, Subdivision 17; 352.03, Subdivisions 4, 11, and by adding a subdivision; 352.113, Subdivisions 1, 5, and 12; 352.115, Subdivisions 2, 10, and 11; 352.12, Subdivisions 1, 2, 6, 7, 8, and 11; 352.15; 352.22, Subdivisions 3 and 8; 352.72, Subdivision 2, and by adding a subdivision; 352.91, by adding a subdivision; 352.93, Subdivision 1; 352B.03, Subdivisions 1 and 2; 352D.015, Subdivision 9; 352D.02, Subdivisions 1 and 3; 352D.05, Subdivision 3; 352D.06, Subdivisions 1 and 2; 352D.065, Subdivisions 2 and 3; and 352D.075, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 352.28; 352.32; 352.38; 352.715; 352B.01, Subdivision 5; 352B.021; 352B.04; 352D.015, Subdivision 10; 352D.05, Subdivision 2; 352D.065, Subdivision 1; 352D.075, Subdivision 1; and 352D.085, Subdivision 2.

Mr. Chenoweth moved to amend H. F. No. 593 as follows:

Page 32, line 30, strike "and"

Page 32, line 31, after "Subdivision 2;" insert "and 355.301;"

Page 33, after line 22, insert:

"Sec. 53. (1) *The board of trustees of the public employees retirement association may study the feasibility of purchasing or leasing land and constructing a building thereon or of acquiring such land or building pursuant to a lease-purchase agreement for its occupancy and to lease space to other public agencies as an investment of association funds. To this end the board is authorized to retain the services of architectural, real estate, investment and other experts to aid in carrying out the study.*

(2) *The commissioner of administration is authorized to cooperate with the board of trustees in carrying out the study.*

(3) *The board of trustees is authorized to expend not more than \$25,000 to carry out the purposes of this act and such sum is hereby appropriated from the funds of the association, provided such authorization shall terminate May 31, 1976.*

Sec. 54. Laws 1969, Chapter 641, Section 1, is amended by adding a subdivision to read:

Subd. 3. "Member" shall not include any person who is employed by the City of Rochester as a member of the bicycle patrol and who is employed on a seasonal basis."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "law;" insert "authorizing the public employees retirement association to make a feasibility study;"

Page 1, line 22, before the word "repealing" insert "Laws 1969, Chapter 641, Section 1, by adding a subdivision;"

Page 1, line 27, strike "and"

Page 1, line 27, after "Subdivision 2" insert "; and 355.301"

The motion prevailed. So the amendment was adopted.

H. F. No. 593 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, J. voted in the negative.

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

#### SPECIAL ORDER

H. F. No. 1518: A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

Mr. O'Neill moved to amend H. F. No. 1518, as follows:

Page 4, line 11, delete "3" and insert "4"

Page 4, line 11, delete "*This act*" and insert "*Sections 1 to 3*"

Page 4, line 11, delete "*its*"

Page 4, after line 14, insert the following:

"Sec. 5. Laws 1965, Chapter 705, is amended by adding a section to read:

*Sec. 6. The school board, for the purpose of providing moneys for the payment of its severance pay obligations under a plan approved by resolution of the district, in addition to all other powers possessed by the school district and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, is authorized to levy taxes annually not exceeding in any one year an amount equal to two-tenths of one mill upon each dollar of the assessed valuation thereof upon all taxable property within the school district which taxes as levied shall be spread upon the tax rolls, and all corrections thereof shall be held by the school district, and allocated therefor to be disbursed and expended by the school district in payment of any public school severance pay obligations and for no other purpose. Disbursements and expenditures previously authorized on behalf of the school district for payment of severance pay obligations shall not be deemed to constitute any part of the cost of the operation and maintenance of the school district within the meaning of any statutory limitation of any school district expenditures.*

*The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee shall not exceed \$4,000.*

*Sec. 6. Section 5 shall become effective only after approval by a majority of the governing body of Independent School District No. 625 and upon compliance with the provisions of Minnesota Statutes, Section 645.021."*

Further, amend the title as follows:

Page 1, line 2, after "St. Paul" insert "and Independent School District No. 625"

Page 1, line 6, after "city;" insert "providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board;"

Page 1, line 11, after "and 3, as amended" insert "; and Laws 1965, Chapter 705, by adding a section"

The motion prevailed. So the amendment was adopted.

Mr. O'Neill then moved to amend H. F. No. 1518 as follows:

Page 4, after line 10, insert:

"Sec. 3. Laws 1973, Chapter 691, Section 4, Subdivision 1, is amended to read:

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no

ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized as provided herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected. *The city of St. Paul is authorized to provide by ordinance passed upon in the manner provided for by the charter of the city of St. Paul that compensation of all duly elected officers under its charter may be increased by an amount not to exceed \$2,000, such ordinance to be enacted and to become effective prior to December 31, 1975.'*

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "providing for ordinance for increased limited compensation for officers;"

Page 1, line 11, before the period, insert "; and Laws 1973, Chapter 691, Section 4, Subdivision 1"

The motion prevailed. So the amendment was adopted.

H. F. No. 1518 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 48 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Josefson and Knutson voted in the negative.

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

#### SPECIAL ORDER

S. F. No. 1054: A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1974, Section 60A.08, Subdivision 10.

#### CALL OF THE SENATE

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

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

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

S. F. No. 1054 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

And the roll being called, there were yeas 35 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Laufenburger	Ogdahl	Schmitz
Arnold	Doty	Lewis	Olhoff	Schrom
Borden	Dunn	McCutcheon	Olson, A. G.	Solon
Brown	Fitzsimons	Merriam	Olson, H. D.	Spear
Chenoweth	Hansen, Baldy	Milton	Perpich, G.	Stumpf
Coleman	Hughes	Moe	Pillsbury	Wegener
Conzemius	Keefe, S.	North	Purfeerst	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Humphrey	Kowalczyk	Patton
Bang	Frederick	Josefson	Larson	Renneke
Bernhagen	Gearty	Keefe, J.	Nelson	Sillers
Blatz	Hansen, Mel	Kirchner	Olson, J. L.	Stassen
Brataas	Hanson, R.	Knutson	O'Neill	Ueland

So the bill passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Olson, H. D. moved that the rules of the Senate be so far suspended that the lie-over requirement be waived on H. F. No. 1169. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 1169: A bill for an act relating to agriculture; inspection; licensing; fees; amending Minnesota Statutes 1974, Sections 17.35, Subdivision 6; 18.032, Subdivision 6; 18.53; 18.54, Subdivision 1; 18A.02, Subdivision 3; 21.54, Subdivision 2; 24.072, Subdivisions 2 and 4; 28A.03; 28A.04; 28A.05; 28A.08; 28A.09; 28A.15, Subdivision 5; 31.101; 31.102, Subdivision 1; 31.103, Subdivision 1; 31.104; 31.31; 31.39; 32.075; 32.394, Subdivision 8, and by adding subdivisions; 32.59; and 34.05, Subdivisions 1 and 2.

Mr. Olson, H. D. moved that the amendment made to H. F. No. 1169 by the Committee on Rules and Administration in the report adopted May 8, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1169 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 30 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Hanson, R.	North	Solon
Arnold	Doty	Humphrey	Olson, A. G.	Spear
Borden	Fitzsimons	Keefe, S.	Perpich, G.	Stassen
Chmielewski	Gearty	Laufenburger	Purfeerst	Stumpf
Coleman	Hansen, Baldy	Merriam	Schmitz	Wegener
Conzemius	Hansen, Mel	Moe	Schrom	Willet

Those who voted in the negative were:

Ashbach	Frederick	Larson	O'Neill	Ueland
Bang	Josefson	Nelson	Patton	
Brataas	Kirchner	Ogdahl	Pillsbury	
Brown	Knutson	Olson, H. D.	Renneke	
Dunn	Kowalczyk	Olson, J. L.	Sillers	

So the bill failed to pass.

### SPECIAL ORDER

S. F. No. 454: A bill for an act relating to intoxicating liquor; licensing of bottle clubs; amending Minnesota Statutes 1974, Section 340.119, Subdivision 3.

Mr. Keefe, J. moved to amend S. F. No. 454, as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 340.119, Subdivision 3, is amended to read:

Subd. 3. It is unlawful for any bottle club or for any business establishment, directly or indirectly, or upon any pretense or by any device, to allow the consumption or display of intoxicating liquor or the serving of any liquid for the purpose of mixing of intoxicating liquor without having first obtained a permit therefor. Such permit ~~shall~~ *may* be issued by the liquor control commissioner *after approval by the governing body of the county or city*, for a period of one year to expire on July 1, next following issuance of such license, upon the payment of \$100 and must be renewed annually on July 1. Application for such permit shall be made to the liquor control commissioner. There is hereby conferred upon the governing body of each county and city in the state the authority to impose, in addition to the fee provided by this subdivision, ~~an additional~~ *a local license fee not exceed-*

ing \$300 per year. Such additional fee, which shall be payable to the county and city imposing the fee.

Sec. 2. *This act is effective July 1, 1975.* "

The motion prevailed. So the amendment was adopted.

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

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

S. F. No. 454 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	Fitzsimons	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Knutson	Olson, H. D.	Spear
Bang	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Berg	Hansen, Mel	Larson	Patton	Stumpf
Bernhagen	Hanson, R.	Lewis	Perpich, G.	Ueland
Borden	Hughes	McCutcheon	Pillsbury	Wegener
Brown	Humphrey	Merriam	Purfeerst	Willet
Chmielewski	Josefson	Moe	Schmitz	
Davies	Keefe, J.	Nelson	Schrom	
Dunn	Kirchner	North	Sillers	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1217: A bill for an act relating to Waseca county; authorizing issuance of an on-sale license for the sale of intoxicating liquor.

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:

Arnold	Fitzsimons	Knutson	Olson, H. D.	Solon
Ashbach	Hansen, Baldy	Larson	O'Neill	Spear
Bang	Hansen, Mel	Lewis	Patton	Ueland
Berg	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Bernhagen	Humphrey	Merriam	Pillsbury	Willet
Borden	Josefson	Moe	Purfeerst	
Brown	Keefe, J.	Nelson	Schmitz	
Chmielewski	Keefe, S.	North	Schrom	
Davies	Kleinbaum	Ogdahl	Sillers	

Those who voted in the negative were:

Doty	Dunn	Kirchner	Olson, J. L.	Stumpf
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So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 558: A bill for an act relating to intoxicating liquor; suspension or revocation of licenses to sell; amending Minnesota Statutes 1974, Section 340.135.

Mr. Kleinbaum moved to amend H. F. No. 558 as follows:

Page 2, line 2, before "The" insert "No suspension or revocation shall take effect until"

Page 2, line 3, strike "shall be" and insert "has been"

The motion prevailed. So the amendment was adopted.

H. F. No. 558 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	Davies	Josefson	Milton	Purfeerst
Ashbach	Dunn	Keefe, J.	Moe	Schmitz
Bang	Fitzsimons	Keefe, S.	Nelson	Schrom
Berg	Frederick	Kirchner	North	Sillers
Bernhagen	Gearty	Kleinbaum	Ogdahl	Solon
Borden	Hansen, Baldy	Knutson	Olhoft	Spear
Brataas	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Brown	Hanson, R.	Larson	O'Neill	Stumpf
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener

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

**SPECIAL ORDER**

S. F. No. 1575: A bill for an act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Gearty	Kowalczyk	Olson, J. L.	Spear
Berg	Hansen, Baldy	Larson	O'Neill	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stumpf
Borden	Hanson, R.	Lewis	Perpich, G.	Ueland
Brataas	Hughes	Merriam	Pillsbury	Wegener
Brown	Josefson	Milton	Purfeerst	
Chenoweth	Keefe, J.	Moe	Renneke	
Chmielewski	Keefe, S.	Nelson	Schmitz	
Davies	Kirchner	North	Schrom	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 982: A bill for an act relating to the personnel system in Hennepin county; increasing the number of members on the personnel board and prescribing certain duties of the board; amending Laws 1965, Chapter 855, Sections 3, Subdivision 1; 4, Subdivision 2; 13; and 16.

Mr. Ogdahl moved to amend S. F. No. 982 as follows:

Page 7, line 20, strike "*or mental*"

The motion prevailed. So the amendment was adopted.

S. F. No. 982 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	North	Schmitz
Arnold	Fitzsimons	Knutson	Ogdahl	Schrom
Ashbach	Gearty	Kowalczyk	Olhoff	Sillers
Bang	Hansen, Mel	Larson	Olson, J. L.	Spear
Berg	Hanson, R.	Laufenburger	O'Neill	Stassen
Brataas	Hughes	Lewis	Patton	Stumpf
Brown	Humphrey	Merriam	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Milton	Pillsbury	Wegener
Davies	Keefe, S.	Moe	Purfeerst	Willet
Doty	Kirchner	Nelson	Renneke	

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

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

**SPECIAL ORDER**

S. F. No. 1047: A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; changing procedures of the corrections authority; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.02, Subdivision 2; 15.50 Subdivision 1, and by adding a subdivision; 15A.081, Subdivision 1; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.03, Subdivision 2, and by adding a subdivision; 116E.02, Subdivisions 1 and 4, and by adding a subdivision; 121.02, Subdivision 1, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Sub-

divisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivision 3, and by adding a subdivision; 352.03, Subdivisions 1, 2 and 3, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 121.02, Subdivision 2; 136.16; 136.61, Subdivisions 2 and 4; 136A.02, Subdivision 4; 175.006, Subdivision 3; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2; 363.04, Subdivision 6; 462A.04, Subdivisions 2, 3 and 5.

Mr. North moved to amend S. F. No. 1047 as follows:

Page 2, line 17, strike "15.012" and insert "15.059"

Page 3, line 4, strike the first "the" and insert "a"

Page 3, line 11, after "activities" insert ", when authorized by the board,"

Page 10, line 19, restore the stricken language

Page 10, strike lines 20 and 21

Page 12, line 32, after "governor" insert "*with the advice and consent of the senate*"

Page 15, line 24, reinsert the stricken period

Page 23, line 15, strike "terms" and insert "term"

Page 23, line 16, strike "the members of the" and insert "a member of a"

Page 23, line 17, strike "councils" and insert "council"

Page 23, line 19, strike "or elected, as the case may be,"

Page 23, line 21, strike "governor" and insert "*chairman of the state council with approval of the state council*"

Page 24, line 20, strike "by and with the approval" and insert "*with the advice and consent*"

Page 47, line 1, strike "on the first Monday in" and insert "*in the month of*"

Page 47, line 2, strike "on the first Monday in" and insert "*in the month of*"

Page 47, line 32, strike "59 and" and insert "58 to"

Amend the title as follows:

Page 1, strike line 8

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 1047 as follows:

Page 36, after line 5, insert

“Sec. 58. Minnesota Statutes 1974, Section 243.05, is amended to read:

243.05 [AUTHORITY; POWERS, LIMITATIONS.] *Subdivision 1.* The Minnesota corrections authority may parole any person sentenced to confinement in the state prison, the state reformatory, or the Minnesota correctional institution for women, provided that no convict serving a life sentence for murder other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled until he has served 20 years, less the diminution which he would have been allowed for good conduct had his sentence been for 20 years; and provided further than no convict serving a life sentence for murder who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled until he has served 25 years, less the diminution which would have been allowed for good conduct had his sentence been for 25 years; provided further that any convict sentenced prior to September 1, 1963 who would be eligible for parole had he been sentenced after September 1, 1963, shall be eligible for parole; provided further, in all cases where a convict is serving a life sentence for murder, unanimous consent of the Minnesota corrections authority shall be required for parole of such convict. Upon being paroled and released, such convicts shall be and remain in the legal custody and under the control of the Minnesota corrections authority, subject at any time to be returned to the state prison, the state reformatory, the Minnesota correctional institution for women, or other facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by such authority, when the legal custody of such convict shall revert to the commissioner of corrections. The written order of the Minnesota corrections authority, certified by the chairman of the authority, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole to the Minnesota corrections authority, but any state parole and probation agent may, without order of warrant, when it appears to him necessary in order to prevent escape or enforce discipline, take and detain a parolee to the Minnesota corrections authority for its action. The written order of the commissioner of corrections shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without such order, when it appears to him necessary in order to prevent escape or enforce discipline, retake and detain such probationer and bring him before the court for further proceedings under section 609.14. Paroled persons, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may

be placed within or without the boundaries of the state at the discretion of the authority or of the commissioner of corrections, and the limits fixed for such persons may be enlarged or reduced according to their conduct.

In considering applications for parole or final release, the authority shall not be required to hear oral argument from any attorney or other person not connected with the prison or the reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, and to that end shall have authority to require the attendance of the warden of the state prison or the superintendent of the state reformatory or the Minnesota correctional institution for women and the production of the records of these institutions, and to compel the attendance of witnesses, and each member of the authority is hereby authorized to administer oaths to witnesses for every such purpose.

*Subd. 2. The authority shall make parole proceeding records available for public inspection.*

*Subd. 3. The authority shall open parole proceedings to the public to receive and consider relevant evidence and testimony.*

*Subd. 4. The authority shall establish procedural rules for the public parole proceeding by rule in accordance with chapter 15.*

*Subd. 5. At least 30 days prior to a prisoner's appearance before the authority, the authority shall notify and institute inquiries of (a) the chief law enforcement officers of the county and of the city, if any, where the prisoner resided prior to conviction if the prisoner resided in the state; and (b) the prosecutor of the county in which the prisoner was convicted; and (c) the judge who presided over the trial of the prisoner; and (d) the victim, if any, of the crime for which the prisoner was incarcerated. The notification shall specify the time and place of hearing and that the authority will receive and consider evidence and testimony relevant to the prisoner's potential release."*

Renumber the sections in sequence

Amend the title as follows:

Line 34, after "subdivision;" insert "243.05;"

The question being taken on the adoption of the amendment,

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

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	O'Neill	Ueland
Bang	Hansen, Mel	Kowalczyk	Pillsbury	
Berg	Hanson, R.	Larson	Renneke	
Bernhagen	Josefson	Merriam	Sillers	
Brown	Keefe, J.	Nelson	Stassen	

Those who voted in the negative were:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Stumpf
Arnold	Gearty	Laufenburger	Olson, H. D.	Wegener
Borden	Hansen, Baldy	Lewis	Perpich, G.	Willet
Chenoweth	Hughes	Milton	Purfeerst	
Chmielewski	Humphrey	Moe	Schmitz	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Ogdahl	Spear	

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

Mr. Nelson then moved to amend S. F. No. 1047 as follows:

Page 36, after line 5, insert:

"Sec. 58. Minnesota Statutes 1974, Chapter 243, is amended by adding a section to read:

[243.051] [RELEASE.] *Before releasing a prisoner into the community, the Minnesota corrections authority shall make a finding that the prisoner is capable of managing himself and his affairs in the community without direct supervision, and file the same together with its reasons for said finding.*"

Renumber the sections in sequence

Amend the title as follows:

Page 2, line 3, strike "Chapter" and insert "Chapters"

Page 2, line 4, after "section;" insert "and 243, by adding a section;"

The question being taken on the adoption of the amendment,

And the roll being called there were yeas 24 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Kowalczyk	Pillsbury
Bang	Chmielewski	Hanson, R.	Larson	Sillers
Berg	Dunn	Josefson	Merriam	Stassen
Bernhagen	Fitzsimons	Keefe, J.	Nelson	Ueland
Brataas	Hansen, Baldy	Knutson	O'Neill	

Those who voted in the negative were:

Arnold	Hughes	Milton	Perpich, G.	Wegener
Borden	Humphrey	North	Purfeerst	Willet
Chenoweth	Keefe, S.	Ogdahl	Schmitz	
Davies	Kirchner	Olhoft	Schrom	
Doty	Laufenburger	Olson, H. D.	Spear	
Gearty	Lewis	Olson, J. L.	Stumpf	

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

S. F. No. 1047: A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.02, Subdivision 2; 15.50, Subdivision 1, and by add-

ing a subdivision; 15A.081, Subdivision 1; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.03, Subdivision 2, and by adding a subdivision; 116E.02, Subdivisions 1 and 4, and by adding a subdivision; 121.02, Subdivision 1, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Subdivisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivision 3, and by adding a subdivision; 352.03, Subdivisions 1, 2 and 3, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 121.02, Subdivision 2; 136.16; 136.61, Subdivisions 2 and 4; 136A.02, Subdivision 4; 175.006, Subdivision 3; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2; 363.04, Subdivision 6; 462A.04, Subdivisions 2, 3 and 5.

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

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

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

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Schmitz
Arnold	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Kleinbaum	Olhoft	Spear
Berg	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Olson, J. L.	Stumpf
Borden	Hanson, R.	Larson	O'Neill	Ueland
Brataas	Hughes	Laufenburger	Pillsbury	
Brown	Humphrey	Lewis	Purfeerst	
Chmielewski	Josefson	Merriam	Renneke	

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

#### SPECIAL ORDER

S. F. No. 498: A bill for an act relating to education; providing a June 30 date for resignation of teachers; amending Minnesota Statutes 1974, Section 125.12, Subdivision 4.

Mr. Lewis moved to amend S. F. No. 498 as follows:

Page 2, line 9, strike "June 30" and insert "July 15"

Further, amend the title as follows:

Page 1, line 2, strike "June 30" and insert "July 15"

The motion prevailed. So the amendment was adopted.

S. F. No. 498: A bill for an act relating to education; providing a July 15 date for resignation of teachers; amending Minnesota Statutes 1974, Section 125.12, Subdivision 4.

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 52 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, S. voted in the negative.

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

#### SPECIAL ORDER

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

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 11, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Lewis	Patton	Spear
Bang	Hanson, R.	Merriam	Perpich, G.	Stassen
Berg	Hughes	Milton	Pillsbury	Stumpf
Bernhagen	Humphrey	Moe	Purfeerst	Wegener
Brataas	Keefe, J.	Olhoft	Renneke	Willet
Chenoweth	Kirchner	Olson, H. D.	Schmitz	
Chmielewski	Larson	Olson, J. L.	Schrom	
Dunn	Laufenburger	O'Neill	Sillers	

Those who voted in the negative were:

Borden	Frederick	Josefson	Knutson	North
Brown	Gearty	Keefe, S.	Kowalczyk	Ogdahl
Davies				

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1628: A bill for an act relating to state parks; authorizing acquisition of a parcel of land in Afton State park by eminent domain with the consent of the owner.

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 16, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Merriam	Renneke
Arnold	Gearty	Kirchner	Milton	Schmitz
Bang	Hansen, Mel	Kleinbaum	Moe	Sillers
Berg	Hanson, R.	Knutson	Nelson	Stumpf
Bernhagen	Hughes	Larson	Olhoft	Ueland
Blatz	Humphrey	Laufenburger	Patton	Wegener
Brown	Josefson	Lewis	Perpich, G.	
Chenoweth	Keefe, J.	McCutcheon	Purfeerst	

Those who voted in the negative were:

Ashbach	Conzemius	North	Olson, J. L.	Spear
Borden	Davies	Ogdahl	O'Neill	Stassen
Chmielewski	Frederick	Olson, A. G.	Schrom	Willet
Coleman				

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1506: A bill for an act relating to education; higher

education coordinating commission; providing procedure for registration and approval of private post-secondary institutions.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1488: A bill for an act relating to education; school districts; authorizing the leasing of schoolhouses; providing for termination of tax exempt status of schoolhouses leased for non-public purposes; amending Minnesota Statutes 1974, Sections 123.36, by adding a subdivision; and 272.02, Subdivision 2.

Mr. Bang moved that the amendment made to H. F. No. 1488 by the Committee on Rules and Administration in the report adopted May 6, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1488 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 4, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Milton	Purfeerst
Arnold	Davies	Kirchner	Moe	Renneke
Ashbach	Dunn	Kleinbaum	Nelson	Schmitz
Bang	Fitzsimons	Knutson	North	Schrom
Berg	Gearty	Kowalczyk	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Larson	Olhoff	Spear
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Brataas	Hughes	Lewis	O'Neill	Stumpf
Chenoweth	Humphrey	McCutcheon	Patton	Ueland
Coleman	Keefe, J.	Merriam	Perpich, G.	Wegener

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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

Mr. Davies moved to amend S. F. No. 1584 as follows:

Page 1, line 10, strike "shall"

Page 1, strike lines 16 and 17

Page 1, strike lines 22 and 23

Page 2, strike lines 1 through 4

Page 2, line 15, strike "PARTIAL"

Page 2, line 18, after "repeated" insert "malicious"

Page 2, line 19, strike "partial"

Page 2, line 20, after "the" insert "malicious"

Page 2, line 22, strike "partially"

Page 2, line 26, before "alarms" insert "malicious false"

Page 2, line 32, strike "partial"

Page 3, line 3, strike "partial"

Page 3, line 5, strike "partial"

Page 3, line 7, strike ", issuing" and insert "and issue"

Page 3, line 7, after "conditions" insert "and limitations"

Page 3, line 8, strike the comma after "request"

Page 3, line 14, strike "partial"

Page 3, line 14, after "of" insert "a"

Page 3, line 18, strike "excessive"

Page 3, line 18, before "false" insert "malicious"

Page 3, line 22, strike "partial"

Page 3, line 22, strike "alarms" and insert "alarm systems"

Page 3, line 24, strike "partial"

Page 3, strike lines 28 through 32

Renumber the subdivisions in sequence

Page 4, strike sections 5 and 6

Amend the title as follows:

Page 1, line 4, strike "partial"

Page 1, line 5, strike the semicolon and insert a period

Strike line 6

The motion prevailed. So the amendment was adopted.

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

tional facilities.

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:

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

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

Mr. McCutcheon moved that S. F. No. 1601 be laid on the table. The motion prevailed.

#### SPECIAL ORDER

S. F. No. 345: A bill for an act relating to insurance; providing for indemnification and subrogation in certain cases; amending Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

Mr. Davies moved to amend S. F. No. 345 as follows:

Page 1, line 12, strike the new language and reinstate old language

Page 1, lines 16 to 18, strike new language

The motion prevailed. So the amendment was adopted.

S. F. No. 345 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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Laufenburger voted in the negative.

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

**SPECIAL ORDER**

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

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Nelson	Sillers
Arnold	Fitzsimons	Kirchner	North	Spear
Ashbach	Frederick	Kleinbaum	Olhoff	Stassen
Berg	Gearly	Knutson	Olson, H. D.	Stumpf
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Ueland
Borden	Hansen, Mel	Laufenburger	O'Neill	Wegener
Brataas	Hanson, R.	Lewis	Perpich, G.	Willet
Brown	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Merriam	Renneke	
Coleman	Josefson	Milton	Schmitz	
Davies	Keefe, J.	Moe	Schrom	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1262: A bill for an act relating to anatomical gifts; requiring morticians and certain other designated persons to obtain a written release prior to performing an eye enucleation procedure; amending Minnesota Statutes 1974, Section 595.924, by adding a subdivision.

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 2, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Josefson	Merriam	Perpich, G.
Arnold	Conzemius	Keefe, J.	Milton	Pillsbury
Ashbach	Davies	Keefe, S.	Moe	Purfeerst
Bang	Dunn	Kirchner	Nelson	Renneke
Berg	Fitzsimons	Kleinbaum	North	Schmitz
Bernhagen	Gearly	Knutson	Olhoff	Sillers
Borden	Hansen, Mel	Larson	Olson, H. D.	Spear
Brataas	Hanson, R.	Laufenburger	Olson, J. L.	Stumpf
Brown	Hughes	Lewis	O'Neill	Wegener
Chenoweth	Humphrey	McCutcheon	Patton	Willet

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1439: A bill for an act relating to agriculture; dividing the state into two regions for purposes of the potato industry promotion act; reducing the number of regions; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

Mr. Wegener moved to amend S. F. No. 1439 as follows:

Page 1, line 12, reinstate the stricken "four" and strike "two"

Page 1, line 16, after "Clearwater," insert "*Hubbard, Wadena, Todd, Douglas, Pope and Kandiyohi. Area number two includes the counties of*"

Page 1, lines 17 and 18, reinstate the stricken language and strike the new language

Page 1, line 19, reinstate "Big Stone,"

Page 1, line 19, strike "Pope, Hubbard, Cass,"

Page 1, strike lines 20 and 21

Page 1, line 22, strike "*counties of Big Stone,*"

Page 1, line 22, strike "Kandiyohi,"

Page 1, line 23, strike "*Meeher,*"

Page 2, lines 1 and 2, strike the new language

Page 2, line 7, reinstate all the stricken language except "Hubbard,"

Page 2, line 8, reinstate "Cass, Aitkin,"

Page 2, line 8, reinstate "Crow Wing,"

Page 2, line 8, reinstate "Pine, Morrison, Mille"

Page 2, lines 9 and 10, reinstate the stricken language

Amend the title as follows:

Page 1, line 3, strike, "two" and insert "four"

Page 1, line 4, strike "reducing the number of regions;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1439: A bill for an act relating to agriculture; dividing the state into four regions for purposes of the potato industry promotion act; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

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	Conzemius	Josefson	Milton	Purfeerst
Arnold	Davies	Keefe, J.	Moe	Renneke
Ashbach	Dunn	Keefe, S.	Nelson	Schmitz
Berg	Fitzsimons	Kleinbaum	North	Sillers
Bernhagen	Gearty	Knutson	Olson, H. D.	Spear
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Brataas	Hansen, Mel	Laufenburger	O'Neill	Ueland
Brown	Hanson, R.	Lewis	Patton	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Merriam	Pillsbury	

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

**SPECIAL ORDER**

S. F. No. 1501: A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

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

Mr. Chenoweth moved to amend H. F. No. 775 as follows:

Page 1, line 21, after the first "and" insert "legislative"

Page 1, line 22, strike "legislative"

The motion prevailed. So the amendment was adopted.

H. F. No. 775 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 54 and nay 0, as follows:

Those who voted in the affirmative were:

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

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

**RECESS**

Mr. Coleman moved that the Senate do now recess until 7:15 o'clock p.m. The motion prevailed.

The hour of 7:15 o'clock p.m. having arrived, the President called the Senate to order.

**MEMBERS EXCUSED**

Messrs. Doty and Larson were excused from this evening's Session.

**CALL OF THE SENATE**

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

Anderson	Fitzsimons	Kirchner	Olhoft	Schmitz
Arnold	Gearty	Kleinbaum	Olson, H. D.	Schrom
Ashbach	Hansen, Baldy	Laufenburger	Olson, J. L.	Stumpf
Berg	Hansen, Mel	Lewis	Perpich, G.	Tennessee
Borden	Hanson, R.	McCutcheon	Pillsbury	Wegener
Chmielewski	Hughes	Moe	Purfeerst	Willet
Conzemius	Humphrey	North	Renneke	

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

**SPECIAL ORDER**

S. F. No. 1334: A bill for an act relating to private detectives and protective agents; providing for licensing requirements; specifying the qualifications of employees; permitting transportation of firearms; amending Minnesota Statutes 1974, Sections 326.333; 326.334, Subdivision 2; 326.336, Subdivision 1; and 326.337, Subdivision 4.

Mr. Lewis moved to amend S. F. 1334 as follows:

Page 4, after line 7, insert:

"Sec. 5. Minnesota Statutes 1974, Chapter 326, is amended by adding a section to read:

[326.340] [SECURITY GUARD UNIFORMS.] *The peace officer training board shall, after consultation with interested parties and governmental agencies, prescribe a standard uniform for persons employed as security guards in the protection or safeguarding of real or personal property. Such uniform shall, to the extent practicable, enable an observer to distinguish such security guards from other types of uniformed police or sheriff's officers and shall be worn by all security guards in the course of their employment on and after January 1, 1976.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "1974," insert "Chapter 326, by adding a section; and"

The motion prevailed. So the amendment was adopted.

S. F. No. 1334: A bill for an act relating to private detectives

and protective agents; providing for licensing requirements; specifying the qualifications of employees; permitting transportation of firearms; amending Minnesota Statutes 1974, Chapter 326, by adding a section; and Sections 326.333; 326.334, Subdivision 1; and 326.337, Subdivision 4.

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

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

And the roll being called, there were yeas 36 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	Olson, H. D.	Stumpf
Arnold	Fitzsimons	Kleinbaum	Olson, J. L.	Tennessee
Ashbach	Gearty	Laufenburger	Perpich, G.	Wegener
Berg	Hansen, Baldy	Lewis	Pillsbury	Willet
Borden	Hansen, Mel	McCutcheon	Purfeerst	
Brown	Hanson, R.	Moe	Renneke	
Chenoweth	Hughes	North	Schmitz	
Chmielewski	Humphrey	Olhoff	Schrom	

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

#### SPECIAL ORDER

H. F. No. 596: A bill for an act relating to retirement; service credit for certain members of the public employees retirement 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 39 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Schmitz
Arnold	Fitzsimons	Kirchner	Olhoff	Schrom
Ashbach	Gearty	Kleinbaum	Olson, H. D.	Spear
Berg	Hansen, Baldy	Laufenburger	Olson, J. L.	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, G.	Tennessee
Brown	Hanson, R.	McCutcheon	Pillsbury	Wegener
Chenoweth	Hughes	Merriam	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

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

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	Davies	Keefe, S.	Moe	Renneke
Arnold	Fitzsimons	Kirchner	North	Schmitz
Ashbach	Gearty	Kleinbaum	Olhoft	Schrom
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Borden	Hansen, Mel	Lewis	Olson, J. L.	Stumpf
Brown	Hansen, R.	McCutcheon	Perpich, G.	Tennessee
Chenoweth	Hughes	Merriam	Pillsbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Conzemius				

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 583: A bill for an act relating to retirement; providing that in the event a surviving spouse is remarried and such marriage terminates, monthly survivor benefits shall be reinstated; providing for proportionate annuities in certain cases; amending Minnesota Statutes 1974, Chapter 356, by adding sections.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Kleinbaum	North	Renneke
Ashbach	Conzemius	Kowalczyk	Olhoft	Schmitz
Bang	Davies	Laufenburger	Olson, A. G.	Schrom
Berg	Fitzsimons	Lewis	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	McCutcheon	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Merriam	Perpich, G.	Stumpf
Brown	Hanson, R.	Milton	Pillsbury	Wegener
Chenoweth	Hughes	Moe	Purfeerst	Willet
Chmielewski	Kirchner			

Mr. Tennessee voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 271: A bill for an act relating to counties; community based correctional programs; providing for the designation of planning counties; expanding the composition of corrections advisory boards; permitting prospective payment of subsidies; changing the subsidy formula; amending Minnesota Statutes 1974, Sections 401.02; 401.08; 401.10; 401.11; 401.14; and 401.15, Subdivision 1.

Mr. North moved to amend S. F. No. 271 as follows:

Page 5, line 9, strike "*will*" and insert "*may*"

The motion prevailed. So the amendment was adopted.

S. F. No. 271 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 47 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	North	Schmitz
Ashbach	Frederick	Kowalczyk	Olhoff	Sillers
Berg	Gearty	Laufenburger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Borden	Hanson, R.	McCutcheon	O'Neill	Stokowski
Brataas	Hughes	Merriam	Patton	Stumpf
Chmielewski	Humphrey	Milton	Perpich, G.	Tennessee
Conzemius	Keefe, S.	Moe	Pillsbury	Ueland
Davies	Kirchner	Nelson	Renneke	Wegner
Dunn	Kleinbaum			

Those who voted in the negative were:

Brown	Keefe, J.	Purfeerst	Schrom	Willet
Hansen, Baldy				

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

#### SPECIAL ORDER

S. F. No. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivision 6; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

Mr. North moved to amend S. F. No. 578 as follows:

Page 6, line 30, after "promulgate" insert "by rule and regulation"

Page 34, after line 31, insert:

"Sec. 35. Minnesota Statutes 1974, Section 144.653, Subdivision 8, is amended to read:

Subd. 8. [HEARINGS.] A licensee of a facility required to be licensed under the provisions of sections 144.50 to 144.58 is entitled to a hearing on any ~~correction order~~ notice of noncompliance with a correction order issued to him as a result of a reinspection, provided that he makes a written request therefor within 15 days of receipt by him of the ~~correction order~~ notice of noncompliance with a correction order. Failure to request a hearing shall result in the forfeiture of a penalty as determined by the

*board in accordance with subdivision 6. A request for a hearing such request shall operate as a stay during the hearing and review process of the payment of any forfeiture provided for in this section. Upon receipt of the request for a hearing, a hearing officer, who shall not be an employee of the state board of health, shall be appointed by the state board of health, and the hearing officer shall promptly schedule a hearing on the matter, giving at least ten days notice of the date, time, and place of such the hearing to the licensee. Upon determining that the licensee of a facility required to be licensed under sections 144.50 to 144.58 has not corrected the deficiency specified in the correction order, the hearing officer shall impose a penalty as determined by the board in accordance with subdivision 6. The hearing and review thereof shall be in accordance with the relevant provisions of the administrative procedures act."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, strike "Subdivision 6" and insert "Subdivisions 6 and 8"

The motion prevailed. So the amendment was adopted.

Mr. North then moved to amend S. F. No. 578 as follows:

Page 34, after line 31, insert:

"Sec. 35. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.011] [DEPARTMENT OF HEALTH, CREATION, COMMISSIONER.] *The department of health is hereby created under the control of the commissioner of health. He shall be appointed by the governor, with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is appointed and qualifies. The governor may remove the commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval.*

Sec. 36. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.021] [POWERS OF COMMISSIONER, DEPUTY.] *The commissioner shall be accountable for the operation and administration of the department of health and shall enforce all laws relating to the public health of the state. He may appoint a deputy commissioner and a personal secretary who shall serve at his pleasure in the unclassified civil service.*

Sec. 37. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.031] [HEALTH ADVISORY COUNCIL.] *Subdivision 1.*

[TERMS.] *There is hereby created a health advisory council of 16 members who shall be appointed by the governor as follows:*

*The terms of the members shall be four years. The terms of eight of the members shall be coterminus with the governor and the terms of the remaining eight members shall end one year after the terms of the other members. Members shall serve until their successors are appointed. If a successor has not been appointed by the July 1 after the scheduled end of a member's term, the term of the member for whom a successor has not been appointed shall be extended until the first Monday in January four years after the scheduled end of the term. The governor shall fill vacancies for the unexpired terms.*

*Subd. 2. [COMPOSITION OF COUNCIL.] The membership of the council shall consist of eight public members as defined by Laws 1973, Chapter 638, and eight members broadly representing licensed health professions. Four of the public members and four of the professional members shall be appointed to a term similar to the one of the governor. The remaining public and professional members shall be appointed for a term expiring one year thereafter.*

*Subd. 3. [COMPENSATION.] Members of the council shall receive \$25 per day spent on council activities plus expenses as provided by section 43.329.*

*Subd. 4. [REMOVAL.] A member may be removed by the governor at any time (1) for cause after notice and hearing or (2) after missing three consecutive meetings. The chairman of the advisory council shall inform the governor of a member missing three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the council shall notify the member in writing that he may be removed if he misses the next meeting.*

*Subd. 5. [CHAIRMAN, STAFF.] The council shall elect a chairman from its members. The commissioner of health shall provide staff help as necessary.*

Sec. 38. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.041] [DUTIES, POWERS OF ADVISORY COUNCIL.] *The health advisory council shall advise the commissioner on any matter concerning public health rules and the enforcement of any law or rule as the council deems appropriate. The council shall further advise the commissioner on any matter which the commissioner brings before the council.*

Sec. 39. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

[144.045] [PRINCIPAL DUTIES OF COMMISSIONER.] *Subdivision 1. [STAFF.] The commissioner shall organize the department as he deems most appropriate for the administration of public health and shall appoint employees as he deems necessary within the limits provided in Chapter 16, 16A, and 43. All employees appointed under this section shall be in the classified civil service.*

*Subd. 2. [RULES.] The commissioner may promulgate rules under the provisions of Chapter 15 which shall be known as "Public health rule number" followed by a consecutive number.*

Sec. 40. Minnesota Statutes 1974, Section 144.05 is amended to read:

144.05 [GENERAL DUTIES OF COMMISSIONER.] ~~The state board commissioner of health acting through its secretary shall have general authority as the state's official health agency and shall be responsible for the development and maintenance of an organized system of programs and services for protecting, maintaining, and improving the health of the citizens. This authority shall include but not be limited to the following:~~

(a) Conduct studies and investigations, collect and analyze health and vital data, and identify and describe health problems;

(b) Plan, facilitate, coordinate, provide, and support the organization of services for the prevention and control of illness and disease and the limitation of disabilities resulting therefrom;

(c) Establish and enforce health standards for the protection and the promotion of the public's health such as quality of health services, reporting of disease, regulation of health facilities, environmental health hazards and manpower;

(d) Affect the quality of public health and general health care services by providing consultation and technical training for health professionals and paraprofessionals;

(e) Promote personal health by conducting general health education programs and disseminating health information;

(f) Coordinate and integrate local, state and federal programs and services affecting the public's health;

(g) Continually assess and evaluate the effectiveness and efficiency of health service systems and public health programming efforts in the state; and

(h) Advise the governor and legislature on matters relating to the public's health.

Sec. 41. [INSTRUCTION TO REVISOR.] *The revisor of statutes is directed to delete throughout the Minnesota Statutes any reference to the "board of health" and substitute the terms "commissioner" or "commissioner of health" as appropriate. The revisor is further instructed to make the necessary changes in the statutes to transfer any power, duty, and authority of the former board of health to the commissioner of health. The revisor shall further delete any reference to the secretary and executive officer of the board.*

Sec. 42. [TEMPORARY PROVISIONS.] *The board of health is hereby abolished. All powers, duties and authorities of the previous board are hereby transferred to the commissioner of health.*

*The governor shall as soon as possible after the effective date of*

*this act appoint the 16 members of the health advisory council for terms provided by section 37, subdivision 2."*

Page 34, line 32, after "Sections" insert "144.01; 144.02; 144.03; 144.04;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "penalties;" insert "transferring the duties and powers of the board of health to the commissioner of health; abolishing the board of health and creating a health advisory council;"

Page 1, line 9, after "62D.21;" insert "144.05;"

Page 1, line 18, before "157.05;" insert "144.01; 144.02; 144.03; 144.04;"

### CALL OF THE SENATE

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

Anderson	Davies	Keefe, S.	Olthoft	Schmitz
Ashbach	Dunn	Kirchner	Olson, A. G.	Schrom
Baag	Fitzsimons	Kleinbaum	Olson, H. D.	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stassen
Borden	Hansen, Mel	Merriam	Patton	Stokowski
Brataas	Hanson, R.	Milton	Perpich, G.	Stumpf
Brown	Hughes	Moe	Pillsbury	Tennessee
Chmielewski	Humphrey	Nelson	Purfeerst	Ueland
Coleman	Keefe, J.	North	Renneke	Willet
Conzemius				

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

Mr. Lewis moved a substitute amendment to the North amendment to S. F. No. 578 as follows:

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 1974, Section 144.01, is amended to read:

144.01 [MEMBERSHIP.] The department of health as created and constituted under Laws of Minnesota 1925, Chapter 426, is hereby continued under the supervision and control of the state board of health. The state board of health shall consist of 15 members, ~~nine~~ *six* of whom shall be broadly representative of the licensed health professions and ~~six~~ *nine* of whom shall be public members as defined for purposes of Laws 1973, Chapter 638. The members of the board of health shall be appointed by the governor with the advice and consent of the senate. The licensed health professionals shall be appointed by the governor so that the initial terms of three members will end the first Monday in January of each second year. Thereafter the terms shall be four years. The public members shall be appointed by the governor for like terms. Vacancies on the board shall be filled

by like appointment for the unexpired term. Each member shall serve until his successor qualifies.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after “62D.21;” insert “144.01;”

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

Mr. Milton moved to amend S. F. No. 578 as follows:

Page 6, after line 12, insert:

“Sec. 5. Minnesota Statutes 1974, Section 144.653, Subdivision 2, is amended to read:

Subd. 2. [PERIODIC INSPECTION.] All facilities required to be licensed under the provisions of sections 144.50 to 144.58 shall be periodically inspected by the state board of health to insure compliance with its rules, regulations and standards. *Inspections shall occur at different times throughout the calendar year.* The state board of health may enter into agreements with political subdivisions providing for the inspection of such facilities by locally employed inspectors. *The board of commissioners of any county may appoint citizen visitation teams to report to the board of county commissioners on conditions in any licensed facility located in the county.*”

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 11, strike “Subdivision” and insert “Subdivisions 2 and”

Mr. Nelson requested division of the amendment as follows:

First portion:

Page 6, after line 12, insert:

“Sec. 5. Minnesota Statutes 1974, Section 144.653, Subdivision 2, is amended to read:

Subd. 2. [PERIODIC INSPECTION.] All facilities required to be licensed under the provisions of sections 144.50 to 144.58 shall be periodically inspected by the state board of health to insure compliance with its rules, regulations and standards. *Inspections shall occur at different times throughout the calendar year.* The state board of health may enter into agreements with political subdivisions providing for the inspection of such facilities by locally employed inspectors.

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 11, strike “Subdivision” and insert “Subdivisions 2 and”

**Second portion:**

*"The board of commissioners of any county may appoint citizen visitation teams to report to the board of county commissioners on conditions in any licensed facility located in the county."*

The question being taken on the first portion of the Milton amendment,

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

Mr. Milton withdrew the second portion of the amendment.

Mr. Conzemius moved to amend S. F. No. 578 as follows:

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 1974, Section 144.02, is amended to read:

144.02 [MEETINGS; OFFICERS; QUORUM.] The state board of health shall hold an annual meeting during the first quarter of every year at a time and place designated by the board at which time it shall elect from its members a president. Regular meetings, one of which shall include the annual meeting, shall be held not less than four times a year. At least one such regular meeting shall be held each quarter. The time and place of all such meetings shall be determined by the board, and all board members shall be notified thereof by mail seven days in advance. Special meetings may be held at such times and places as the secretary or any two members of the board shall appoint upon three days' notice to the members by mail. The board shall elect a secretary, *with the advice and consent of the senate*, to serve during its pleasure, who may or may not be one of its members. A majority shall be a quorum and any meeting may be adjourned from time to time."

Renumber the sections in sequence

Further, amend the title:

Page 1, line 9, after "62D.21;" insert "144.02;"

The motion prevailed. So the amendment was adopted.

S. F. No. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.01; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

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 19, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kleinbaum	North	Sillers
Bang	Hansen, Mel	Knutson	Olhoft	Spear
Brataas	Hanson, R.	Kowalczyk	Olson, A. G.	Stassen
Chenoweth	Hughes	Lewis	Olson, H. D.	Stokowski
Coleman	Humphrey	Merriam	O'Neill	Stumpf
Conzemius	Keefe, J.	Milton	Perpich, G.	Tennessee
Davies	Keefe, S.	Moe	Pillsbury	
Fitzsimons	Kirchner	Nelson	Schmitz	

Those who voted in the negative were:

Anderson	Chmielewski	Josefson	Patton	Ueland
Ashbach	Dunn	Laufenburger	Purfeerst	Wegener
Berg	Frederick	McCutcheon	Renneke	Willet
Bernhagen	Hansen, Baldy	Olson, J. L.	Schrom	

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

#### SPECIAL ORDER

H. F. No. 184: A bill for an act relating to education; providing for a reduction of state aid to school districts permitting violation of state laws prohibiting discrimination; directing the filing of assurances of compliance with state and federal law; amending Minnesota Statutes 1974, Section 124.15, Subdivisions 2 and 3, and by adding a subdivision.

Mr. Stumpf moved that the amendment made to H. F. No. 184 by the Committee on Rules and Administration in the report adopted May 7, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Keefe, J. moved to amend H. F. No. 184 as follows:

Page 3, line 4, strike the comma and insert "and"

Page 3, line 4, strike "and any"

Page 3, strike line 5

Page 3, line 6, strike "require,"

The motion prevailed. So the amendment was adopted.

#### CALL OF THE SENATE

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

Anderson	Bernhagen	Chmielewski	Fitzsimons	Hanson, R.
Arnold	Borden	Coleman	Frederick	Hughes
Ashbach	Brataas	Conzemius	Gearty	Humphrey
Bang	Brown	Davies	Hansen, Baldy	Josefson
Berg	Chenoweth	Dunn	Hansen, Mel	Keefe, S.

Kirchner	Merriam	Olson, H. D.	Renneke	Tennessee
Kleinbaum	Milton	Olson, J. L.	Schmitz	Ueland
Knutson	Moe	O'Neill	Schrom	Willet
Kowalczyk	Nelson	Patton	Spear	
Laufenburger	North	Perpich, G.	Stassen	
Lewis	Olhoft	Pillsbury	Stokowski	
McCutcheon	Olson, A. G.	Purfeerst	Stumpf	

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

H. F. No. 184 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Spear
Arnold	Dunn	Kirchner	Ogdahl	Stassen
Bang	Fitzsimons	Kowalczyk	Olhoft	Stokowski
Blatz	Gearty	Laufenburger	Olson, A. G.	Stumpf
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chenoweth	Hughes	Merriam	Pillsbury	Wegener
Coleman	Humphrey	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Moe	Schmitz	

Those who voted in the negative were:

Berg	Chmielewski	Josefson	Nelson	Patton
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Renneke
Brown	Hansen, Baldy	Knutson	Olson, J. L.	Schrom

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

#### SPECIAL ORDER

S. F. No. 1353: A bill for an act relating to elections; providing certain precinct caucus requirements; amending Laws 1975, Chapter 5, Sections 5, Subdivisions 1 and 3; 6, Subdivision 1; and 9, Subdivision 2.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoft	Schmitz
Ashbach	Fitzsimons	Kleinbaum	Olson, A. G.	Schrom
Bang	Frederick	Knutson	Olson, H. D.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	McCutcheon	Patton	Stumpf
Brataas	Humphrey	Merriam	Perpich, G.	Tennessee
Brown	Josefson	Milton	Pillsbury	Ueland
Coleman	Keefe, J.	Nelson	Purfeerst	Wegener
Davies	Keefe, S.	North	Renneke	Willet

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 234: A bill for an act relating to eminent domain; providing for payments and benefits in negotiated acquisitions under no threat of eminent domain; waiver of benefits; amending Minnesota Statutes 1974, Chapter 117, by adding a section.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1125: A bill for an act relating to Anoka county; providing for the establishment of scenic areas; amending Laws 1961, Chapter 209, Sections 1 and 2.

Mr. Anderson moved to amend S. F. No. 1125 as follows:

Page 1, line 16, strike "*or its tributaries*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1125 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	Davies	Keefe, J.	Nelson	Schmitz
Ashbach	Dunn	Keefe, S.	North	Schrom
Bang	Fitzsimons	Kirchner	Olhoff	Spear
Berg	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Stumpf
Borden	Hansen, Mel	Laufenburger	Patton	Tennessee
Chmielewski	Hanson, R.	McCutcheon	Pillsbury	Ueland
Coleman	Humphrey	Merriam	Purfeerst	Wegener
Conzemius	Josefson	Milton	Renneke	Willet

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

**SPECIAL ORDER**

S. F. No. 1553: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of construction, including land acquisition, architectural, and other professional fees in the construction of an adult detention center, and a juvenile center; amending Laws 1974, Chapter 435, by adding a section.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Purfeerst
Bang	Fitzsimons	Kleinbaum	Olhoft	Renneke
Berg	Gearty	Knutson	Olson, H. D.	Schmitz
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Blatz	Hanson, R.	McCutcheon	O'Neill	Stokowski
Borden	Hughes	Milton	Patton	Tennessee
Brataas	Humphrey	Moe	Perpich, G.	Ueland
Chmielewski	Keefe, S.	Nelson	Pillsbury	Wegener
Coleman				

Those who voted in the negative were:

Brown	Josefson	Schrom	Stumpf	Willet
Frederick	Kowalczyk	Spear		

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1129: A bill for an act relating to the city of Bloomington; authorizing housing finance program; providing for the issuance of limited general obligation bonds.

Mr. Stassen moved that the amendment made to H. F. No. 1129 by the Committee on Rules and Administration in the report adopted May 6, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1129 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 7, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Moe	Renneke
Ashbach	Frederick	Kirchner	Nelson	Schmitz
Bang	Gearty	Kleinbaum	North	Schrom
Berg	Hansen, Baldy	Knutson	Ogdahl	Spear
Bernhagen	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hanson, R.	Laufenburger	O'Neill	Stumpf
Brataas	Hughes	McCutcheon	Patton	Ueland
Coleman	Humphrey	Merriam	Pillsbury	Wegener
Conzemius	Keefe, J.	Milton	Purfeerst	Willet
Dunn				

Those who voted in the negative were:

Borden                      Olhoft                      Olson, H. D.      Perpich, G.      Tennessen  
Chmielewski      Olson, A. G.

So the bill passed and its title was agreed to.

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

#### 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. 93, 307, 426, 523, 935, 1391, 332, 876 and 1057.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 9, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 379, 1288, 17, 884, 1525, 1526, 1569, 907, 1140, 1638, 344, 396, 717 and 1798.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 9, 1975

#### FIRST READING OF HOUSE BILLS

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

H. F. No. 379: A bill for an act relating to taxation; reducing the period of redemption for certain land sold or bid in for the state at a tax judgment sale; allowing certain fees to discharge cancelled special assessments; amending Minnesota Statutes 1974, Section 281.17.

Referred to the Committee on Taxes and Tax Laws.

H. F. No. 1288: A bill for an act relating to the operation of shade tree disease control programs by local governments; providing funds for the control of shade tree disease; establishing a grant-in-aid program under the department of agriculture; appropriating money; amending Minnesota Statutes 1974, Sections 18.022, by adding a subdivision; 18.023, Subdivision 1 and 3, and by adding subdivisions.

Referred to the Committee on Finance.

H. F. No. 17: A bill for an act relating to appropriations; ap-

appropriating money to the commissioner of public welfare for the purpose of making grants for mental health purposes.

Referred to the Committee on Finance.

H. F. No. 884: A bill for an act relating to taxation; providing a homestead exemption for certain stockholders of a family farm corporation and partners of a partnership; amending Minnesota Statutes 1974, Section 273.13, by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 1525: A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1974, Section 297A.01, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

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

Referred to the Committee on Rules and Administration.

H. F. No. 1569: A bill for an act relating to the city of Shoreview; authorizing the city of Shoreview to defer special assessments previously levied on property owned by senior citizens.

Referred to the Committee on Rules and Administration.

H. F. No. 907: A bill for an act relating to charitable trusts and trustees; authorizing the secretary of state to establish and maintain a register of charitable trusts; authorizing the attorney general to take appropriate actions to protect and enforce the proper administration of charitable trusts; authorizing investigations; authorizing fees.

Referred to the Committee on Rules and Administration.

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

Referred to the Committee on Finance.

H. F. No. 1638: A bill for an act relating to education; higher education coordinating commission; work-study program for post-secondary students; defining eligibility and setting guidelines for payments; amending Minnesota Statutes 1974, Sections 136A.231; 136A.232; and 136A.233.

Referred to the Committee on Finance.

H. F. No. 344: A bill for an act relating to motor vehicles; providing for activities in connection with motor vehicle and other waste; amending Minnesota Statutes 1974, Sections 168B.02, by adding a subdivision; 168B.09, Subdivision 1; 168B.10, Subdivision 1; and Chapter 168B, by adding a section.

Referred to the Committee on Finance.

H. F. No. 396: A bill for an act relating to education; establishing pilot bilingual and native American language and culture education programs; granting certain powers and duties to the state board of education; establishing a state bilingual and native American language and culture education advisory council; appropriating money; amending Minnesota Statutes 1974, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; repealing Minnesota Statutes 1974, Section 126.07.

Referred to the Committee on Finance.

H. F. No. 717: A bill for an act relating to optometric education; higher education coordinating commission; providing for a study of the availability of educational opportunities in optometry for Minnesota students.

Referred to the Committee on Rules and Administration.

H. F. No. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1798 for proper reference, recommends the above House File be re-referred to its respective Committee as follows:

H. F. No. 1798 to the Committee on Finance.

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.

Mr. Coleman moved the foregoing Committee report be adopted. The motion prevailed. Report adopted.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Merriam moved that S. F. No. 226 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. NO. 226**

A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

May 9, 1975

The Honorable Alec G. Olson  
President of the Senate

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

We, the undersigned conferees for S. F. No. 226 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendment.

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

Senate Conferees: (Signed) Gene Merriam, Steve Keefe, Roger Hanson.

House Conferees: (Signed) David Beauchamp, Gordon O. Voss, John S. Biersdorf.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Moe moved that H. F. No. 1180 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Saturday, May 10, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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**FIFTIETH DAY**

St. Paul, Minnesota, Saturday, May 10, 1975

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

Prayer was offered by the Chaplain, Rev. Duane J. Lunemann.

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

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

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. Larson was excused from the Session of today. Mr. Josefson was excused from the Session of today at 1:00 o'clock p.m. Messrs. Brown and Schmitz were excused from the Session of today at 12:45 o'clock p.m. Mr. Berg was excused from the Session of today at 1:15 o'clock p.m. Mr. Olson, J. L. was excused from the Session of today at 2:30 o'clock p.m.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Conzemius, Kowalczyk and Lewis introduced—

S. F. No. 1738: A bill for an act relating to medical malpractice; prescribing limits on malpractice liabilities, recoveries, and attorney

fees; requiring certain health care providers to carry malpractice insurance; providing a residual risk plan for health care providers otherwise unable to obtain malpractice insurance; creating an excess awards account to reimburse certain persons whose malpractice recoveries are limited by law; imposing certain fees on malpractice insurers; prescribing penalties.

Referred to the Committee on Health, Welfare and Corrections. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Keefe, J.; Lewis and Hanson, R. introduced—

S. F. No. 1739: A bill for an act relating to municipalities; authorizing creation of storm sewer reserve funds within storm sewer improvement districts; authorizing special levies in anticipation of capital improvements and bond retirement in storm sewer improvement districts; amending Minnesota Statutes 1974, Chapter 444, by adding a section.

Referred to the Committee on Local Government.

Messrs. Olhoft, Dunn and Willet introduced—

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

Referred to the Committee on Local Government.

Messrs. Dunn, Coleman and Ashbach introduced—

S. F. No. 1741: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; providing that the university of Minnesota regents be appointed by the governor from the several congressional districts.

Referred to the Committee on Education.

#### MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 114: A bill for an act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their con-

templated operation or use; amending Minnesota Statutes 1974, Section 65B.48, Subdivision 1.

Senate File No. 114 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 9, 1975

### CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 114 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 114: A bill for an act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their contemplated operation or use; amending Minnesota Statutes 1974, Section 65B.48, Subdivision 1; and Chapter 65B, by adding a new section.

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

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

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1015: A bill for an act relating to commerce; providing qualifications for legal newspapers; amending Minnesota Statutes 1974, Section 331.02, Subdivision 1.

Senate File No. 1015 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 9, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Anderson moved that the Senate concur in the amendments by the House to S. F. No. 1015 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1015 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

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

S. F. No. 1196: A bill for an act relating to energy; defining terms; requiring certain reports to be filed with the director of the Minnesota energy agency at specified times; providing that no large energy facility be constructed or sited in this state after a certain date without a certificate of need issued therefor; amending Minnesota Statutes 1974, Sections 116H.02, Subdivision 5; 116H.10, Subdivision 2; and 116H.13, Subdivisions 1 and 2.

Senate File No. 1196 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 9, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Humphrey moved that the Senate concur in the amendments by the House to S. F. No. 1196 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1196 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 48 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, J.	Nelson	Solon
Arnold	Conzemius	Keefe, S.	Ogdahl	Spear
Bang	Davies	Kirchner	Olhoff	Stassen
Bernhagen	Dunn	Kleinbaum	Olson, A. G.	Stokowski
Blatz	Fitzsimons	Knutson	Olson, J. L.	Stumpf
Borden	Gearly	Kowalczyk	O'Neill	Tennessee
Brataas	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Brown	Hughes	McCutcheon	Purfeerst	Willet
Chenoweth	Humphrey	Milton	Schmitz	
Chmielewski	Jensen	Moe	Sillers	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Pillsbury	Schrom
Berg	Hansen, Baldy	Patton	Renneke	Ueland
Doty	Hansen, Mel			

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 303: A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

Senate File No. 303 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate concur in the amendments by the House to S. F. No. 303 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 303 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 43 and nays 16, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Humphrey	Olson, A. G.	Schrom
Ashbach	Davies	Jensen	Olson, J. L.	Solon
Bang	Doty	Josefson	O'Neill	Stokowski
Berg	Fitzsimons	Keefe, J.	Patton	Stumpf
Blatz	Frederick	Kleinbaum	Perpich, A. J.	Ueland
Borden	Gearty	Laufenburger	Pillsbury	Wegener
Brataas	Hansen, Baldy	Nelson	Purfeerst	Willet
Brown	Hanson, R.	North	Renneke	
Chmielewski	Hughes	Ogdahl	Schmitz	

Those who voted in the negative were:

Anderson	Dunn	Kirchner	Milton	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	Moe	Spear
Chenoweth	Keefe, S.	McCutcheon	Olhoff	Stassen
Conzemius				

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 100, and repassed said bill in accordance with the report of the Committee, so adopted:

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

House File No. 100 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 9, 1975

Mr. Borden moved that H. F. No. 100 and the Conference Committee Report thereon be laid on the table.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 249, and repassed said bill in accordance with the report of the Committee, so adopted:

H. F. No. 249: A bill for an act relating to eminent domain; appraisal fees in acquisition by direct purchase; filing of final certificate; amending Minnesota Statutes 1974, Sections 117.205; and 117.232, Subdivision 1.

House File No. 249 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 9, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 249**

A bill for an act relating to eminent domain; appraisal fees in acquisition by direct purchase; filing of final certificate; amending Minnesota Statutes 1974, Sections 117.205; and 117.232, Subdivision 1.

May 7, 1975

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. 249 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. 249 be amended as follows:

Page 1, delete lines 21 to 23

Page 2 delete lines 1 to 6 and insert

*“117.232 [DIRECT PURCHASE.] Subdivision 1. When acquisition of private property is accomplished by the state department of highways by direct purchase the owner shall be entitled to reimbursement for appraisal fees, not to exceed a total of \$300. When acquisition of private property is accomplished by any other acquiring authority, the owner is entitled to reimbursement for appraisal fees, not to exceed \$300, if the owner is otherwise entitled to reimbursement under sections 117.50 to 117.56. The purchaser in all instances shall inform the owner of his right, if any, to reimbursement for appraisal fees reasonably incurred, in an amount not to exceed \$300, together with relocation costs, moving costs and all any other related expenses to which an owner is entitled by law sections 117.50 to 117.56. This subdivision does not apply to acquisition for utility purposes made by a public service corporation organized pursuant to section 300.03 or electric cooperative associations organized pursuant to section 308.05.”*

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

House Conferees: (Signed) Stanley J. Fudro, William H. Schreiber.

Senate Conferees: (Signed) Robert J. Tennessen, Roger Laufenger, Earl W. Renneke.

Mr. Tennessen moved that the foregoing recommendations and Conference Committee Report on H. F. No. 249 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. 249: A bill for an act relating to eminent domain;

appraisal fees in acquisition by direct purchase; filing of final certificate; amending Minnesota Statutes 1974, Sections 117.205; and 117.232, Subdivision 1.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olhoff	Spear
Arnold	Fitzsimons	Kirchner	Olson, A. G.	Stassen
Ashbach	Frederick	Kleinbaum	O'Neill	Stokowski
Bang	Gearty	Kowalczyk	Patton	Stumpf
Berg	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessen
Bernhagen	Hanson, R.	McCutcheon	Pillsbury	Wegener
Borden	Hughes	Milton	Renneke	Willet
Brataas	Humphrey	Moe	Schmitz	
Brown	Jensen	Nelson	Schrom	
Chenoweth	Josefson	North	Sillers	
Davies	Keefe, J.	Ogdahl	Solon	

Those who voted in the negative were:

Blatz	Conzemius	Hansen, Baldy	Purfeerst	Ueland
Chmielewski	Doty	Olson, J. L.		

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

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

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

S. F. No. 1098: A bill for an act relating to natural resources; clarifying the authority of the commissioner of natural resources to designate and manage certain waters for wildlife use; reporting of game taken; providing certain limitations on the taking of fox; and altering certain seasons for the taking of deer; amending Minnesota Statutes 1974, Sections 97.48, Subdivision 11; 98.51, Subdivision 1; 100.26, Subdivision 1; and 100.27, Subdivision 2.

Senate File No. 1098 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Merriam moved that the Senate concur in the amendments by the House to S. F. No. 1098 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1098 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 42 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	North	Stokowski
Arnold	Dunn	Knutson	Ogdahl	Stumpf
Berg	Fitzsimons	Kowalczyk	Olhoft	Tennessen
Blatz	Gearty	Laufenburger	Olson, J. L.	Ueland
Borden	Hanson, R.	McCutcheon	O'Neill	Wegener
Brown	Humphrey	Merriam	Schaaf	Willet
Chenoweth	Keefe, J.	Milton	Solon	
Conzemius	Keefe, S.	Moe	Spear	
Davies	Kirchner	Nelson	Stassen	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Perpich, G.	Schrom
Bang	Hansen, Baldy	Olson, A. G.	Pillsbury	Sillers
Bernhagen	Hansen, Mel	Olson, H. D.	Purfeerat	
Brataas	Hughes	Patton	Renneke	
Chmielewski	Jensen	Perpich, A. J.	Schmitz	

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 66: A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded fire arms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

Senate File No. 66 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1975

Mr. Perpich, G. moved that the Senate do not concur in the amendments by the House to S. F. No. 66 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.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk

be now adopted, with the exception of the reports on S. F. Nos. 719 and 595, and H. F. No. 1527. The motion prevailed.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

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

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

Page 8, after line 31, insert:

“Sec. 7. Minnesota Statutes 1974, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMI-TRAILERS AND TRACTORS.] (a) No combination of vehicles coupled together unladen or with load, including truck tractor and semitrailers, shall consist of more than two units unless such combination consists of a truck and semitrailer or a truck-tractor and semitrailer drawing one additional semitrailer equipped with an auxiliary dolly, and no combination of vehicles shall exceed a total length of 55 60 feet except as provided by section 169.861, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load. Mount combinations may be drawn but such combinations may not exceed 55 60 feet in length. Said limitation on the number of units shall not apply to vehicles used for transporting milk from point of production to point of first processing, in which case no combination of vehicles coupled together unladen or with load, including truck tractor and semitrailers, shall consist of more than three units and no such combination of vehicles shall exceed a total length of 55 feet. For the purpose of registration, trailers coupled with a truck-tractor, semi-trailer combination shall be considered the same as semitrailers. The state, as to state trunk highways, and any city or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries and further provided that the commissioner of highways shall have the authority to restrict

*from such segments of the state highway system as he shall so designate on the basis of safety considerations, combinations of vehicles that exceed 55 feet in length not otherwise exempted in this section. (b) No single semitrailer or trailer shall have an overall length, exclusive of rear protective bumpers which do not increase the overall length by more than six inches and further exclusive of any accessory equipment mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, in excess of 45 feet, except for those semitrailers governed by subdivisions 3a and 7 of this section."*

Renumber remaining section

Further, amend the title as follows:

Page 1, line 3, after "penalties;" insert "providing for increased lengths on certain combinations of trucks;"

Page 1, line 7, strike "and"

Page 1, line 8, after "Subdivision 3" insert "; and 169.81, Subdivision 3"

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

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

H. F. No. 1007: A bill for an act relating to employment; excluding conservation officers from the operation of the fair labor standards act; repealing certain job application requirements; amending Minnesota Statutes 1974, Section 177.23, Subdivision 7; repealing Minnesota Statutes 1974, Section 43.16.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 32, strike "*, formerly*" and insert a semicolon

Page 2, after line 32, add the following:

*"(14) any individual in a position with respect to which the U.S. Department of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S. Code, Section 304"*

Page 3, line 1, strike "*game wardens*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 719: A bill for an act relating to state government; creating a department of transportation; prescribing its duties

and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.02; 161.03; and 360.014.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "*an adequate, economical, safe, efficient*"

Page 1, line 13, strike "*and convenient*" and insert "*a*"

Page 1, line 13, strike "*including*" and insert "*which includes*"

Page 1, line 14, strike "*conveyances*"

Page 1, line 15, strike "*for the general welfare of all the citizens of*"

Page 1, line 16, strike "*Minnesota, the*" and insert "*a*"

Page 1, line 16, strike "*state*"

Page 2, line 10, strike "*such*"

Page 2, strike lines 12 to 18

Page 2, line 19, strike everything before the period

Page 3, line 13, strike "*department*" and insert "*commissioner*"

Page 3, line 18, strike the comma

Page 3, line 23, after "*Develop*" insert "*statewide*"

Page 3, line 23, after "*priorities*" insert a semicolon and strike the balance of the line

Page 3, strike lines 24 and 25

Page 3, line 31, after "*and*" and before "*provide*" insert "*may*"

Page 4, line 2, after "*process*" insert "*in accordance with mutually agreed upon terms and conditions*"

Page 4, line 12, after ".]" insert "*The metropolitan council, pursuant to Laws 1975, Chapter 13, Section 9, and the regional development commissions shall develop regional long-range comprehensive transportation policy plans*"

Page 4, line 13, strike "*department*" and insert "*commissioner*"

Page 4, line 14, strike "*, regional development commissions and the*"

Page 4, strike line 15

Page 4, line 16, strike everything before the period

Page 4, line 22, strike "*department*" and insert "*commissioner*"

Page 4, after line 26, insert a new subdivision to read:

*"Subd. 4. [ENERGY CONSERVATION.] The commissioner, in cooperation with the energy agency, shall evaluate all modes of transportation in terms of their levels of energy consumption. The results of this evaluation shall receive appropriate consideration in the design and implementation of transportation plans and priorities."*

Re-number the remaining subdivision

Page 4, line 28, after "expenses" insert "*of the department relating to highway purposes*"

Page 4, line 28, strike "only"

Page 4, line 28, strike "*such moneys as are*"

Page 4, line 29, strike "*permitted by law*" and insert "*moneys available in the trunk highway fund*"

Page 5, line 6, strike "Any" and insert "A"

Page 5, line 8, strike the comma

Page 5, line 10, after "*expenditures*" strike the comma

Page 5, line 13, strike "*state policies, plans and programs*" and insert "*the transportation priorities pursuant to section 3, subdivision 1*"

Page 5, line 31, strike "*recision*" and insert "*repeal*"

Page 5, line 31, strike "*regulations*" and insert "*rules*"

Page 6, line 5, after the second "*the*" insert "*director of the*"

Page 6, line 12, strike "*transportation*"

Page 6, line 12, after "*rule*" insert "*concerning transportation*"

Page 6, line 20, strike "*transportation*"

Page 6, line 20, after "*rule*" insert "*concerning transportation*"

Page 7, strike lines 5 to 8

Page 7, strike lines 19 to 22

Page 10, line 10, after "*the*" insert "*transfers of*"

Page 10, line 11, strike "*transferred*" and insert "*provided*"

Page 12, after line 5, insert:

*"Sec. 10. [TEMPORARY PROVISION.] By January 1, 1976, the commissioner of transportation, the public service commission and the director of the administrative division of the department of public service shall prepare and submit to the legislature a report recommending which, if any, of the current powers of the commission or director should be transferred to the commissioner of transportation in order to accomplish the policy as stated in section 1 of this act. The report shall include specific suggestions relating to amendments of Minnesota Statutes necessary in order to accomplish the transfers recommended in the report."*

Renumber the remaining sections

Page 12, line 15, after the headnote insert "*Section 2, subdivision 1, of this act is effective July 1, 1975. The remaining provisions of*"

Page 12, line 15, strike "*is*" and insert "*, except as provided in this section, are*"

Page 12, line 21, after "*operation.*" add a new sentence to read:

*"In the initial organization of the department the commissioner shall designate an organizational steering committee consisting of representatives from the departments of administration, aeronautics, highways, public service and the state planning agency to assist him in the initial organization of the department."*

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 595: A bill for an act relating to human rights; prohibiting discrimination on the basis of affectional or sexual preference; providing definitions; amending Minnesota Statutes 1974, Sections 363.01, by adding a subdivision; 363.03, Subdivisions 1, 2, 3, 4, 5, 7 and 8; and 363.12, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "*or sexual*"

Page 1, line 23, strike "*or sexual*"

Page 2, line 13, strike "*or sexual*"

Page 2, line 24, strike "*or sexual*"

Page 3, line 6, strike "*or sexual*"

Page 3, line 16, strike "*or sexual*"

Page 3, line 23, strike "*or sexual*"

Page 4, line 5, strike "*or sexual*"

Page 4, line 10, strike "*or sexual*"

Page 4, line 25, strike "*or sexual*"

Page 5, line 3, strike "*or sexual*"

Page 5, line 10, strike "*or sexual*"

Page 5, line 15, strike "*or sexual*"

Page 5, line 28, strike "*or sexual*"

Page 6, line 7, strike "*or sexual*"

Page 6, line 20, strike "*or sexual*"

Page 7, line 7, strike "*or sexual*"

Page 7, line 21, before "To" insert "(1)"

Page 7, line 24, reinstate the stricken language and strike ","

Page 7, line 24, strike ", or"

Page 7, line 25, strike "*affectional or sexual preference*"

Page 7, after line 28, insert:

*"(2) To deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public lodging, refreshment, entertainment, or recreation, or of a public transportation facility because of affectional preference."*

Page 8, line 1, before "To" insert "(1)"

Page 8, line 4, strike "*affectional or sexual preference,*"

Page 8, after line 5, insert:

*"(2) To discriminate against any person in the access to, admission to, full utilization of or benefit from any public service, except those public services whose primary function is to create or facilitate the creation of the legal relationships defined in sections 259.29 and 517.01, because of affectional preference."*

Page 8, line 14, strike "*or sexual*"

Page 8, line 20, strike "*or sexual*"

Page 8, line 26, strike "*or sexual*"

Page 9, line 10, strike "*or sexual*"

Page 9, line 15, strike "*or sexual*"

Page 9, line 24, strike "*or sexual*"

Page 9, line 28, strike "*or sexual*"

Page 9, line 31, strike "or"

Page 9, line 32, strike "*sexual*"

Page 10, line 3, strike "*or sexual*"

Page 10, line 7, strike "*or sexual*"

Further, amend the title as follows:

Page 1, line 3, strike "or"

Page 1, line 4, strike "*sexual*"

And when so amended the bill do pass.

Pursuant to Rule 60, a roll call was taken on the motion of Mr. Blatz on the recommendation to pass S. F. No. 595:

There were yeas 7 and nays 5 as follows:

Those who voted in the affirmative were:

Davies; Doty; Keefe, J.; Merriam; Schaaf; Spear and Tennes-  
sen.

Those who voted in the negative were:

Anderson, Blatz, Humphrey, Jensen and Sillers.

The bill was recommended to pass as amended.

Pursuant to Joint Rule 20, the bill was re-referred to the Com-  
mittee on Rules and Administration.

Mr. Perpich, A. J. from the Committee on Taxes and Tax  
Laws, to which was referred

S. F. No. 973: A bill for an act relating to taxation; providing  
for a reduction of ad valorem taxes paid by certain persons; ap-  
propriating money; amending Minnesota Statutes 1974, Sections  
273.011, Subdivision 5; 273.012, Subdivision 2; Minnesota Stat-  
utes 1974, Chapter 273, by adding sections; and repealing Minne-  
sota Statutes 1974, Section 290.066.

Reports the same back with the recommendation that the bill  
be amended as follows:

Page 2, after line 6, insert:

“Sec. 3. Minnesota Statutes 1974, Section 273.012, is amended  
by adding a subdivision to read:

*Subd. 3. The county auditor shall notify the county assessor  
of each qualified property for which the credit provided for in  
this section is claimed.*

Sec. 4. Minnesota Statutes 1974, Section 273.061, is amended  
by adding a subdivision to read:

*Subd. 10. [ADDITIONAL SPECIFIC DUTIES.] The county  
assessor shall notify the county auditor when qualified property, as  
defined in section 273.011, for which the credit provided for in  
section 273.012 is claimed loses its status as qualified property.”*

Renumber the sections in sequence

Page 3, line 15, strike “from his records of taxes” and insert  
“determine”

Page 3, line 16, strike “previously paid, ascertain”

Page 3, line 16, after “applicant” insert “in the manner pro-  
vided by the commissioner of revenue”

Page 4, line 21, strike “1975” and insert “1976”

Page 5, line 6, after “refund” insert “with”

Page 5, line 13, strike "1975" and insert "1976"

Amend the title as follows:

Page 1, line 6, after "2" strike the semicolon and insert ", and by adding a subdivision; 273.061, by adding a subdivision;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1476, 404, 1569 and 1526 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1476	1426	1526	1461		
404	1316				
1569	1517				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 884 and 717 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
884	763				
717	1322				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 884 be amended as follows:

Page 1, line 16, delete "*actively engaged in farming of the land owned by*" and insert "*who derives his principal income from the farming activities of*"

Page 2, line 5, delete "*are actively engaged in farming on behalf*" and insert "*derive their principal income from the farming activities*"

Page 2, line 6, after "*partnership*" insert a comma

Page 2, line 7, delete the comma after "*property*"

And when so amended, H. F. No. 884 will be identical to S. F. No. 763 and further recommends that H. F. No. 884 be given its second reading and substituted for S. F. No. 763 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 717 be amended as follows:

Page 1, after line 6, insert:

“Section 1. [POLICY.] The legislature finds there is a shortage of optometrists in this state and that doctors of optometry provide a major part of the delivery of vision care and related health care services to citizens of this state. There are no colleges of optometry located in Minnesota. The high cost and restrictive admissions policies of out of state optometry colleges have made it impossible for a sufficient number of Minnesota students to become optometrists. It is in the public interest that opportunity be provided for Minnesota students to become doctors of optometry.”

Page 1, line 7, delete “Section 1.” and insert “Sec. 2.”

And when so amended, H. F. No. 717 will be identical to S. F. No. 1322 and further recommends that H. F. No. 717 be given its second reading and substituted for S. F. No. 1322 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 749, 929, 557, 951, 1304, 534 and 581 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
749	505				
929	1000				
557	1366				
951	1436				
1304	1211				
534	979				
581	471				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 749 be amended as follows:

Page 2, line 16, delete “or both”

Page 2, line 20, delete “or both”

Page 2, line 22, restore the stricken language and delete “shall”

Page 2, line 23, delete the new language

Page 2, delete lines 24 to 30

Page 3, line 30, after "3." insert "Minnesota Statutes 1974, Chapter 152, is amended by adding a section to read:"

Page 3, line 30, the bracketed number, "[152.151]" should begin a new paragraph

Further amend the title in line 13, after "subdivision" insert "and Chapter 152, by adding a section"

And when so amended, H. F. No. 749 will be identical to S. F. No. 505 and further recommends that H. F. No. 749 be given its second reading and substituted for S. F. No. 505 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 929 be amended as follows:

Page 1, line 7, delete "10" and insert "5"

Page 1, line 9, delete "or savings bank"

Page 1, line 11, delete "47.02" and insert "47.01" and before "or" insert "Subdivision 2,"

Page 2, line 20, delete "facility" and insert "facilities"

Page 3, line 3, delete "facility" and insert "facilities"

Page 3, line 3, delete "The"

Page 3, delete lines 4 to 6

Page 4, line 9, delete "10" and insert "5"

Page 4, line 12, delete "10" and insert "5"

Page 4, line 20, delete "approved by the commissioner of"

Page 4, line 21, delete "banks,"

Page 4, line 23, delete "expenditure" and insert "expenditures"

Page 4, line 23, delete "that" and insert "establishing and maintaining"

Page 4, line 24, delete "facility" and insert "facilities"

Page 4, line 25, delete "10" and insert "5"

Page 5, line 6, "Provided," should not begin a new paragraph but continue after "prohibited." in the preceding line

Page 5, line 18, delete "10" and insert "5"

Page 6, line 8, delete "this act" and insert "the chapter" and after "Statutes" insert "1974"

Page 6, line 12, delete "to 10" and insert "through 5"

Page 6, line 12, delete "binding"

Page 6, line 13, after "by a" insert "Minnesota" and after "federal" insert "district"

Page 6, line 13, delete ", department or agency"

Page 6, line 14, delete "to 10" and insert "through 5"

Page 6, line 23, delete "10" and insert "5"

Page 6, line 25, delete "10" and insert "5"

Page 6, delete lines 27 to 32

Page 7, delete lines 1 to 17; and renumber the remaining section

Renumber section 5 as section 7

Renumber section 6 as section 9

Renumber section 7 as section 8

Renumber section 8 as section 10

Renumber section 9 as section 6

Renumber section 10 as section 5

Further, amend the title as follows:

Line 3, delete the comma after "banks" and insert a semicolon

Lines 3 and 4, delete "savings banks and credit unions;"

And when so amended, H. F. No. 929 will be identical to S. F. No. 1000 and further recommends that H. F. No. 929 be given its second reading and substituted for S. F. No. 1000 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 557 be amended as follows:

Page 1, line 9, delete "Subdivision 1,"

Page 1, delete lines 20 and 21

Page 1, line 22, delete "1a" and insert "2"

Page 2, after line 5, insert

"Subd. 2 3. Section 325.772, subdivision 1, clauses (2) and (3) do not apply to the use of a service mark, trademark, certification mark, collective mark, trade name, or other trade identification that was used and not abandoned before July 1, 1973, if the use was in good faith and is otherwise lawful except for sections 325.771 to 325.776."

Page 2, line 6, delete "Sec. 3." and insert "Sec. 2."

Further, amend the title as follows:

Line 4, delete ", Subdivision 1,"

Line 5, delete "and by adding a subdivision"

And when so amended, H. F. No. 557 will be identical to S. F. No. 1366 and further recommends that H. F. No. 557 be given its second reading and substituted for S. F. No. 1366 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 951 be amended as follows:

Page 1, line 14, restore the stricken language and delete "other"

Page 2, line 1, restore the stricken language

Page 2, line 2, delete "other"

Page 2, lines 17 to 19, delete the underscored language

And when so amended, H. F. No. 951 will be identical to S. F. No. 1436 and further recommends that H. F. No. 951 be given its second reading and substituted for S. F. No. 1436 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1304 be amended as follows:

Page 1, delete lines 9 to 24

Delete pages 2, 3, and 4

Page 5, delete lines 1 to 4

Page 5, line 5, delete "Sec. 4." and insert "Section 1."

Page 5, line 11, after "Statutes" insert "1974"

Page 5, line 32, delete "If the billing cycle is other than monthly,"

Page 6, delete lines 1 to 3

Page 6, line 7, delete "annual charges, not" and insert a colon

Page 6, delete lines 8 to 14 and insert

*"(a) Annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitles the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank.*

*(b) Charges for premiums on credit life and credit accident and health insurance if:*

*(i) the insurance is not required by the bank or savings bank and this fact is clearly disclosed in writing to the debtor and*

*(ii) the debtor is notified in writing of the cost of such insurance and affirmatively elects, in writing, to purchase such insurance."*

Page 6, delete lines 22 and 23

In the title, strike lines 2 to 7 and insert

"relating to banks; permitting open end credit arrangements; amending Minnesota Statutes 1974, Chapter 48, by adding a section."

And when so amended, H. F. No. 1304 will be identical to S. F. No. 1211 and further recommends that H. F. No. 1304 be given its second reading and substituted for S. F. No. 1211 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 534 be amended as follows:

Page 1, line 11 after "measures" delete the comma and after "skeleton" delete the comma

Page 1, line 20, delete "*the device*" and insert "*it*"

Page 1, lines 20 and 21, delete "*United States*"

Further, amend the title as follows:

Page 1, line 4, delete "Section" and insert "Sections"

And when so amended, H. F. No. 534 will be identical to S. F. No. 979 and further recommends that H. F. No. 534 be given its second reading and substituted for S. F. No. 979 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 581 be amended as follows:

Page 2, after "1975." insert

*"For the purpose of computing benefits under this section the formula percentages used by any covered fund shall in no event exceed two and one-half percent per year of service for any year of service or fraction thereof."*

Page 2, delete lines 22 to 24

Page 2, line 25, delete all the language except "Any"

Page 3, line 5, after "other" insert "of"

Page 3, line 10, delete "FUNDS TO WHICH THIS SECTION APPLIES" and insert "COVERED FUNDS"

Page 4, line 7, after "2." insert "[EFFECTIVE DATE.]"

Page 4, line 7, delete "*is*" and insert "*shall be*"

And when so amended, H. F. No. 581 will be identical to S. F. No. 471 and further recommends that H. F. No. 581 be given its second reading and substituted for S. F. No. 471 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, pursuant to Rule 40 and on request of Mr. Keefe, S., first author of H. F. No. 522, recommends that H. F. No. 522 be withdrawn from the Committee on Labor and Commerce and be placed on General Orders, and that pursuant to Rule 10 H. F. No. 522 be made a special order for immediate consideration at a time designated by the Chairman of the Committee on Rules and Administration.

Pursuant to Rule 60, a roll call was taken on the motion of Mr. Laufenburger that H. F. No. 522 be withdrawn from the Committee on Labor and Commerce and placed on General Orders, and that pursuant to Rule 10 H. F. No. 522 be made a special order for immediate consideration at a time designated by the Chairman of the Committee on Rules and Administration.

There were yeas 12 and nays 4 as follows:

Those who voted in the affirmative were:

Coleman, Conzemius, Arnold, Borden, Chenoweth, Davies, Gearty, Hughes, Laufenburger, Moe, Ogdahl and Olson, A. G.

Those who voted in the negative were:

Ashbach; Blatz; Hansen, Baldy and O'Neill.

The motion prevailed.

Pursuant to Rule 60, a roll call was taken on the motion of Mr. Davies that pursuant to Rule 40 H. F. No. 522 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Finance.

There were yeas 2 and nays 13 as follows:

Those who voted in the affirmative were:

Davies and Olson, A. G.

Those who voted in the negative were:

Coleman; Conzemius; Arnold; Blatz; Borden; Chenoweth; Gearty; Hansen, Baldy; Hughes; Laufenburger; Moe; Ogdahl and O'Neill.

The motion did not prevail.

Mr. Ashbach requested that the foregoing committee report be divided out.

Mr. Ashbach requested division of the committee report as follows:

First portion:

Pursuant to Rule 40 and on request of Mr. Keefe, S., first author of H. F. No. 522, recommends that H. F. No. 522 be withdrawn from the Committee on Labor and Commerce and be placed on General Orders,

Second portion:

And that pursuant to Rule 10 H. F. No. 522 be made a special order for immediate consideration at a time designated by the Chairman of the Committee on Rules and Administration.

Mr. Ashbach moved a substitute motion to indefinitely postpone the committee report.

The Chair was asked to rule on whether or not Mr. Ashbach's motion was in order.

## CALL OF THE SENATE

Mr. Olson, J. L., imposed a call of the Senate. 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	Laufenburger	Patton	Stumpf
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brataas	Hanson, R.	Merriam	Pillsbury	Wegener
Brown	Hughes	Milton	Purfeerst	Willet
Chenoweth	Humphrey	Moe	Renneke	
Chmielewski	Jensen	Nelson	Schaaf	
Coleman	Josefson	North	Schmitz	
Conzemius	Keefe, J.	Ogdahl	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

The Chair ruled Mr. Ashbach's motion was out of order.

Mr. Jensen appealed the decision of the Chair.

The question being taken on the decision of the Chair,

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Stumpf
Arnold	Gearty	Merriam	Perpich, G.	Tennessee
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	Willet
Chmielewski	Keefe, S.	North	Schmitz	
Coleman	Kleinbaum	Olhoff	Solon	
Conzemius	Laufenburger	Olson, A. G.	Spear	
Davies	Lewis	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Nelson	Renneke
Bang	Fitzsimons	Josefson	Ogdahl	Sillers
Berg	Frederick	Keefe, J.	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Kirchner	O'Neill	Ueland
Blatz	Hansen, Mel	Knutson	Patton	
Brataas	Hanson, R.	Kowalczyk	Pillsbury	

The decision of the Chair was sustained.

The question being taken on the adoption of the first portion of the committee report,

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Stumpf
Arnold	Gearty	Merriam	Perpich, G.	Tennessee
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	Willet
Chmielewski	Keefe, S.	North	Schmitz	
Coleman	Kleinbaum	Olhoff	Solon	
Conzemius	Laufenburger	Olson, A. G.	Spear	
Davies	Lewis	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Nelson	Sillers
Bang	Fitzsimons	Josefson	Olson, J. L.	Stassen
Berg	Frederick	Keefe, J.	O'Neill	Ueland
Bernhagen	Hansen, Baldy	Kirchner	Patton	
Blatz	Hansen, Mel	Knutson	Pillsbury	
Brataas	Hanson, R.	Kowalczyk	Renneke	

The motion prevailed. So the first portion of the committee report was adopted.

Mr. Coleman moved that the second portion of the committee report be laid on the table. The motion prevailed.

#### SECOND READING OF SENATE BILLS

S. F. No. 973 was read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1007, 1476, 404, 1569, 1526, 884, 717, 749, 929, 557, 951, 1304, 534, 581 and 522 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Anderson moved that the name of Mr. Ogdahl be added as co-author to S. F. No. 1393. The motion prevailed.

Mr. Conzemius moved that the name of Mr. Stassen be added as co-author to S. F. No. 1198. The motion prevailed.

Mr. Chenoweth moved that H. F. No. 61 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration. The motion prevailed.

#### RECONSIDERATION

Mr. Olson, H. D., moved that the vote whereby H. F. No. 1169 failed to pass the Senate on May 9, 1975, be now reconsidered. The motion prevailed.

Mr. Olson, H. D., moved that H. F. No. 1169 be returned to General Orders. The motion prevailed.

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 119: A bill for an act relating to the practice of medicine; physicians, surgeons and osteopaths; suspension of licenses; amending Minnesota Statutes 1974, Section 147.021, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	O'Neill	Spear
Bang	Hansen, Baldy	Laufenburger	Patton	Stassen
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Brataas	Hanson, R.	Moe	Perpich, G.	Stumpf
Chmielewski	Hughes	Nelson	Pillsbury	Tennessen
Davies	Jensen	North	Renneke	Ueland
Doty	Josefson	Ogdahl	Schaaf	Wegener
Dunn	Keefe, J.	Olhoft	Schrom	Willet
Fitzsimons	Kleinbaum	Olson, A. G.	Sillers	
Frederick	Knutson	Olson, J. L.	Solon	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1261: A bill for an act relating to St. Louis county; creating a study commission and providing an election to determine whether to divide St. Louis county.

Mr. Perpich, G., moved to amend S. F. No. 1261 as follows:

Page 2, after line 2, insert:

"Sec. 3. This act is effective on the day following final enactment."

The motion prevailed. So the amendment was adopted.

S. F. No. 1261 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 46 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olhoft	Spear
Arnold	Doty	Knutson	Olson, A. G.	Stassen
Ashbach	Dunn	Kowalczyk	Olson, J. L.	Stumpf
Berg	Fitzsimons	Laufenburger	Patton	Ueland
Bernhagen	Frederick	Lewis	Perpich, A. J.	Wegener
Blatz	Hanson, R.	McCutcheon	Perpich, G.	Willet
Borden	Hughes	Milton	Pillsbury	
Brataas	Humphrey	Moe	Purfeerst	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	

Those who voted in the negative were:

Bang	Hansen, Baldy	Merriam	O'Neill	Stokowski
Chmielewski	Hansen, Mel	Ogdahl	Sillers	Tennessee
Gearty	Kleinbaum	Olson, H. D.	Solon	

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 795: A bill for an act relating to Special School district No. 1; extending bonding authority; amending Laws 1959, Chapter 462, Section 3, Subdivision 7, as amended.

Mr. Stokowski moved to amend S. F. No. 795 as follows:

Page 2, line 10, after "exceed" insert "75 percent of"

The motion prevailed. So the amendment was adopted.

S. F. No. 795 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 56 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Knutson	Olson, H. D.	Solon
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Spear
Bang	Gearty	Laufenburger	O'Neill	Stassen
Berg	Hansen, Baldy	Lewis	Patton	Stokowski
Bernhagen	Hansen, Mel	McCutcheon	Perpich, A. J.	Stumpf
Brataas	Hanson, R.	Merriam	Perpich, G.	Ueland
Chenoweth	Hughes	Milton	Pillsbury	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Jensen	North	Renneke	
Conzemius	Keefe, S.	Ogdahl	Schaaf	
Doty	Kirchner	Olhoft	Schrom	
Dunn	Kleinbaum	Olson, A. G.	Sillers	

Mr. Davies voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 370: A bill for an act relating to solemnization of marriage; authorizing solemnization of marriage among Native Americans by Indian holy men; amending Minnesota Statutes 1974, Section 517.18.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	Olhoft	Schrom
Ashbach	Dunn	Knutson	Olson, A. G.	Sillers
Bang	Frederick	Kowalczyk	Olson, H. D.	Solon
Berg	Gearty	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stassen
Borden	Hansen, Mel	McCutcheon	Patton	Stokowski
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Milton	Perpich, G.	Tennessee
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Jensen	Nelson	Purfeerst	Wegener
Davies	Kirchner	North	Renneke	Willet

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 459: A bill for an act relating to elections; fair campaign practices; amending Minnesota Statutes 1974, Section 211.23.

Mr. Stassen moved to amend S. F. No. 459 as follows:

Page 1, line 7, before "no" insert "*Subdivision 1.*"

Page 1, lines 8 through 10 strike the new language

Page 1, line 12, strike "any person, or" and insert a comma

Page 1, line 13, after "securing" insert "*, or prevent or promise to prevent*"

Page 1, lines 15 through 18 strike the new language

Page 2, after line 4, insert

*"Subd. 2. No public employee shall in order to aid or promote a person's nomination or election, appoint or promise to appoint, secure or promise to secure or aid in securing, or prevent or promise to prevent the appointment, nomination, or election of any person to any public or private position or employment, or to any position of honor, trust, or emolument."*

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen moved to amend S. F. No. 459 as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1974, Section 211.01, is amended by adding a subdivision to read:

*Subd. 1a. "Association" means business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert, other than a political committee."*

Page 2, after line 4, insert:

"Sec. 3. Minnesota Statutes 1974, Section 211.27, Subdivision 1, is amended to read:

211.27 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN.] Subdivision 1. No ~~corporation doing business in this state~~ *association* shall pay or contribute, or offer, consent, or agree to pay or contribute, directly or indirectly, any money, property, free service of its officers or employees or thing of value to any political party, organization, committee, or individual for any political purpose whatsoever, or to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. If any ~~corporation~~ *association* shall be convicted of violating any of the provisions of this chapter, it shall be subject to a penalty in the amount not exceeding \$10,000 to be collected as other claims or demands for money are collected; and, if a domestic ~~corporation~~ *association*, in addition to that penalty, it may be dissolved; and, if a foreign or non-resident ~~corporation~~ *association*, in addition to that penalty, its right to do business in this state may be declared forfeited."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, strike "Section 211.23" and insert "Sections 211.01, by adding a subdivision; 211.23; and 211.27, Subdivision 1"

### CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Olhofft	Solon
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Gearty	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chmielewski	Hughes	Merriam	Purfeerst	Wegener
Conzemius	Humphrey	Moe	Renneke	Willet
Davies	Keefe, J.	Nelson	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 24 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Hanson, R.	Kowalczyk	Pillsbury
Bang	Dunn	Jensen	Nelson	Renneke
Berg	Fitzsimons	Keefe, J.	Olson, J. L.	Sillers
Bernhagen	Frederick	Kirchner	O'Neill	Ueland
Blatz	Hansen, Mel	Knutson	Patton	

Those who voted in the negative were:

Anderson	Doty	Lewis	Perpich, G.	Stumpf
Arnold	Gearty	Merriam	Purfeerst	Tennessee
Borden	Hansen, Baldy	Milton	Schaaf	Wegener
Chenoweth	Hughes	North	Schrom	Willet
Chmielewski	Humphrey	Ogdahl	Solon	
Coleman	Keefe, S.	Olhoft	Spear	
Conzemius	Kleinbaum	Olson, A. G.	Stassen	
Davies	Laufenburger	Perpich, A. J.	Stokowski	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 459 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 56 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kleinbaum	Olson, A. G.	Sillers
Ashbach	Doty	Knutson	Olson, H. D.	Solon
Bang	Dunn	Kowalczyk	Olson, J. L.	Spear
Berg	Frederick	Laufenburger	O'Neill	Stassen
Bernhagen	Gearty	Lewis	Patton	Stumpf
Blatz	Hansen, Mel	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hanson, R.	Merriam	Perpich, G.	Ueland
Brataas	Humphrey	Moe	Pillsbury	Willet
Chenoweth	Jensen	Nelson	Purfeerst	
Chmielewski	Keefe, J.	North	Renneke	
Coleman	Keefe, S.	Ogdahl	Schaaf	
Conzemius	Kirchner	Olhoft	Schrom	

Messrs. Hansen, Baldy and Stokowski voted in the negative.

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1422: A bill for an act relating to the city of St. Paul; authorizing the city of St. Paul to impose reasonable charges for emergency or paramedic ambulance services; amending Laws 1974, Chapter 435, by adding a section.

Mr. North moved to amend S. F. No. 1422 as follows:

Page 2, after line 15, insert:

"Sec. 2. Laws 1974, Chapter 435, Section 1.0207, is amended to read:

Sec. 1.0207. [HEALTH.] (a) [ADDITION TO ST. PAUL-RAMSEY HOSPITAL; PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing the net debt

of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

(b) [MORGUE.] (1) [DUTY TO PROVIDE.] Ramsey county shall provide and equip a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a postmortem or coroner's inquest, without charge to anyone.

(2) [MAINTENANCE.] The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

(c) [HEALTH DEPARTMENT.] (1) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

(2) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

(3) [POWERS AND RESPONSIBILITIES.] (A) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs.

(B) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(C) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(D) Health services for school children vested in or imposed upon a school district when the board of education of the school district petitions the county to provide the services by contract or otherwise for its district.

(E) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(F) The county may authorize the health department to oper-

ate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(G) Prepare and have published an annual report of the work of the health department.

(H) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(I) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(J) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(K) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(L) The county shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or a part of the county, but no county regulation may supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this subparagraph shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

(M) The health department shall cause all laws and regulations relating to public health to be obeyed and enforced inside its jurisdictional area.

(4) [FUNDING.] (A) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

(B) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

(5) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under paragraph (3), the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

(6) [PERSONNEL.] (A) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

(B) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

(C) [EMPLOYEES.] (i) Each person transferred to the health department by this paragraph and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

(ii) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

(7) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear

Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection.

(9) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) shall pay for any services provided by this subsection until its governing body has approved the resolution as provided in paragraph (7).

(10) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) [AMBULANCE SERVICE.] (1) [LIMITED TO REQUESTING MUNICIPALITIES.] If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) [SERVICE CHARGE.] If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) [PARAMEDICS.] (1) [DEFINITIONS.] As used in this article, "physician's trained mobile intensive care paramedic" means a person who:

(A) Is an employee of the county of Ramsey or the city of St. Paul;

(B) Has been specially trained in emergency cardiac and noncardiac care by a licensed physician in a training program certified by the state board of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated herein.

(2) The city of St. Paul and the county of Ramsey are hereby authorized to maintain a staff of physician's trained mobile intensive care paramedics.

(3) (A) Notwithstanding any other provision of law, physician's trained mobile intensive care paramedics may do any of the following:

(i) Regular rescue, first aid and resuscitation services;

(ii) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;

(iii) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;

(iv) Administer intravenous saline or glucose solutions;

(v) Administer parenteral injections in any of the following classes of drugs:

(a) antiarrhythmic agents;

(b) vagolytic agents;

(c) chronotropic agents;

(d) analgesic agents;

(e) alkalinizing agents;

(f) vasopressor agents;

(g) diuretics;

(vi) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

(B) But at all times before undertaking the actions authorized by clauses (iii), (iv), (v) and (vi), paramedics shall make and continue to make, during the course of an emergency, attempts to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, the paramedics shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts to telemeter to a licensed physician, who has been associated with the dispensing of cardiac medical care, and electrocardiogram of the person being treated.

(C) Nothing contained in this subsection shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than physician's trained mobile intensive care paramedics.

(4) No licensed physician or registered nurse, who in good faith *and in the exercise of reasonable care* gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

(5) No certified physician's trained mobile intensive care paramedic, who in good faith *and in the exercise of reasonable care* renders emergency lifesaving care and treatment as set forth in this subsection, shall be liable for any civil damages because of rendering such care and treatment.

(f) [AIR QUALITY.] (1) [APPROPRIATION.] Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

(2) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or

group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

(3) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation adopted by the county pursuant hereto is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

Renumber the sections in order

Amend the title, Page 1, line 5, after "435," insert "Section 1.0207, and"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 1422 as follows:

Page 2, after line 15, add a section to read:

*"Sec. 2. The provisions of Laws 1974, Chapter 435, Section 1.0207(e) and section 1 of this act shall also apply to the city of Maplewood."*

Renumber the sections in sequence

Page 2, line 16, before "This" insert: *"Subdivision 1. Section 1 of"*

Page 2, after line 19, insert a subdivision to read:

*"Subd. 2. Section 3 of this act shall become effective only after the approval of a majority of the governing body of the city of Maplewood and upon compliance with Minnesota Statutes, Section 645.021."*

Further amend the title as follows:

Page 1, line 2, strike "city" and insert "cities"

Page 1, line 2, after "St. Paul" insert "and Maplewood; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program"

Page 1, line 3, strike "city" and insert "cities"

Page 1, line 3, after "St. Paul" insert "and Maplewood"

The motion prevailed. So the amendment was adopted.

S. F. No. 1422: A bill for an act relating to the cities of St. Paul and Maplewood; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; amending Laws 1974, Chapter 435, Section 1.0207, and by adding a section.

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	Davies	Kirchner	North	Purfeerst
Arnold	Dunn	Kleinbaum	Ogdahl	Renneke
Bang	Fitzsimons	Knutson	Olhoff	Sillers
Bernhagen	Gearty	Laufenburger	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Lewis	Olson, H. D.	Stassen
Borden	Hansen, Mel	McCutcheon	Olson, J. L.	Stokowski
Brataas	Hughes	Merriam	O'Neill	Stumpf
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Moe	Perpich, G.	Ueland
Coleman	Keefe, J.	Nelson	Pillsbury	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

Mr. Frederick moved to amend H. F. No. 133, as amended by the Committee on Taxes and Tax Laws, adopted by the Senate April 23, 1975 as follows:

In the committee amendment to page 10, after the last line of Sec. 9, insert:

"Sec. 10. Minnesota Statutes 1974, Section 273.13, Subdivision 16, is amended to read:

Subd. 16. [HOMESTEAD ESTABLISHED AFTER ASSESSMENT DATE.] (1) Any property which was not used for the purpose of a homestead on the assessment date, but which was used for the purpose of a homestead on June 1 of such year, shall constitute class 3b, class 3c or class 3cc, as the case may be, to the extent of one-half of the valuation which would have been includible in such class and one-half the homestead tax credit to which it would have been entitled had the property been used as a homestead on both such dates.

(2) Any taxpayer meeting the requirements of clause (1) must *shall* notify the county assessor, or the assessor who has the powers of the county assessor pursuant to section 273.063, in writing, prior to June 15 of such year in order to qualify thereunder.

The county assessor and the county auditor are hereby empowered to make the necessary changes on their assessment and tax records to provide for proper homestead classification and credit as provided in clauses (1) and (2).

(3) *The owner of any property qualifying under this subdivision, which has not been accorded the benefits of this subdivision, regardless of whether or not the notification required in clause (2) has been timely filed, may be entitled to receive such benefits by proper appli-*

ation as provided in Minnesota Statutes, Section 270.07, or Minnesota Statutes, Section 375.192.

(4) Clause 3 shall be effective for the assessment year 1973 and subsequent years."

Further amend the title as follows:

Page 1, line 10, after "270.48;" insert "273.13, Subdivision 16"

The motion prevailed. So the amendment was adopted.

H. F. No. 133 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olson, A. G.	Solon
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Frederick	Knutson	Olson, J. L.	Stokowski
Borden	Gearty	Laufenburger	O'Neill	Stumpf
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Brown	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chmielewski	Hughes	Merriam	Pillsbury	Wegener
Coleman	Humphrey	Moe	Renneke	Willet
Conzemius	Jensen	Nelson	Schaaf	
Davies	Keefe, J.	North	Schrom	
Doty	Keefe, S.	Olhoft	Sillers	

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 749: A bill for an act relating to intoxicating liquor; investigation of certain license applicants; amending Minnesota Statutes 1974, Section 340.13, by adding a subdivision.

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	Coleman	Jensen	North	Solon
Arnold	Conzemius	Keefe, S.	Olhoft	Spear
Ashbach	Davies	Kleinbaum	Olson, H. D.	Stokowski
Bang	Doty	Knutson	Olson, J. L.	Stumpf
Bernhagen	Frederick	Kowalczyk	Perpich, G.	Wegener
Borden	Gearty	Laufenburger	Pillsbury	Willet
Brataas	Hansen, Baldy	McCutcheon	Renneke	
Brown	Hansen, Mel	Merriam	Schaaf	
Chenoweth	Hanson, R.	Milton	Schrom	
Chmielewski	Hughes	Moe	Sillers	

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, May 12, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

### FIFTY-FIRST DAY

St. Paul, Minnesota, Monday, May 12, 1975

The Senate met at 11:00 o'clock a.m. and was called to order by the President.

#### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Dunn	Kirchner	Ogdahl	Schmitz
Bernhagen	Fitzsimons	Kleinbaum	Olson, A. G.	Schrom
Blatz	Gearty	Kowalczyk	Olson, J. L.	Spear
Borden	Hansen, Baldy	Larson	Patton	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Perpich, A. J.	Stumpf
Coleman	Hughes	Lewis	Perpich, G.	Tennessee
Conzemius	Humphrey	Merriam	Pillsbury	Ueland
Davies	Josefson	Milton	Purfeerst	Wegener
Doty	Keefe, S.	North	Schaaf	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olthoff	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Arnold introduced—

S. F. No. 1742: A bill for an act relating to insurance; providing for more competition in compensation insurance rate setting; abolishing minimum rates for compensation insurance; amending Minnesota Statutes 1974, Sections 79.07 and 79.21.

Referred to the Committee on Labor and Commerce.

Mr. Arnold introduced—

S. F. No. 1743: A bill for an act relating to insurance; providing for competition in workmen's compensation insurance rate setting; abolishing minimum rates for workmen's compensation insurance; abolishing the rate making functions of the workmen's compensation rating bureau; renaming the bureau and clarifying its functions; directing the commissioner of insurance to make certain information available to the public; amending Minnesota Statutes 1974, Sections 79.07; 79.08; 79.11; 79.17; 79.21; 79.22; 79.24; 79.25; 79.28; 79.29; 79.30; and 79.31.

Referred to the Committee on Labor and Commerce.

Mr. Borden introduced—

S. F. No. 1744: A bill for an act relating to financial institutions; establishing procedures for issuance of cease and desist orders and removal of officers in the event of violation of law or sound financial practices; providing penalties.

Referred to the Committee on Labor and Commerce.

Mr. Borden introduced—

S. F. No. 1745: 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; 53.04; and 53.07.

Referred to the Committee on Labor and Commerce.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1142: A bill for an act relating to state parks; prohibit-

ing littering; providing a penalty; amending Minnesota Statutes 1974, Section 85.20, by adding a subdivision.

Senate File No. 1142 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 1975

### CONCURRENCE AND REPASSAGE

Mr. Arnold moved that the Senate concur in the amendments by the House to S. F. No. 1142 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1142 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended.

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Sillers
Bang	Gearty	Larson	Olson, H. D.	Solon
Berg	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Lewis	O'Neill	Stokowski
Blatz	Hanson, R.	McCutcheon	Patton	Stumpf
Chmielewski	Hughes	Merriam	Perpich, A. J.	Tennessee
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Davies	Keefe, S.	North	Schaaf	Willet
Doty	Kirchner	Ogdahl	Schmitz	

So the bill, as amended, was repassed and its title was agreed to.

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S. F. Nos. 596, 486, 1540 and 466 and reports pertaining to appointments. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 596: A bill for an act relating to teachers; appointing two vocational teachers to the teacher standards and certification commission; providing for an executive director of the teacher standards and certification commission; budget of teacher standards and certification commission; appropriating money; amending Minnesota Statutes 1974, Sections 125.183, Subdivisions 1 and 3; 125.184, Subdivision 2; and 125.185, Subdivisions 4 and 6; repealing Minnesota Statutes 1974, Section 125.185, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

Section 1. Minnesota Statutes 1974, Section 125.184, Subdivision 2, is amended to read:

Subd. 2. The commissioner of education shall ~~serve as secretary of the commission and, in his discretion, may assign such persons as may be required to perform clerical and appoint an executive secretary whose primary responsibility shall be to provide professional~~ assistance to the commission and coordinate clerical assistance as may be provided by the department of education.

Sec. 2. Minnesota Statutes 1974, Section 125.185, Subdivision 4, is amended to read:

Subd. 4. The commission shall develop and create criteria, rules, and regulations for the certification of public school teachers and interns, which shall be submitted to the state board of education for approval, and from time to time the commission shall revise or supplement the criteria for certification of public school teachers subject to approval by the state board. It shall be the duty of the commission to establish criteria for the approval of teacher education programs subject to approval by the board. Subject to criteria, rules, and regulations approved by the state board of education, the commission shall also grant certificates to interns and to candidates for original certificates and receive recommendations from local committees as established by the commission for the renewal of teaching certificates, to grant life certificates to those who qualify according to requirements established by the commission, and suspend or revoke certificates pursuant to section 125.09. With regard to vocational education teachers the commission shall adopt and maintain as its criteria the state plan for vocational education.

In the event the state board of education disapproves any proposal from the commission, it shall give written notice of such disapproval within ~~120~~ 60 days after the receipt of the proposal including its reasons. Any proposal disapproved by the state board may be resubmitted by the commission at any time after the expiration of ~~90~~ 45 days after the date of disapproval.

Sec. 3. *Minnesota Statutes 1974, Section 125.185, Subdivision 8, is repealed.*"

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to teachers; providing for an executive secretary of the teacher standards and certification commission; amending Minnesota Statutes 1974, Sections 125.184, Subdivision 2; and 125.185, Subdivision 4; repealing Minnesota Statutes 1974, Section 125.185, Subdivision 8."

And when so amended the bill do pass. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 486: A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; amending Minnesota Statutes 1974, Section 169.121, by adding a subdivision; and Chapter 169, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Chapter 169, is amended by adding a section to read:

[169.124] [ALCOHOL SAFETY PROGRAM; FINANCING.]  
*Subdivision 1. The county board of every county shall establish an alcohol safety program designed to provide presentence investigation and evaluation of persons convicted of one of the offenses enumerated in section 4, subdivision 1, of this act.*

*Subd. 2. The commissioner of public safety shall promulgate rules, setting forth uniform standards for alcohol safety programs which are necessary for the proper presentence investigation and assurance of the accuracy of preliminary screening devices. In the preparation of standards the commissioner shall consult with the alcohol and other drug abuse section in the department of public welfare and with local community mental health boards.*

*Subd. 3. The cost of presentence investigation outlined in section 1 shall be borne by the county. Upon application by the county to the commissioner of public safety, the commissioner shall reimburse the county 50 percent of the cost of each presentence investigation not to exceed \$25 in each case.*

*Subd. 4. The commissioner of public safety is hereby authorized to reimburse local units of government in an amount equal to 25 percent of the total cost of purchase of preliminary screening devices approved by him for the purpose of this section. This subdivision shall apply to those preliminary screening devices purchased under the provisions of the highway safety act of 1966.*

Sec. 2. Minnesota Statutes 1974, Section 169.121, Subdivision 6, is amended to read:

*Subd. 6. The court may stay imposition or execution of any sentence authorized by subdivision 3 or 4 upon a medical recommendation and on the condition that the convicted person submit to medical treatment in a suitable by a public or private institution or facility providing rehabilitation for chemical dependency licensed by the department of public welfare . A stay of imposition or execution shall be in the manner provided in section 609.135. The court shall report to the commissioner of public safety any stay of imposition or execution of sentence granted under the provisions of this section.*

Sec. 3. Minnesota Statutes 1974, Chapter 169, is amended by adding a section to read:

[169.125] [COUNTY COOPERATION.] *County boards may enter into an agreement to establish a regional presentence investigation alcohol safety program. Any agreement entered into pursuant to this section shall be governed by rules promulgated by the commissioner of public safety and section 471.59. County boards may contract with other counties and agencies for presentence investigation services.*

Sec. 4. Minnesota Statutes 1974, Chapter 169, is amended by adding a section to read:

[169.126] [PRESENTENCE INVESTIGATION.] *Subdivision 1. A presentence investigation shall be conducted and a report submitted to the court by the county agency administering the alcohol safety counseling program when:*

*(a) The defendant is convicted of an offense described in section 169.121; or*

*(b) The defendant is arrested for committing an offense described in section 169.121, is not convicted therefor, but is convicted of another offense arising out of the circumstances surrounding such arrest.*

*Subd. 2. The report shall contain an evaluation of the convicted defendant concerning his characteristics, circumstances, needs, prior traffic record, prior record of alcohol problems, and amenability to rehabilitation through the alcohol safety program. The report shall include a recommendation as to a treatment or rehabilitation program for the defendant.*

*Subd. 3. The report required by this section shall be prepared by a person knowledgeable in diagnosis of chemical dependency.*

*Subd. 4. The court before imposing sentence after conviction for one of the offenses described in subdivision 1 shall give due consideration to the agency's report.*

Sec. 5. [APPROPRIATIONS.] *There is hereby appropriated from the general fund to the commissioner of public safety such amounts as are necessary to administer the provisions of this act, not to exceed \$500,000."*

Amend the title as follows:

Page 1, line 7, after "offenses;" insert "appropriating money;"

Page 1, line 8, after "169.121," strike "by adding a subdivision" and insert "Subdivision 6"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1540: A bill for an act relating to charitable trusts and trustees; authorizing the attorney general to establish and maintain a register of charitable trusts; to adopt and promulgate rules and regulations necessary to carry out the purposes of the act and to take appropriate actions to protect and enforce the proper administration of charitable trusts; authorizing investigations; providing for assessment of expenses and proceedings; authorizing fees; providing penalties.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. [CITATION.] Sections 1 to 12 shall be known and may be cited as the supervision of charitable trusts and trustees act.

Sec. 2. [CHARITABLE TRUSTS; SUPERVISION BY ATTORNEY GENERAL.] Sections 1 to 12 shall apply to all charitable trusts and all trustees holding property for charitable purposes. The attorney general shall have and exercise, in addition to all the common law and statutory rights, duties and powers of the attorney general in connection with the supervision, administration and enforcement of charitable trusts, the rights, duties and powers set forth in sections 1 to 12.

Sec. 3. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 12, the terms defined in this section have the meanings ascribed to them.

Subd. 2. “Charitable purpose” means any charitable, benevolent, philanthropic, religious, social service, educational, eleemosynary or other public use or purpose, either actual or purported.

Subd. 3. “Trustee” means a person or group of persons either in an individual or a joint capacity, or a director, officer or other agent of an association, foundation, trustee corporation, corporation or other legal entity who is vested with the control or responsibility of administering property held for any charitable purpose.

Subd. 4. “Charitable trust” means any fiduciary relationship with respect to property arising as a result of a manifestation of an intention to create it and subjecting the trustee by whom the property is held to fiduciary duties to deal with the property for charitable purposes.

Subd. 5. The definition of the terms “trustee” and “charitable trust” contained in this section are for the purposes of sections 1 to 12 and shall not be construed to modify or abridge any law or rule respecting the nature of any charitable trust or the nature and extent of the duties of any trustee except such duties as may be imposed by sections 1 to 12.

Sec. 4. [EXCLUSIONS.] The registration and reporting provisions of sections 5 and 6 shall not apply to

(a) A charitable trust administered by the United States, any

state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or to any of their agencies or subdivisions.

(b) An educational institution which is under the general supervision of the state board of education, the state college board, the state board for community colleges, or the university of Minnesota or the north central association of colleges and secondary schools, or by any other national or regional accrediting association, and all charitable trusts organized and operated exclusively for educational purposes which are administered by any such institution.

(c) Religious associations organized pursuant to Minnesota Statutes, Chapters 315 and 317 and all charitable trusts organized and operated exclusively for religious purposes which are administered by any such religious association.

(d) Institutions and corporations organized and operated as hospitals or as medical centers engaged in medical care, education and research.

(e) An organization described in section 509(a) (3) of the Internal Revenue Code of 1954 which is operated, supervised or controlled by or in connection with one or more organizations described in clauses (b) through (d) of this section, a pooled income fund as defined in section 642 (c) (5) of the Internal Revenue Code of 1954 which is maintained by an organization described in clauses (b) through (d) of this section, and a charitable remainder annuity trust or unitrust, as defined in section 664 of the Internal Revenue Code of 1954, of which the trustee is an organization described in clauses (b) through (d) of this section.

(f) A trust in which the only charitable interest is a contingent interest for which no charitable deduction has been allowed for Minnesota income, inheritance or gift tax purposes and a trust not all of the unexpired interests in which are devoted to one or more charitable purposes and in which the only charitable interest is an annuity or an income interest with respect to which a charitable deduction is allowed the trust under applicable Minnesota income tax laws.

(g) An organization which does not have at least \$5,000 of gross assets at any time during a taxable year and which normally receives more than two-thirds of its support each year from the general public or from the United States, any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any of their agencies or subdivisions.

Sec. 5. [REGISTER OF TRUSTS AND TRUSTEES.] Subdivision 1. The secretary of state shall establish and maintain a register of charitable trusts and trustees subject to the provisions of sections 1 to 12.

Subd. 2. Every charitable trust subject to the provisions of

sections 1 to 12 shall register and file with the secretary of state a copy of the instrument creating the charitable trust including any amendments thereto within three months after the charitable trust first receives possession or control of any property authorized or required to be applied, either at present or in the future, for charitable purposes. If a trustee holds any property at the time sections 1 to 12 take effect, which is authorized or required to be applied, either at present or in the future, for charitable purposes, the filing and registration shall be made within three months after the effective date of sections 1 to 12.

Sec. 6. [FILING OF ANNUAL REPORTS.] Subdivision 1. Every charitable trust subject to the provisions of sections 1 to 12 shall, in addition to filing copies of the instruments previously required, file with the secretary of state annual written reports setting forth information as described in section 6056(b) of the Internal Revenue Code of 1954. These reports shall be filed annually on or before the fifteenth day of the fifth month following the close of the charitable trust's taxable year as established for federal tax purposes. The time for filing may be extended by application to the secretary of state; but no such extension shall be for more than six months.

Subd. 2. The secretary of state may suspend the filing of reports as to a particular charitable trust for a reasonable, specifically designated time upon written application of the trustee filed with the secretary of state and after the attorney general has filed in the register of charitable trusts a written statement that the interests of the beneficiaries will not be prejudiced thereby and that annual reports are not required for proper supervision by his office.

Sec. 7. [PUBLIC INSPECTION OF RECORDS.] The register, copies of instruments, and the reports filed with the secretary of state shall be open to public inspection.

Sec. 8. [INVESTIGATORY POWERS OF THE ATTORNEY GENERAL; CUSTODIANS TO FURNISH COPIES OF RECORDS.] Subdivision 1. The attorney general may conduct investigations reasonably necessary for the administration of sections 1 to 12 and for the purpose of determining whether the property held for charitable purposes is properly administered. He may require any agent, trustee, fiduciary, beneficiary, institution, association, or corporation or other person, to answer written interrogatories reasonably related to the administration of a charitable trust, or to appear, at a reasonable time and place as the attorney general may designate, to give information under oath and to produce books, memoranda, papers, documents of title, and evidence of assets, liabilities, receipts or disbursements in the possession or control of the person ordered to appear.

Subd. 2. When the attorney general requires the attendance of any person, as provided in subdivision 1 of this section, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by

registered mail to the person at least 14 days before the date fixed for attendance. The order shall have the same force and effect as a subpoena and, upon application of the attorney general, obedience to the order may be enforced by any court having jurisdiction of charitable trusts in the county where the person receiving it resides or is found, in the same manner as though the notice were a subpoena. The court, after hearing, for cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend or postpone all or any part of its provisions.

Subd. 3. The custodians of the records of a court having jurisdiction of probate matters or of charitable trusts, and any custodian of records of any department, agency or political subdivision of this state shall furnish free of charge copies of papers, records and files of his office relating to the subject of sections 1 to 12 as the attorney general requires.

Subd. 4. Every officer, agency, board or commission of this state receiving applications for exemption from taxation of any charitable trust subject to sections 1 to 12 shall annually file with the secretary of state a list of all applications received during the year and shall notify the secretary of state of any suspension or revocation of a tax exempt status previously granted.

**Sec. 9. [POWERS OF ATTORNEY GENERAL; BREACH OF TRUST; PROCEEDINGS TO SECURE COMPLIANCE.]** Subdivision 1. The attorney general may institute appropriate proceedings to secure compliance with the provisions of sections 1 to 12 and to secure the proper administration of any charitable trust. The powers and duties of the attorney general provided herein are in addition to his existing powers and duties.

Subd. 2. The attorney general shall be notified of and has the right to participate as a party in all court proceedings:

(a) To terminate a charitable trust or to liquidate or distribute its assets, or

(b) To modify or depart from the objects or purposes of a charitable trust as are set forth in the instrument governing the trust, including any proceeding for the application of the doctrine of cy pres, or

(c) To construe the provisions of an instrument with respect to a charitable trust, or

(d) To review an accounting of a charitable trust submitted by a trustee, or

(e) Any other proceeding involving a charitable trust when the interests of the uncertain or indefinite charitable beneficiaries may be affected.

Subd. 3. A judgment or order rendered in proceedings without service of process and pleadings upon the attorney general, are voidable, unenforceable, and may be set aside at the option of the attorney general upon his motion seeking relief. With respect to those proceedings, no compromise, settlement agreement, contract or judgment

agreed to by any or all of the parties having or claiming to have an interest in any charitable trust is valid unless the attorney general was made a party to the proceedings and joined in the compromise, settlement agreement, contract or judgment, or unless the attorney general, in writing waives his right to participate. The attorney general is expressly authorized to enter into a compromise, settlement agreement, contract or judgment as in his opinion may be in the best interests of the people of the state and the uncertain or indefinite beneficiaries.

Subd. 4. Whenever a will provides for a bequest or devise to a charitable trust, the personal representative shall send to the attorney general a copy of the petition or application for probate together with a copy of the last will and testament, including any codicils which have been admitted to probate. Whenever objections are filed to any will or codicil containing any bequest or devise to a charitable trust, the person filing such objections, at least 14 days prior to the hearing thereon, shall send to the attorney general a copy of such objections, together with a copy of the petition or application for probate and a copy of the will, together with any codicils thereto which have been offered for probate. Any notice or documents required to be sent to the attorney general pursuant to this section shall be served by certified mail, return receipt requested. Upon receiving any such notice or documents the attorney general may become a party in the estate proceedings.

Subd. 5. The failure of a trustee to register as required by section 5, or to file annual reports as required by section 6, or to administer and manage property held for charitable purposes in accordance with law or consistent with his fiduciary obligations constitutes a breach of trust.

Subd. 6. The attorney general may institute a civil action in order to remedy and redress a breach of trust, as described in subdivision 5 of this section or as otherwise provided by law, committed by a trustee subject to the provisions of sections 1 to 12. Whenever it appears to the attorney general that a breach of trust has been committed, he is entitled to sue for and have:

(a) Injunctive relief in any court of competent jurisdiction against the breach of trust or threatened breach of trust;

(b) The removal of a trustee who has committed or is committing a breach of trust;

(c) The recovery of damages; and

(d) Any other appropriate remedies.

Sec. 10. [CONTRARY PROVISIONS OF INSTRUMENT INVALID.] Sections 1 to 12 apply regardless of any contrary provisions of any instrument.

Sec. 11. [COST OF INVESTIGATIONS AND PROCEEDINGS; REGISTRATION AND FILING FEES.] Subdivision 1.

The secretary of state shall collect a fee of \$10 upon the registration of a charitable trust as required by section 5.

Subd. 2. The secretary of state shall collect the following fees upon the filing of an annual report by a charitable trust as required by section 6:

(a) \$10, if the assets of the charitable trust are less than \$5,000;

(b) \$25, if the assets of the charitable trust are \$5,000 or more but less than \$100,000;

(c) \$50, if the assets of the charitable trust are \$100,000 or more but less than \$500,000;

(d) \$100, if the assets of the charitable trust are \$500,000 or more. For the purposes of this section, "assets" means the total fair market value of the charitable trust's assets at the end of that trust's taxable year as stated in the annual report required by section 6.

Subd. 3. In any proceeding brought by the attorney general, or in which the attorney general intervenes, pursuant to sections 1 to 12, the judgment or order may provide that the trustee shall pay the reasonable expenses necessarily incurred by the attorney general in the investigation and prosecution of such action, including attorneys' fees, if it shall also be determined in proceeding that the trustee has been guilty of an intentional or grossly negligent breach of trust as defined in subdivision 5 of section 10 or as otherwise provided by law.

Subd. 4. All moneys received by the attorney general and the secretary of state pursuant to this section shall be deposited in the state treasury and shall be credited to the general fund."

Amend the title as follows:

Page 1, line 3, strike "attorney general" and insert "secretary of state"

Page 1, line 4, strike "to adopt"

Page 1, strike line 5

Page 1, line 6, strike "carry out the purposes of the act"

Page 1, line 6, strike "and" and insert "; authorizing the attorney general"

Page 1, line 9, strike "providing for"

Page 1, strike line 10

Page 1, line 11, strike "; providing penalties"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 466: A bill for an act relating to corporations; requiring domestic corporations to file an annual report with the secretary of state; requiring the secretary of state to perform certain duties; authorizing the secretary of state to seek certain information by written interrogatories; establishing filing fees.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Chapter 301, is amended by adding a section to read:

[301.511] [ANNUAL REPORTS.] *Subdivision 1. Every corporation shall file with the secretary of state, within the time prescribed in this section, an annual report setting forth:*

- (a) The name of the corporation;*
- (b) The address of its registered office in this state;*
- (c) The address of its principal office or business headquarters in this state; and*
- (d) The names and addresses of the corporation's current directors and officers, or if the corporation is in the hands of a receiver or trustee, the name and address of such receiver or trustee.*

*The annual report shall be made on forms prescribed and furnished by the secretary of state, and the information therein contained shall be given as of the date of the execution of the report. The report shall be signed and acknowledged by an officer of the corporation on its behalf or, if the corporation is in the hands of a trustee or receiver, by such trustee or receiver.*

*Subd. 2. The annual report of each corporation shall be due for filing during a month designated by the secretary of state. Each corporation, except inactive corporations, shall be notified of its designated filing month and furnished an annual report form by the secretary of state at least 30 days prior to the first day of its designated filing month. Such notification and furnishing of forms shall be complete upon mailing of same to a corporation at its registered office. Filing shall not be complete until the annual report is received by the secretary of state accompanied by all filing fees then due. No annual report shall be due prior to July 1, 1976 and no annual report shall be due after June 30, 1981.*

*Subd. 3. Each annual report filed with the secretary of state shall be accompanied by a filing fee in the amount prescribed in section 301.071. Each annual report re-filed with the secretary of state pursuant to subdivision 4 of this section shall be accompanied by, in addition to other fees due, a fee for re-filing as prescribed in section 301.071. Each annual report filed or re-filed after the date on which such report was due for filing or re-filing shall be accompanied by, in addition to other fees due, a late filing fee as prescribed in section 301.071. No annual report shall be deemed to conform to the requirements of this chapter*

unless accompanied by all fees prescribed by this section and section 301.071.

*Subd. 4. If an annual report submitted to the secretary of state does not conform to the requirements of this chapter, it shall be returned by mail to the corporation at its registered office. If such a report is not made to conform to the requirements of this chapter and re-filed with the secretary of state within 30 days of such return of the report by the secretary of state to the corporation, it shall be deemed not to have been filed.*

*Subd. 5. The secretary of state shall maintain in his or her office the most recent annual report of each corporation and shall prepare an alphabetical index thereof, which reports and index shall be available for public inspection at regular business hours.*

*Subd. 6. If any corporation has failed, for three consecutive years or for three of the immediately preceding five years, to file the annual report required by this section, the secretary of state shall give written notice of such failure to the corporation by certified mail at its registered office. If, within 30 days after the mailing of such notice, the corporation has not filed an annual report for each year in which it had previously failed to file in accordance with this section, and paid all fees payable in connection therewith, such corporation shall be deemed to be inactive under this chapter. An inactive corporation shall not engage in the active conduct of a trade or business, but the shareholders of the corporation may hold their annual or special meetings for the election of directors and the corporation may take such action as shall be required to reinstate it to active status. An inactive corporation may hold, mortgage, lease, sell or convey its real estate and personal property associated therewith, and may make and file reports and file tax returns required by the laws of the United States and any state. An inactive corporation may be dissolved or terminated in any manner provided by law.*

*Subd. 7. An inactive corporation may be reinstated to active status by filing with the secretary of state all annual reports previously due but not filed and by payment of all fees prescribed by this section and section 301.071 in connection therewith.*

*Subd. 8. An inactive corporation shall lose its exclusive right to its corporate name. If the name of such inactive corporation has, since the date of its being rendered inactive, been adopted by another corporation pursuant to this chapter, or if a person, an unincorporated association, or a foreign corporation has signified its intent to procure incorporation in this state under such name in accordance with section 301.05, subdivision 3 or 4, and if such other domestic corporation, foreign corporation, person or unincorporated association does not release such name or consent to its use by said inactive corporation, then it shall be a condition to the reinstatement of such inactive corporation that it adopt a new corporate name which shall not be the same as, nor deceptively similar to, the name adopted by or proposed to be adopted by any such domestic corporation, foreign corporation, person or unincorporated association and which shall comply with the provisions of section 301.05.*

Sec. 2. Minnesota Statutes 1974, Section 301.02, is amended by adding a subdivision to read:

*Subd. 2a. [INACTIVE CORPORATION.] "Inactive corporation" means a corporation which has failed to file annual reports required by this chapter and has been deemed inactive pursuant to section 1. subdivision 6.*

Sec. 3. Minnesota Statutes 1974, Section 301.05, Subdivision 2, is amended to read:

**Subd. 2. [USE OF SIMILAR NAME FORBIDDEN.]** The corporate name shall not be the same as, nor deceptively similar to, the name of any other domestic corporation, *except an inactive corporation as defined in section 301.02*, or of any foreign corporation authorized to do business in this state unless

(1) such domestic or foreign corporation is about to change its name, or to cease to do business, or is being wound up, or such foreign corporation is about to withdraw from doing business in this state, and

(2) the written consent of such other domestic or foreign corporation to the adoption of its name or a deceptively similar name has been given and is filed with the articles of incorporation.

Sec. 4. Minnesota Statutes 1974, Section 301.071, Subdivision 2, is amended to read:

**Subd. 2.** In addition to the fees prescribed in subdivision 1, fees shall be paid to the secretary of state according to the following schedule, at the time the service is performed:

(a) Filing articles of incorporation and issuing a certificate of incorporation, \$12.50;

(b) Filing articles of amendment superseding original articles of incorporation as provided in section 301.37, subdivision 2, \$12.50;

(c) Filing articles of amendment, including the reduction of stated capital pursuant to section 301.39, as provided in section 301.37, subdivision 4, \$6.50;

(d) Filing an agreement of consolidation, an agreement of merger, or a certificate of ownership, and issuing a certificate of incorporation or merger as provided in section 301.42 or 301.421, \$25;

(e) Filing a certificate of resolution instituting voluntary proceedings for dissolution and appointing a trustee as provided in section 301.47, \$4;

(f) Filing a certificate of trustee in voluntary proceedings for dissolution as provided in section 301.56, \$4;

(g) Filing an order of dissolution as provided in section 301.56, \$6.50;

(h) Filing a certificate of change of registered office as provided in section 301.33, \$6.50;

(i) Filing a certificate of resolution fixing equality of shares as provided in section 301.14, \$6.50;

(j) Filing a consent to use of name or a notice of intention to procure incorporation as provided in section 301.05, \$4;

(k) Filing a certificate of resolution electing to accept or reject the provisions of Laws 1933, Chapter 300 and laws amendatory thereto, \$12.50;

~~(l) Filing any other instrument pursuant to provisions of chapter 301, \$6.50.~~ Filing an annual report as provided in section 1, \$10.00; re-filing an annual report as provided in section 1, subdivision 4, \$10.00; late filing or re-filing of an annual report, \$10.00;

(m) Filing any other instrument pursuant to the provisions of Minnesota Statutes, chapter 301, \$6.50.

Sec. 5. The sum of \$ . . . . . is appropriated to the secretary of state for the purpose of effectuating the provisions of this act.

Sec. 6. This act is effective upon final enactment.”

Amend the title as follows:

Page 1, line 5, strike “authorizing the” and insert “providing that corporations that fail to file reports are inactive; permitting corporations and others to utilize the names of inactive corporations”

Page 1, strike line 6

Page 1, line 7, strike “written interrogatories”

Page 1, line 7, after “fees” insert “; appropriating money; amending Minnesota Statutes 1974, Chapter 301 by adding a section; Sections 301.02, by adding a subdivision; 301.05, Subdivision 2; and 301.071, Subdivision 2”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred the following appointment as reported in the Journal for May 1, 1975:

**MINNESOTA STATE ETHICS COMMISSION**

Mrs. Elizabeth Ebbott

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Gearty moved that the foregoing Committee Report be laid on the table. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which were referred the following appointments as reported in the Journal for April 19, 1975:

**STATE BOARD OF HUMAN RIGHTS**

Cathy Clardy

**STATE PERSONNEL BOARD**

Edna Schwartz  
Mr. C. E. Sheehy, Jr.  
Cornell Moore  
Robert Bruce

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Gearty 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 were re-referred under Joint Rule 20, together with the Committee Reports thereon, S. F. Nos. 1303, 788, 677, 1097, 1475, 1508, 1711, 1695, 1161, 866, 727, and 1659

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1303, 1475, 1508, 1711, 1695, 866 and 1659 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Milton moved that his name be stricken as chief author to S. F. No. 540 and that the name of Mr. Anderson be shown as chief author. The motion prevailed.

Mr. Arnold moved that the names of Messrs. Hanson, R. and Laufenburger be added as co-authors to S. F. Nos. 1742 and 1743. The motion prevailed.

**RECONSIDERATION**

Mr. Tennesen moved that the vote whereby H. F. No. 493 failed to pass the Senate on May 9, 1975, be now reconsidered. The motion prevailed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Doty moved that H. F. No. 493 be returned to General Orders. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Calendar of Ordinary Matters. The motion prevailed.

**CALENDAR OF ORDINARY MATTERS**

H. F. No. 588: A bill for an act relating to the city of Butterfield firemen's relief association; authorizing payment of certain disability benefits to certain members.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schaaf
Arnold	Doty	Keefe, S.	Ogdahl	Schmitz
Ashbach	Dunn	Kirchner	Olhoff	Schrom
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Berg	Frederick	Knutson	Olson, H. D.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Spear
Blatz	Hansen, Baldy	Larson	O'Neill	Stassen
Borden	Hansen, Mel	Laufenburger	Patton	Stokowski
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Brown	Hughes	McCutcheon	Perpich, G.	Tennessee
Chenoweth	Humphrey	Merriam	Pillsbury	Ueland
Chmielewski	Jensen	Milton	Purfeerst	Wegener
Coleman	Josefson	Moe	Renneke	Willet

So the bill passed and its title was agreed to.

H. F. No. 432: A bill for an act relating to statutory cities; park boards; permitting park boards of three, five, seven or nine members; amending Minnesota Statutes 1974, Section 412.501.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schmitz
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Ashbach	Dunn	Kirchner	Olhoff	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Berg	Frederick	Knutson	Olson, H. D.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Larson	O'Neill	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Stumpf
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	McCutcheon	Perpich, G.	Ueland
Chenoweth	Humphrey	Merriam	Pillsbury	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 580: A bill for an act relating to retirement; firemen's relief benefits in the city of Owatonna; amending Laws 1971, Chapter 200, Section 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schmitz
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Bang	Dunn	Kirchner	Olhoff	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 46: A bill for an act relating to the firemen's relief association of the city of Tyler; computation of years of service for volunteer firemen.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schmitz
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Ashbach	Dunn	Kirchner	Olhoff	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1499: A bill for an act relating to the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; benefits and contributions; amending Laws 1965, Chapter 605, Sections 21, 22, and 25; repealing Laws 1965, Chapter 605, Section 12.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schmitz
Ashbach	Doty	Keefe, S.	Ogdahl	Schrom
Bang	Dunn	Kirchner	Olhoft	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1551: A bill for an act relating to the city of Minneapolis; policemen's pension fund uses; amending Laws 1949, Chapter 406, Section 7, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Renneke
Arnold	Davies	Keefe, J.	North	Schmitz
Ashbach	Doty	Keefe, S.	Ogdahl	Schrom
Bang	Dunn	Kirchner	Olhoft	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Merriam	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Jensen	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 1448: A bill for an act relating to retirement; survivor benefits payable by the firemen's relief association of the city of St. Paul; amending Laws 1955, Chapter 375, Section 25, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	Olson, A. G.	Solon
Ashbach	Dunn	Knutson	Olson, H. D.	Spear
Bang	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Berg	Frederick	Larson	O'Neill	Stokowski
Bernhagen	Gearty	Laufenburger	Patton	Stumpf
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessen
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brown	Hanson, R.	Merriam	Pillsbury	Wegener
Chenoweth	Hughes	Milton	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	
Coleman	Jensen	Nelson	Schmitz	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 1073: A bill for an act relating to retirement; restricting establishment of local pension plans; repealing Minnesota Statutes 1974, Section 69.79.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Ogdahl	Schmitz
Ashbach	Doty	Kirchner	Olhoff	Schrom
Bang	Dunn	Kleinbaum	Olson, A. G.	Sillers
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Frederick	Larson	Olson, J. L.	Spear
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stassen
Borden	Hanson, R.	Lewis	Patton	Stokowski
Brataas	Hughes	McCutcheon	Perpich, A. J.	Stumpf
Brown	Humphrey	Merriam	Perpich, G.	Tennessen
Chenoweth	Jensen	Milton	Pillsbury	Ueland
Chmielewski	Josefson	Nelson	Purfeerst	Wegener
Coleman	Keefe, J.	North	Renneke	Willet

So the bill passed and its title was agreed to.

H. F. No. 778: A bill for an act relating to retirement; survivor's benefits payable by the firemen's relief association of the city of Faribault; amending Laws 1947, Chapter 43, Section 23, as amended.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Chmielewski	Frederick	Hughes
Arnold	Borden	Davies	Gearty	Humphrey
Bang	Brataas	Doty	Hansen, Baldy	Jensen
Berg	Brown	Dunn	Hansen, Mel	Josefson
Bernhagen	Chenoweth	Fitzsimons	Hanson, R.	Keefe, J.

Keefe, S.	McCutcheon	Olson, H. D.	Renneke	Stumpf
Kirchner	Merriam	Olson, J. L.	Schmitz	Tennessee
Kleinbaum	Milton	O'Neill	Schrom	Ueland
Knutson	Moe	Patton	Sillers	Wegener
Kowalczyk	Nelson	Perpich, A. J.	Solon	Willet
Larson	North	Perpich, G.	Spear	
Laufenburger	Ogdahl	Pillsbury	Stassen	
Lewis	Olson, A. G.	Purfeerst	Stokowski	

So the bill passed and its title was agreed to.

H. F. No. 643: A bill for an act relating to the city of Brooklyn Park; firemen's relief association benefits.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schmitz
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Berg	Gearty	Knutson	Olson, H. D.	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Spear
Blatz	Hansen, Mel	Larson	O'Neill	Stassen
Borden	Hanson, R.	Laufenburger	Patton	Stokowski
Brataas	Hughes	Lewis	Perpich, A. J.	Stumpf
Brown	Humphrey	Merriam	Perpich, G.	Tennessee
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 519: A bill for an act relating to the city of Edina; firemen's retirement, disability, and survivors benefits; amending Laws 1965, Chapter 592, Sections 1, Subdivision 1, as amended; and 3 and 4, as added.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Sillers
Arnold	Doty	Kirchner	Olson, A. G.	Solon
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Spear
Bang	Fitzsimons	Knutson	Olson, J. L.	Stassen
Berg	Gearty	Larson	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Stumpf
Blatz	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Borden	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brataas	Hughes	Merriam	Pillsbury	Wegener
Brown	Humphrey	Milton	Purfeerst	Willet
Chenoweth	Jensen	Moe	Renneke	
Chmielewski	Josefson	Nelson	Schmitz	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 779: A bill for an act relating to retirement; including employees of the metropolitan inter-county council in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Sillers
Arnold	Dunn	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stumpf
Borden	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brataas	Hughes	McCutcheon	Perpich, G.	Ueland
Brown	Humphrey	Merriam	Pillsbury	Wegener
Chenoweth	Jensen	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schmitz	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 197: A bill for an act relating to public welfare; hospitalization and commitment; providing review for the admission and retention of mental patients in federal hospitals; amending Minnesota Statutes 1974, Section 253A.16, Subdivisions 1, 2, 3, and 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Arnold	Dunn	Kleinbaum	Olhott	Sillers
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Gearty	Kowalczyk	Olson, H. D.	Spear
Berg	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Brown	Humphrey	Merriam	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schmitz	

So the bill passed and its title was agreed to.

H. F. No. 1500: A bill for an act relating to the city of Buhl; police retirement and survivor benefits.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Schmitz
Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Gearty	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennesen
Brown	Humphrey	Merriam	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1596: A bill for an act relating to the city of Farmington; authorizing an increase in firemen's relief association lump sum 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schmitz
Arnold	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Stumpf
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Tennesen
Chmielewski	Humphrey	Merriam	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1501: A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, as amended by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Sillers
Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Knutson	Olson, H. D.	Stassen
Berg	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Larson	O'Neill	Stumpf
Blatz	Hansen, Baldy	Laufenburger	Patton	Tennessee
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Brown	Hughes	Merriam	Pillsbury	Willet
Chenoweth	Humphrey	Milton	Purfeerst	
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schmitz	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 1311: A bill for an act relating to certain officers and employees of the state and their dependents; providing optional insurance coverage for certain officers and employees; amending Minnesota Statutes 1974, Section 43.491, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Renneke
Arnold	Davies	Keefe, J.	North	Schmitz
Ashbach	Doty	Keefe, S.	Ogdahl	Schrom
Bang	Dunn	Kirchner	Olhoft	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 416: A bill for an act relating to the city of Robbinsdale; firemen's service pensions; amending Laws 1969, Chapter 1105, Sections 1, 2, and 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Gearty	Jensen
Arnold	Borden	Davies	Hansen, Baldy	Josefson
Ashbach	Brown	Doty	Hansen, Mel	Keefe, J.
Bang	Chenoweth	Dunn	Hanson, R.	Keefe, S.
Berg	Chmielewski	Fitzsimons	Hughes	Kirchner
Bernhagen	Coleman	Frederick	Humphrey	Kleinbaum

Knutson	Moe	Olson, J. L.	Renneke	Stokowski
Kowalczyk	Nelson	O'Neill	Schmitz	Stumpf
Laufenburger	North	Patton	Schrom	Tennessee
Lewis	Ogdahl	Perpich, A. J.	Sillers	Ueland
McCutcheon	Olhoft	Perpich, G.	Solon	Wegener
Merriam	Olson, A. G.	Pillsbury	Spear	Willet
Milton	Olson, H. D.	Purfeerst	Stassen	

So the bill passed and its title was agreed to.

H. F. No. 1133: A bill for an act relating to police pensions in the city of Duluth; amending Laws 1953, Chapter 91, Section 1, Subdivisions 7; and 8, as amended; Section 7; and Section 11, Subdivisions 1, as amended; and 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Renneke
Arnold	Davies	Keefe, J.	Nelson	Schmitz
Ashbach	Doty	Keefe, S.	North	Schrom
Bang	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoft	Solon
Bernhagen	Frederick	Knutson	Olson, A. G.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Merriam	Pillsbury	Willet
Coleman	Jensen	Milton	Purfeerst	

So the bill passed and its title was agreed to.

H. F. No. 1127: A bill for an act relating to veterans; authorizing the apportionment of Vietnam veterans bonus payments between surviving parents and person in loco parentis in certain instances; amending Minnesota Statutes 1974, Section 197.971, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Purfeerst
Arnold	Davies	Keefe, J.	Nelson	Renneke
Ashbach	Doty	Keefe, S.	North	Schmitz
Bang	Dunn	Kirchner	Ogdahl	Schrom
Berg	Fitzsimons	Kleinbaum	Olhoft	Sillers
Bernhagen	Frederick	Knutson	Olson, A. G.	Solon
Blatz	Gearty	Kowalczyk	Olson, H. D.	Spear
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Brataas	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Stumpf
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Merriam	Perpich, G.	Willet
Coleman	Jensen	Milton	Pillsbury	

So the bill passed and its title was agreed to.

H. F. No. 789: A bill for an act relating to real estate; instruments of conveyance; recording requirements; providing that instruments of conveyance include name and address of grantee to whom tax statement should be sent; amending Minnesota Statutes 1974, Section 507.092, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Renneke
Arnold	Davies	Keefe, S.	North	Schmitz
Ashbach	Doty	Kirchner	Ogdahl	Schrom
Bang	Dunn	Kleinbaum	Olhoft	Sillers
Berg	Fitzsimons	Knutson	Olson, A. G.	Solon
Bernhagen	Frederick	Kowalczyk	Olson, H. D.	Spear
Blatz	Gearty	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brataas	Hanson, R.	Lewis	Patton	Stumpf
Brown	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Merriam	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the position hereinafter stated and at the salary heretofore fixed.

Rev. Myron E. Nysether, Chaplain, effective May 6, 1975

Rev. Duane J. Lunemann, Chaplain, effective May 8, 1975

Mr. Coleman moved adoption of the foregoing resolution. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws designated H. F. No. 674, No. 6 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 674: A bill for an act relating to taxation; providing for additional powers to commissioner of revenue for collection of unpaid tax; creating lien on real and personal property for taxes due; providing for third party liability for withholding tax; changing rates of penalty and interest; providing that contractors shall give bond for certain unpaid taxes; amending Minnesota Statutes 1974, Chapters 270; 291; 292, by adding sections; Sec-

tion 270.07, Subdivisions 1 and 5; 270.075, Subdivision 2; 270.076, Subdivision 2; 273.41; 290.087, Subdivisions 4 and 5; 290.45, Subdivision 2; 290.53, Subdivisions 1 and 2; 290.92, Subdivision 15, and by adding a subdivision; 290.93, Subdivision 10; 290.934, Subdivision 1; 290.988, Subdivisions 2 and 3; 291.11, Subdivision 5; 291.15; 291.18; 291.35; 291.46; 292.12, Subdivision 1; 294.03, Subdivisions 1 and 2; 296.15, Subdivisions 1 and 2; 297.07, Subdivision 4; 297.35, Subdivision 5; 297A.35, Subdivision 1; 297A.39, Subdivision 7; 298.09, Subdivision 4; 574.26; 574.261, Subdivision 1; repealing Minnesota Statutes 1974, Section 292.11.

Mr. Perpich A. J. moved to amend H. F. No. 674, as amended pursuant to Rule 49, adopted by the Senate April 19, 1975, as follows:

Page 2, line 31, strike "*such*" and insert "*the*"

Page 4, line 22, strike "9" and insert "7"

Page 4, line 22, strike "*such*" and insert "*the*"

Pages 5 to 8, strike all of section 5

Page 8, line 21, strike "*said*" and insert "*that*"

Page 8, line 22, strike "*such*" and insert "*the*"

Page 8, line 23, strike "*such*" and insert "*the*"

Page 8, line 25, strike "*said*" and insert "*the*"

Page 8, line 26, strike "*such*" and insert "*the*"

Page 9, line 1, strike "*such*" and insert "*the*"

Page 9, line 2, strike "*said*" and insert "*the*"

Page 9, line 3, strike "*such*" and insert "*the*"

Page 9, line 12, strike "*such*" and insert "*the*"

Page 9, line 14, strike "*such*" and insert "*that*"

Page 10, line 13, strike "*such*" and insert "*the*"

Page 10, line 17, strike "*such*" and insert "*the*"

Page 10, line 19, strike "*such*" and insert "*that*"

Page 10, line 21, strike "*such*" and insert "*the*"

Page 10, line 23, strike "*such*" and insert "*the*"

Page 11, line 16, strike "9" and insert "7"

Page 11, line 31, strike "9" and insert "7"

Page 12, line 14, strike "9" and insert "7"

Page 12, line 26, strike "9" and insert "7"

Page 13, line 16, strike "9" and insert "7"

Page 13, line 20, strike "9" and insert "7"

- Page 14, line 15, strike "9" and insert "7"
- Page 14, line 26, strike "9" and insert "7"
- Page 15, line 16, strike "9" and insert "7"
- Page 16, line 7, strike "9" and insert "7"
- Page 16, line 11, strike "9" and insert "7"
- Page 19, line 13, strike "*such an*" and insert "*that*"
- Page 19, line 15, strike "*such*" and insert "*the*"
- Page 19, line 17, strike "*such*" and insert "*the*"
- Page 19, line 18, strike "*such*" and insert "*the*"
- Page 19, line 21, strike "*such*" and insert "*the*"
- Page 19, line 22, strike "*such*" and insert "*the*"
- Page 19, line 25, after "*by*" strike "*such*" and insert "*the*"
- Page 19, line 25, after "*from*" strike "*such*" and insert "*the*"
- Page 19, line 25, after "*wages,*" strike "*such*" and insert "*the*"
- Page 19, line 28, strike "*such*" and insert "*the*"
- Page 19, line 29, strike "*such*" and insert "*those*"
- Page 19, line 32, strike "*such*" and insert "*that*"
- Page 20, line 2, strike "*such*" and insert "*the*"
- Page 20, line 3, before "*fact*" strike "*such*" and insert "*that*"
- Page 20, line 3, before "*individual's*" strike "*such*" and insert "*the*"
- Page 20, line 10, strike "*such*" and insert "*that*"
- Page 20, line 25, strike "9" and insert "7"
- Page 23, line 13, strike "9" and insert "7"
- Page 23, line 28, strike "9" and insert "7"
- Page 24, line 11, strike "9" and insert "7"
- Page 25, line 15, strike "*such*" and insert "*the*"
- Page 25, line 19, strike "*such*" and insert "*the*"
- Page 25, line 27, strike "*such*" and insert "*the*"
- Page 26, line 2, strike "*such*" and insert "*the*"
- Page 26, line 6, strike "*employer*" and insert "*employee*"
- Page 26, line 7, strike "*such*" and insert "*an*"
- Page 26, line 16, strike "9" and insert "7"
- Page 26, line 17, strike "*such*" and insert "*the*"

Page 26, line 26, strike "9" and insert "7"

Page 26, line 27, strike "such" and insert "the"

Page 26, line 28, strike "such" and insert "the"

Page 27, line 3, strike "9" and insert "7"

Page 28, line 18, strike "9" and insert "7"

Page 28, line 18, strike "such" and insert "the"

Page 29, line 7, strike "such" and insert "the"

Page 29, line 11, strike "such" and insert "the"

Page 29, line 19, strike "such" and insert "the"

Page 29, line 26, strike "such" and insert "the"

Page 29, line 31, strike "such" and insert "an"

Page 30, line 8, strike "9" and insert "7"

Page 30, line 9, strike "such" and insert "the"

Page 30, line 18, strike "9" and insert "7"

Page 30, line 19, strike "such" and insert "the"

Page 30, line 20, strike "such" and insert "the"

Page 31, line 32, strike "9" and insert "7"

Page 32, line 18, strike "9" and insert "7"

Page 33, line 6, strike "9" and insert "7"

Page 33, line 14, strike "9" and insert "7"

Page 34, line 7, strike "9" and insert "7"

Page 34, line 17, strike "9" and insert "7"

Page 35, line 8, strike "9" and insert "7"

Page 36, line 28, strike "9" and insert "7"

Page 37, line 19, strike "9" and insert "7"

Page 39, line 19, strike "6, 7, 8" and insert "5, 6, 7"

Page 39, line 20, strike "17" and insert "16"

Page 39, line 21, strike "5, 41 and 42" and insert "40 and 41"

Page 39, line 23, strike "16" and insert "15"

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

H. F. No. 674 was then progressed.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

S. F. No. 1231: A bill for an act relating to intoxicating liquor; authorizing extension of Sunday sales hours; amending Minnesota Statutes 1974, Section 340.14, Subdivision 5.

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 23, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Perpich, G.	Stassen
Arnold	Gearty	Lewis	Purfeerst	Stokowski
Blatz	Hansen, Baldy	McCutcheon	Schaaf	Tennessen
Brataas	Hanson, R.	Merriam	Schmitz	Wegener
Brown	Humphrey	Milton	Schrom	Willet
Chenoweth	Jensen	Nelson	Sillers	
Coleman	Keefe, J.	Ogdahl	Solon	
Conzemius	Kleinbaum	Perpich, A. J.	Spear	

Those who voted in the negative were:

Ashbach	Davies	Knutson	Olson, A. G.	Renneke
Bang	Doty	Kowalczyk	Olson, H. D.	Stumpf
Berg	Frederick	Moe	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	North	O'Neill	
Chmielewski	Josefson	Olhoft	Patton	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 976: A bill for an act relating to Winona and Olmsted counties; authorizing issuance of an on-sale license for the sale of intoxicating liquor.

Mr. Laufenburger moved to amend S. F. No. 976 as follows:

Page 2, after line 4, insert:

"Sec. 5. [GOODHUE COUNTY; ON-SALE LIQUOR LICENSE.] Notwithstanding any provision of Minnesota Statutes, Chapter 340, or any other law to the contrary, the county board of Goodhue county may issue a license for the on-sale of intoxicating liquor to a country club located within Florence township in Goodhue county. The fee for such license shall be determined by the county board.

Sec. 6. Section 5 of this act is effective upon approval by the county board of Goodhue county and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, after "Winona" insert ", Goodhue"

The motion prevailed. So the amendment was adopted.

S. F. No. 976: A bill for an act relating to Winona, Goodhue and Olmsted counties; authorizing issuance of an on-sale license for the sale of intoxicating liquor.

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 10, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Ogdahl	Solon
Arnold	Fitzsimons	Kowalczyk	Olson, H. D.	Spear
Ashbach	Frederick	Larson	O'Neill	Stokowski
Bang	Gearty	Laufenburger	Perpich, A. J.	Tennessee
Berg	Hanson, R.	Lewis	Perpich, G.	Ueland
Bernhagen	Hughes	McCutcheon	Pillsbury	Wegener
Blatz	Humphrey	Merriam	Purfeerst	Willet
Brataas	Jensen	Milton	Schaaf	
Brown	Josefson	Moe	Schmitz	
Chenoweth	Keefe, J.	Nelson	Schrom	
Coleman	Kirchner	North	Sillers	

Those who voted in the negative were:

Chmielewski	Dunn	Knutson	Olson, J. L.	Renneke
Doty	Hansen, Mel	Olhoft	Patton	Stumpf

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 159: A bill for an act relating to health professions; authorizing the board of medical examiners to reprimand, censure, place on probation, apply for cease and desist orders for a person adjudged unqualified to practice medicine; amending Minnesota Statutes 1974, Section 147.021, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Brataas	Dunn	Humphrey	Knutson
Ashbach	Brown	Fitzsimons	Jensen	Kowalczyk
Bang	Chenoweth	Frederick	Josefson	Larson
Berg	Chmielewski	Gearty	Keefe, J.	Laufenburger
Bernhagen	Conzemius	Hansen, Baldy	Keefe, S.	Lewis
Blatz	Doty	Hanson, R.	Kirchner	McCutcheon
Borden	Davies	Hughes	Kleinbaum	Merriam

Milton	Olson, A. G.	Pillsbury	Sillers	Tennessee
Moe	Olson, J. L.	Purfeerst	Solon	Ueland
Nelson	O'Neill	Renneke	Spear	Wegener
North	Patton	Schaaf	Stassen	Willet
Ogdahl	Perpich, A. J.	Schmitz	Stokowski	
Olhoff	Perpich, G.	Schrom	Stumpf	

Mr. Olson, H. D. voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1105: A bill for an act relating to crimes; specifying the acts constituting the offense of tampering with a witness; prescribing penalties; amending Minnesota Statutes 1974, Section 609.42, Subdivision 1.

Mr. McCutcheon moved to amend S. F. No. 1105 as follows:

Page 1, line 8, after "1." insert "[TAMPERING WITH A WITNESS IN THE FIRST DEGREE.]"

Page 1, line 11, strike "*or by means of a threatening letter or communication,*"

Page 1, line 14, after "*witness*" insert "*in the first degree*"

Page 1, line 17, after "2." insert "[TAMPERING WITH A WITNESS IN THE SECOND DEGREE.]"

Page 1, line 23, after "*witness*" insert "*in the second degree*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1105 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Schaaf
Arnold	Davies	Keefe, J.	North	Schmitz
Ashbach	Doty	Keefe, S.	Olhoff	Sillers
Bang	Dunn	Kirchner	Olson, A. G.	Solon
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Frederick	Knutson	Olson, J. L.	Stassen
Blatz	Gearty	Kowalczyk	O'Neill	Stokowski
Borden	Hansen, Baldy	Larson	Patton	Stumpf
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brown	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chenoweth	Hughes	Merriam	Pillsbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Coleman	Jensen	Moe	Renneke	

So the bill, as amended, passed and its title was agreed to.

### RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Jensen	Olhoff	Schmitz
Ashbach	Dunn	Keefe, S.	Olson, J. L.	Schrom
Bernhagen	Gearty	Kirchner	O'Neill	Spear
Borden	Hansen, Baldy	Kleinbaum	Patton	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	Perpich, A. J.	Stumpf
Coleman	Hanson, R.	Lewis	Perpich, G.	Tennessee
Conzemius	Hughes	McCutcheon	Pillsbury	Willet
Davies	Humphrey	Ogdahl	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 749, No. 8 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 749: A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision; and Chapter 152, by adding a section.

Mr. Tennessee moved that the amendment made to H. F. No. 749 by the Committee on Rules and Administration in the report adopted May 10, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Doty moved to amend H. F. No. 749 as follows:

Page 1, line 24, strike "*except small amounts of marijuana,*"

Page 2, line 9, reinstate the stricken language

Page 2, strike lines 12 to 30 and insert:

*"(5) A small amount of marijuana is guilty of a misdemeanor and, in addition, must participate in a drug education program sponsored by an area mental health board with a curriculum provided by the state alcohol and drug abuse authority."*

Page 3, strike lines 12 to 19

## CALL OF THE SENATE

Mr. Tennesen imposed a call of the Senate. The following Senators answered to their names:

Arnold	Dunn	Kleinbaum	Olson, A. G.	Sillers
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Bang	Frederick	Kowalczyk	Olson, J. L.	Stassen
Berg	Gearty	Larson	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Patton	Stumpf
Blatz	Hansen, Mel	McCutcheon	Perpich, A. J.	Tennesen
Borden	Hanson, R.	Merriam	Perpich, G.	Ueland
Brataas	Hughes	Milton	Pillsbury	Wegener
Brown	Humphrey	Moe	Purfeerst	Willet
Chenoweth	Jensen	Nelson	Renneke	
Coleman	Josefson	North	Schaaf	
Davies	Keefe, S.	Ogdahl	Schmitz	
Doty	Kirchner	Olhoft	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Jensen moved to amend the Doty amendment to H. F. No. 749 as follows:

At the end of the Doty amendment add the following:

Page 4, after line 3, insert:

"Sec. 4. Minnesota Statutes 1974, Section 609.13, is amended by adding a subdivision to read:

*Subd. 3. Notwithstanding that a conviction is for a misdemeanor, the conviction is deemed to be for a petty misdemeanor if the sentence is within the limits provided by law for a petty misdemeanor which may include participation in an education program."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 12, strike "Section" and insert "Sections"

Page 1, line 13, before the period insert "and 609.13, by adding a subdivision"

The question being taken on the adoption of the amendment to the Doty amendment,

And the roll being called, there were yeas 34 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Humphrey	North	Perpich, G.
Ashbach	Dunn	Jensen	Olhoft	Renneke
Bang	Fitzsimons	Josefson	Olson, H. D.	Schmitz
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Bernhagen	Hansen, Mel	Larson	O'Neill	Stassen
Blatz	Hanson, R.	Moe	Patton	Stokowski
Brataas	Hughes	Nelson	Perpich, A. J.	

Those who voted in the negative were:

Borden	Frederick	Knutson	Olson, A. G.	Stumpf
Brown	Gearty	Laufenburger	Pillsbury	Tennessee
Chmielewski	Keefe, J.	Lewis	Purfeerst	Ueland
Coleman	Keefe, S.	McCutcheon	Schaaf	Willet
Conzemius	Kirchner	Merriam	Schrom	
Davies	Kleinbaum	Milton	Spear	

The motion prevailed. So the amendment to the Doty amendment was adopted.

Mr. Olhoff moved that the vote on the Jensen amendment be reconsidered. The motion did not prevail.

The question recurred on the Doty amendment as amended.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 37 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Hanson, R.	Olhoff	Schrom
Arnold	Brown	Hughes	Olson, H. D.	Sillers
Ashbach	Chmielewski	Jensen	Olson, J. L.	Solon
Bang	Doty	Josefson	O'Neill	Stassen
Berg	Dunn	Kowalczyk	Patton	Willet
Bernhagen	Fitzsimons	Larson	Perpich, A. J.	
Blatz	Hansen, Baldy	Moe	Renneke	
Borden	Hansen, Mel	North	Schmitz	

Those who voted in the negative were:

Chenoweth	Humphrey	Laufenburger	Perpich, G.	Tennessee
Coleman	Keefe, J.	Lewis	Pillsbury	Ueland
Conzemius	Keefe, S.	McCutcheon	Schaaf	Wegener
Davies	Kirchner	Merriam	Spear	
Frederick	Kleinbaum	Milton	Stokowski	
Gearty	Knutson	Nelson	Stumpf	

The motion prevailed. So the amendment was adopted.

Mr. Olson, J. L. moved to amend H. F. No. 749 as follows:

Page 3, strike Sec. 2.

Amend the title as follows:

Page 1, line 6, strike "and"

Page 1, strike lines 7 to 10

Page 1, line 11, strike "of marijuana;"

Page 1, lines 12 and 13, strike ", and by adding a subdivision"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 25 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	Olson, H. D.	Schrom
Bang	Doty	Josefson	Olson, J. L.	Solon
Berg	Fitzsimons	Knutson	Patton	Ueland
Bernhagen	Hansen, Baldy	Kowalczyk	Renneke	Wegener
Brown	Hanson, R.	Larson	Schmitz	Willet

Those who voted in the negative were:

Arnold	Frederick	Lewis	Olson, A. G.	Spear
Brataas	Gearty	Merriam	O'Neill	Stassen
Chenoweth	Humphrey	Milton	Perpich, A. J.	Stokowski
Coleman	Keefe, J.	Moe	Perpich, G.	Stumpf
Conzemius	Keefe, S.	Nelson	Pillsbury	Tennessee
Davies	Kirchner	North	Schaaf	
Dunn	Kleinbaum	Olhoft	Sillers	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 749 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 17, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	North	Schmitz
Bang	Fitzsimons	Keefe, S.	Ogdahl	Sillers
Bernhagen	Frederick	Kirchner	Olhoft	Solon
Blatz	Gearty	Kleinbaum	Olson, A. G.	Stassen
Brataas	Hansen, Mel	Knutson	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Stumpf
Coleman	Hughes	McCutcheon	O'Neill	Tennessee
Conzemius	Humphrey	Merriam	Patton	Ueland
Davies	Jensen	Moe	Pillsbury	Wegener
Doty	Josefson	Nelson	Renneke	Willet

Those who voted in the negative were:

Anderson	Brown	Larson	Perpich, A. J.	Schaaf
Arnold	Chmielewski	Laufenburger	Perpich, G.	Schrom
Berg	Hansen, Baldy	Milton	Purfeerst	Spear
Borden	Kowalczyk			

So the bill, as amended, passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that S. F. No. 1653, No. 14 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

S. F. No. 1653: A bill for an act relating to land planning in the metropolitan area; requiring local adoption of minimum plans and controls; providing for limited council review and acceptance

prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning; amending Minnesota Statutes 1974, Section 462.-355, by adding a subdivision; and Laws 1975, Chapter 13, Section 19, and by adding sections.

Mr. Chenoweth moved to amend S. F. No. 1653 as follows:

Page 2, line 4, after "17" insert "*of this act*"

Page 2, line 16, after "17" insert "*of this act*"

Page 4, line 1, strike "273.11" and insert "273.111"

Page 4, line 12, strike "*Laws 1975, Chapter 13,*"

Page 4, line 21, after "17" insert "*of this act*"

Page 4, line 24, after "17" insert "*of this act*"

Page 5, line 30, after "17" insert "*of this act*"

Page 6, line 1, after "9" insert "*of this act*"

Page 6, line 1, after "17" insert "*of this act*"

Page 6, line 14, after "17" insert "*of this act*"

Page 6, line 22, after "17" insert "*of this act*"

Page 6, line 30, after "and" insert "*may extend*"

Page 7, line 9, after "17" insert "*of this act*"

Page 7, line 20, strike "*Laws 1975, Chapter 13,*"

Page 8, line 25, after "2" insert "*of this act*"

Page 8, line 28, after "3" insert "*of this act*"

Page 10, line 7, after "17" insert "*of this act*"

Page 11, line 8, after "17" insert "*of this act*"

Page 11, line 9, after "17" insert "*of this act*"

Page 11, line 32, after "9" insert "*of this act*"

Page 12, line 24, after "17" insert "*of this act*"

Page 12, line 27, after "17" insert "*of this act*"

Page 13, line 29, after "17" insert "*of this act*"

Page 16, line 7, strike "to" and insert "in"

The motion prevailed. So the amendment was adopted.

#### CALL OF THE SENATE

Mr. Ashbach imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Kirchner	Olson, A. G.	Spear
Arnold	Davies	Knutson	Olson, J. L.	Stassen
Ashbach	Doty	Kowalczyk	O'Neill	Stokowski
Bang	Dunn	Larson	Patton	Stumpf
Berg	Gearty	Lewis	Perpich, A. J.	Tennessee
Bernhagen	Hansen, Baldy	Merriam	Pillsbury	Ueland
Blatz	Hansen, Mel	Milton	Renneke	Willet
Borden	Hanson, R.	Moe	Schaaf	
Brataas	Hughes	Nelson	Schmitz	
Chenoweth	Humphrey	Ogdahl	Schrom	
Coleman	Josefson	Olhoft	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Conzemius moved that S. F. No. 1653 be re-referred to the Committee on Metropolitan and Urban Affairs.

The question being taken on the adoption of the motion,

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Jensen	Nelson	Schmitz
Arnold	Conzemius	Josefson	Olson, J. L.	Schrom
Ashbach	Dunn	Keefe, J.	O'Neill	Sillers
Bang	Fitzsimons	Kirchner	Patton	Stassen
Berg	Frederick	Knutson	Pillsbury	Ueland
Bernhagen	Hansen, Baldy	Kowalczyk	Purfeerst	
Blatz	Hanson, R.	Larson	Renneke	

Those who voted in the negative were:

Borden	Gearty	Lewis	Olson, A. G.	Stokowski
Brataas	Hansen, Mel	McCutcheon	Olson, H. D.	Stumpf
Chenoweth	Hughes	Merriam	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Keefe, S.	Moe	Schaaf	Willet
Davies	Kleinbaum	North	Solon	
Doty	Laufenburger	Ogdahl	Spear	

The motion did not prevail.

Mr. Chmielewski moved that the vote on Mr. Conzemius' motion to re-refer be reconsidered.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Hansen, Mel	Kowalczyk	Renneke
Ashbach	Chmielewski	Hanson, R.	Larson	Schmitz
Bang	Conzemius	Jensen	Nelson	Schrom
Berg	Dunn	Josefson	Olson, J. L.	Sillers
Bernhagen	Fitzsimons	Keefe, J.	O'Neill	Stassen
Blatz	Frederick	Kirchner	Patton	Ueland
Brataas	Hansen, Baldy	Knutson	Pillsbury	

Those who voted in the negative were:

Borden	Humphrey	Moe	Perpich, G.	Tennessee
Chenoweth	Keefe, S.	North	Purfeerst	Wegener
Coleman	Kleinbaum	Ogdahl	Schaaf	Willet
Davies	Lewis	Olhott	Solon	
Doty	McCutcheon	Olson, A. G.	Spear	
Gearty	Merriam	Olson, H. D.	Stokowski	
Hughes	Milton	Perpich, A. J.	Stumpf	

The motion prevailed. So the vote was reconsidered. S. F. No. 1653 was then progressed.

#### 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.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1743, pursuant to the request of the House:

Messrs. Perpich, G.; Doty; Moe; Renneke and Olson, J. L.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 66, pursuant to the request of the Senate:

Messrs. Perpich, G.; Moe and Patton.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1758, pursuant to the request of the House:

Messrs. Davies, Arnold, Tennessee, Ashbach and Hansen, Mel.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1759, pursuant to the request of the House:

Messrs. Willet, Chenoweth, Borden, Fitzsimons and Josefson.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Tuesday, May 13, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

## FIFTY-SECOND DAY

St. Paul, Minnesota, Tuesday, May 13, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for this morning's proceedings. The following Senators answered to their names:

Anderson	Coleman	Jensen	Merriam	Schmitz
Arnold	Conzemius	Josefson	Moe	Schrom
Ashbach	Davies	Keefe, S.	Olhoff	Spear
Bang	Doty	Kirchner	Olson, A. G.	Stassen
Berg	Dunn	Kleinbaum	Olson, J. L.	Stumpf
Bernhagen	Frederick	Knutson	Patton	Tennessee
Borden	Gearty	Kowalczyk	Perpich, A. J.	Ueland
Brataas	Hansen, Baldy	Larson	Pillsbury	Wegener
Brown	Hanson, R.	Lewis	Purfeerst	Willet
Chmielewski	Humphrey	McCutcheon	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoff	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**MEMBERS EXCUSED**

Mr. Laufenburger was excused from this morning's Session. Mr. Doty was excused from the Session of today from 1:30 o'clock p.m. until 4:00 o'clock p.m.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time and referred to the committees indicated.

Mr. Gearty introduced—

S. F. No. 1746: A bill for an act relating to the legislature; compensation and expenses of members; amending Minnesota Statutes 1974, Section 3.099; repealing Minnesota Statutes 1974, Sections 3.101; 3.102; and 3.103.

Referred to the Committee on Governmental Operations.

Mr. Milton and Mrs. Brataas introduced—

S. F. No. 1747: A bill for an act relating to public health; requiring inspection of nursing home facilities before renewal of license; prohibiting payment of federal funds to unlicensed nursing homes; amending Minnesota Statutes 1974, Section 144.55.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton; Keefe, J. and Conzemius introduced—

S. F. No. 1748: A bill for an act relating to public health; requiring disclosure of fees, income, ownership, and certain transactions of nursing homes; prohibiting transactions between nursing homes and owners.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton introduced—

S. F. No. 1749: A bill for an act relating to public health; state board of health inspections of certain health facilities; providing for varied inspection times; permitting counties to appoint citizen visitation teams; amending Minnesota Statutes 1974, Section 144.653, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

**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. 244, 336, 874, 1168, 230, 488, 921, 1305, 1184, 199, 318, 892 and 987.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 413: A bill for an act relating to natural resources; authorizing acquisition of perpetual conservation restrictions by the commissioner of natural resources and certain nonprofit corporations; amending Minnesota Statutes 1974, Sections 84.64, Subdivision 1; and 84.65, Subdivisions 1 and 3.

Senate File No. 413 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

### CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 413 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 413 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Merriam	Schmitz
Arnold	Doty	Keefe, J.	Milton	Schrom
Ashbach	Dunn	Keefe, S.	Moe	Sillers
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Berg	Frederick	Kleinbaum	Olson, A. G.	Stassen
Bernhagen	Gearty	Knutson	Patton	Stumpf
Brown	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Tennessee
Chmielewski	Hanson, R.	Larson	Pillsbury	Ueland
Coleman	Hughes	Lewis	Purfeerst	Wegener
Conzemius	Humphrey	McCutcheon	Renneke	Willet

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 458: A bill for an act relating to game and fish; removing the raccoon from the unprotected list and authorizing the commissioner of natural resources to prescribe a season there-

on; amending Minnesota Statutes 1974, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

Senate File No. 458 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 12, 1975

### CONCURRENCE AND REPASSAGE

Mr. Larson moved that the Senate concur in the amendments by the House to S. F. No. 458 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 458 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 52 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Moe	Renneke
Arnold	Doty	Keefe, J.	Nelson	Schmitz
Ashbach	Dunn	Keefe, S.	Olhoft	Sillers
Bang	Fitzsimons	Kirchner	Olson, A. G.	Solon
Berg	Frederick	Kleinbaum	Olson, H. D.	Tennessee
Bernhagen	Gearty	Knutson	Olson, J. L.	Ueland
Borden	Hansen, Baldy	Kowalczyk	Patton	Wegener
Brataas	Hanson, R.	Larson	Perpich, A. J.	Willet
Brown	Hughes	McCutcheon	Perpich, G.	
Chmielewski	Humphrey	Merriam	Pillsbury	
Conzemius	Jensen	Milton	Purfeerst	

Messrs. Lewis, Schrom, Stassen and Stumpf voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 903: A bill for an act relating to counties; providing for the filling of vacancies in the office of county commissioner; amending Minnesota Statutes 1974, Chapter 375, by adding a section; Section 375.03; repealing Minnesota Statutes 1974, Section 375.10.

Senate File No. 903 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 12, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 903 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 903 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Renneke
Arnold	Davies	Keefe, J.	Nelson	Schmitz
Ashbach	Doty	Keefe, S.	Olhoft	Schrom
Bang	Dunn	Kirchner	Olson, A. G.	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Bernhagen	Frederick	Knutson	Olson, J. L.	Spear
Blatz	Gearty	Kowalczyk	O'Neill	Stassen
Brataas	Hansen, Baldy	Larson	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1166: A bill for an act relating to public health; increasing and extending payments of per diems to members of county public health nursing committees; enlarging the community mental health boards formed by four or less political subdivisions; amending Minnesota Statutes 1974, Sections 145.12, Subdivision 1; and 245.66.

Senate File No. 1166 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Moe moved that the Senate concur in the amendments by the House to S. F. No. 1166 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1166: A bill for an act relating to public health; authorizing county board to determine amount of per diems to members of county public health nursing committees; authorizing county board to determine amount to be allocated to such committees; amending Minnesota Statutes 1974, Section 145.12, Subdivision 1; and 245.66.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Olhoff	Solon
Arnold	Davies	Keefe, S.	Olson, A. G.	Spear
Ashbach	Doty	Kirchner	Olson, H. D.	Stassen
Bang	Dunn	Kleinbaum	Olson, J. L.	Stokowski
Berg	Fitzsimons	Knutson	O'Neill	Stumpf
Bernhagen	Frederick	Kowalczyk	Patton	Tennessee
Blatz	Gearty	Larson	Perpich, A. J.	Ueland
Borden	Hansen, Baldy	Lewis	Pillsbury	Wegener
Brataas	Hanson, R.	McCutcheon	Purfeerst	Willet
Brown	Hughes	Merriam	Renneke	
Chenoweth	Humphrey	Milton	Schmitz	
Chmielewski	Jensen	Moe	Schrom	
Coleman	Josefson	Nelson	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

Senate File No. 1466 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. Arnold moved that the Senate do not concur in the amendments by the House to S. F. No. 1466 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

Senate File No. 1446 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S. F. No. 1446 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1055: A bill for an act relating to financial institutions; authorizing and regulating face amount certificate investment companies; amending Minnesota Statutes 1974, Chapter 54, by adding sections; and Sections 49.01, Subdivision 2; 54.26; and 54.27; repealing Minnesota Statutes 1974, Chapter 59, and Sections 54.28; 54.29; and 54.293.

Senate File No. 1055 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Stokowski moved that the Senate concur in the amendments by the House to S. F. No. 1055 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1055 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Ogdahl	Sillers
Arnold	Davies	Keefe, S.	Olhoff	Solon
Ashbach	Doty	Kirchner	Olson, H. D.	Spear
Bang	Dunn	Kleinbaum	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	O'Neill	Stokowski
Bernhagen	Frederick	Kowalczyk	Patton	Stumpf
Blatz	Gearty	Larson	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	Lewis	Perpich, G.	Ueland
Brataas	Hanson, R.	McCutcheon	Pillsbury	Wegener
Brown	Hughes	Merriam	Purfeerst	Willet
Chenoweth	Humphrey	Moe	Renneke	
Chmielewski	Jensen	Nelson	Schmitz	
Coleman	Josefson	North	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1518:

H. F. No. 1518: A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Vento, Hanson and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1518 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 12, 1975

Mr. O'Neill moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1518, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 102: A bill for an act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services; amending Minnesota Statutes 1974, Section 360.015, Subdivision 7.

Senate File No. 102 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

### CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 102 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 102 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Ogdahl	Sillers
Arnold	Davies	Kirchner	Olhoft	Solon
Ashbach	Doty	Kleinbaum	Olson, A. G.	Spear
Bang	Dunn	Knutson	Olson, H. D.	Stassen
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Larson	O'Neill	Stumpf
Blatz	Hansen, Baldy	Lewis	Patton	Tennessen
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Brataas	Hughes	Merriam	Pillsbury	Wegener
Brown	Humphrey	Milton	Purfeerst	Willet
Chenoweth	Jensen	Moe	Renneke	
Chmielewski	Josefson	Nelson	Schmitz	
Coleman	Keefe, J.	North	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 741: A bill for an act relating to the department of public service; confidentiality of accident reports submitted by common carriers; railroad crossings; subjecting accommodation transportation to regulation; fees; permitting the department to grant extension of authority ex parte; identification cards; enforce-

ment powers; offenses; registration; warehouses; warehousemen; weights and measures; providing penalties; amending Minnesota Statutes 1974, Sections 218.031, Subdivision 2; 219.39; 219.40; 221.011, Subdivisions 16 and 22; 221.061; 221.071; 221.121; 221.131; 221.141; 221.151, Subdivision 1, and by adding a subdivision; 221.221; 221.291; 221.293; 221.296, Subdivisions 4, 5 and 8; 221.64; 231.01, Subdivision 5; 231.02; 231.16; and 239.38; repealing Minnesota Statutes 1974, Sections 239.39; 239.40; 239.41; 239.42; and 239.43.

Senate File No. 741 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 12, 1975

### CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 741 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 741 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	North	Schrom
Arnold	Davies	Keefe, S.	Ogdahl	Sillers
Ashbach	Doty	Kirchner	Olhoft	Solon
Bang	Dunn	Kleinbaum	Olson, A. G.	Spear
Berg	Fitzsimons	Knutson	Olson, H. D.	Stassen
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Blatz	Gearty	Larson	O'Neill	Stumpf
Borden	Hansen, Baldy	Lewis	Patton	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schmitz	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 753: A bill for an act relating to state government; regulating advisory councils, boards and commissions; amending

Minnesota Statutes 1974, Chapter 15, by adding a section; Sections 16.853; 16.91; 16.911, Subdivision 1; 31.60, Subdivisions 2 and 3; 52.061; 82.30, Subdivision 1; 116C.05; 121.87, Subdivisions 1 and 3; 145.865, Subdivision 1; 156A.06, Subdivision 1; 175.007, Subdivision 1; 182.656, Subdivision 3; 184.23, Subdivisions 1 and 3; 254A.04; 256.482, Subdivision 1; 268.12, Subdivision 6; 299C.47; 299F.55; 362.09, Subdivision 3; and 483.02; repealing Minnesota Statutes 1974, Sections 82.30, Subdivisions 2 and 3; 145.865, Subdivision 2; 175.007, Subdivision 3; 182.656, Subdivision 2; 184.23, Subdivision 2; 254A.05, Subdivision 2; 256.482, Subdivision 6; 483.03; and 483.04.

Senate File No. 753 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 12, 1975

### CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 753 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 753 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schmitz
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoff	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Blatz	Gerty	Kowalczyk	Olson, H. D.	Spear
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Brataas	Hanson, R.	Lewis	O'Neill	Stokowski
Brown	Hughes	McCutcheon	Patton	Stumpf
Chenoweth	Humphrey	Merriam	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 593:

H. F. No. 593: A bill for an act relating to retirement; computation of legislative annuities; mandatory age for legislative employees; miscellaneous changes in the Minnesota state retirement sys-

tem law; amending Minnesota Statutes 1974, Chapters 3A; 352; and 352B, by adding sections; Sections 3A.01, Subdivisions 2 and 4; 3A.02, Subdivisions 1, 3, and 4; 3A.03, Subdivision 2; 3A.04, Subdivisions 1 and 2; 3A.05; and 3A.10, Subdivision 1; 43.051, Subdivision 1; 352.01, Subdivision 17; 352.03, Subdivisions 4, 11, and by adding a subdivision; 352.113, Subdivisions 1, 5, and 12; 352.115, Subdivisions 2, 10, and 11; 352.12, Subdivisions 1, 2, 6, 7, 8, and 11; 352.15; 352.22, Subdivisions 3 and 8; 352.72, Subdivision 2, and by adding a subdivision; 352.91, by adding a subdivision; 352.93, Subdivision 1; 352B.03, Subdivisions 1 and 2; 352D.-015, Subdivision 9; 352D.02, Subdivisions 1 and 3; 352D.05, Subdivision 3; 352D.06, Subdivisions 1 and 2; 352D.065, Subdivisions 2 and 3; and 352D.075, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 352.28; 352.32; 352.38; 352.715; 352B.01, Subdivision 5; 352B.021; 352B.04; 352D.015, Subdivision 10; 352D.05, Subdivision 2; 352D.065, Subdivision 1; 352D.075, Subdivision 1; and 352D.085, Subdivision 2.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Patton, Parish, Moe, Biersdorf and Beauchamp have been appointed as such committee on the part of the House.

House File No. 593 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 12, 1975

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 593, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.-07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1 and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3 and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

Senate File No. 469 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 12, 1975

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 469 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1441.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 12, 1975

### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H. F. No. 1441: A bill for an act relating to municipalities; industrial development; authorizing municipalities to enter into certain loan agreements and sale contracts; amending Minnesota Statutes 1974, Sections 474.01, Subdivisions 1, 5, 6, 7 and 8; 474.02, Subdivisions 2, 3, 4, and by adding subdivisions; 474.03; 474.04; 474.05; 474.06; 474.08; 474.09; 474.10; 474.11; 474.12; and 474.13; Chapter 474, by adding a section; repealing Minnesota Statutes 1974, Section 474.02, subdivisions 1a and 1b.

Referred to the Committee on Rules and Administration.

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S. F. Nos. 1715 and 1220. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1715: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; amending Minnesota Statutes 1974, Sections 43.05, Subdivision 2; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1 and 2; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 17, strike "equals or"

Page 4, line 17, strike "new"

Page 4, line 23, strike the period and insert "*, except for those employees whose adjustment in their current maximum rate of pay would be \$12.25 or less. The amount of the lump sum payment for those employees whose adjustment would be \$12.25 or less shall be equal to the difference between \$300 and the product of the employee's monthly adjustment multiplied by 24.*"

Page 6, line 16, strike "equals or"

Page 6, line 16, strike "new"

Page 6, line 18, strike the period and insert "*, except for those employees whose adjustment in their current maximum rate of pay would be \$12.25 or less. The amount of the lump sum payment for those employees whose adjustment would be \$12.25 or less shall be equal to the difference between \$300 and the product of the employee's monthly adjustment multiplied by 24.*"

Page 6, line 28, strike "27" and insert "28"

Page 7, line 1, strike "\$1,210" and insert "\$1,250"

Page 7, line 13, strike "equals or"

Page 7, line 13, strike "new"

Page 7, line 19, strike the period and insert "*, except for those employees whose adjustment in their current maximum rate of pay would be \$12.25 or less. The amount of the lump sum payment for those employees whose adjustment would be \$12.25 or less shall be equal to the difference between \$300 and the product of the employee's monthly adjustment multiplied by 24.*"

Page 8, line 4, after "the" insert "percentage"

Page 11, line 3, strike "and" and insert a comma

Page 11, line 3, after the stricken "compensation" insert "*and special teachers*"

Page 11, line 17, after "retirement," insert "*retirement under a state retirement program after ten years of state employment,*"

Page 11, line 27, strike "clause" and insert "subdivision"

Page 11, line 28, after "unclassified" insert "faculty"

Page 22, line 2, strike "fist" and insert "first"

Page 25, lines 10 and 11, strike the new language

Page 25, line 14, after the period insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Pages 25 and 26, strike section 15

Page 26, lines 22 and 23, strike the new language

Page 26, line 27, after the period insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Page 27, lines 27 to 30, strike the new language

Page 28, line 2, strike "within"

Page 28, line 3, strike "the department and class"

Page 29, line 13, after "dependents" insert "*in hospital-medical coverage*"

Page 29, line 18, after "apply" insert "*to eligible members of the legislature who have eligible dependents*"

Renumber the sections

Further amend the title as follows:

Page 1, line 10, strike "Subdivisions 1 and" and insert "Sub-division"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 466, 1540, 486, 596, 595, 719, 1177, 1642, 1647, 1390, 1041, 1171, 1220, 1700, 685 and 1292.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Amendments adopted. Report adopted.

Mr. Purfeerst questioned the reference of S. F. No. 1220 and, under Rule 35, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 629 and 1247 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
629	1711				
1247	1303				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1456, 999 and 1331 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1456	1508				
999	1659				
1331	1475				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1456 be amended as follows:

Page 3, delete lines 16 to 22

Page 4, delete lines 7 to 9 and insert:

*“(4) One member learned in the law appointed by the chief judge of the second judicial district.”*

Page 4, line 23, before *“When”* insert *“(a)”*

Page 4, line 24, delete *“shall appear”* and insert *“appears”*

Page 5, line 3, delete the semicolon and insert a period

Page 5, line 4, delete *“(4)”* and insert *“(b) The public defender”*

Page 5, line 4, after *“may”* insert *“also”*

Page 5, line 5, after *“Minnesota”* insert *“, if the client was represented by the Ramsey county public defender in the matter giving rise to the appellate relief being sought”*

Renumber the sections in sequence

Further amend the title

In line 2, delete *“and particularly to courts”*

Line 9, delete *“and”*

Line 10, delete *“508.74, Subdivision 2;”*

And when so amended, H. F. No. 1456 will be identical to S. F. No. 1508 and further recommends that H. F. No. 1456 be given its second reading and substituted for S. F. No. 1508 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 999 be amended as follows:

Page 2, line 19, after *“lien”* insert *“and is required to do so by federal statutes or regulations”*

Page 2, line 28, delete *“Except for home”*

Page 2, delete lines 29 to 32

And when so amended, H. F. No. 999 will be identical to S. F. No. 1659 and further recommends that H. F. No. 999 be given its second reading and substituted for S. F. No. 1659 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1331 be amended as follows:

Page 1, line 15, strike "either"

Page 1, lines 15 and 16, strike "or past supervisors"

Page 2, line 17, restore the stricken "shall" and delete "may"

Page 2, line 18, strike "either"

Page 2, line 18, strike "or past supervisors"

And when so amended, H. F. No. 1331 will be identical to S. F. No. 1475 and further recommends that H. F. No. 1331 be given its second reading and substituted for S. F. No. 1475 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 525, 744, 907 and 1009 for proper reference, recommends the above House Files be re-referred to their respective Committees as follows:

H. F. Nos. 525, 907 and 1009 to the Committee on Finance.

H. F. No. 744 to the Committee on Labor and Commerce.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 596, 595, 1177, 1647, 1390, 1041, 1171, 1700 and 685 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 629, 1247, 1456, 999 and 1331 were read the second time.

#### MOTIONS AND RESOLUTIONS

Messrs. Ueland, Moe and Knutson introduced—

Senate Resolution No. 24: A resolution commemorating the Norwegian American Sesquicentennial.

Referred to the Committee on Rules and Administration.

Messrs. Lewis, O'Neill and Blatz introduced—

Senate Resolution No. 25: Resolusjon I Anledning Feiringen av det Norsk—Amerikanske Hundre og Femti Aars Jubileum.

Referred to the Committee on Rules and Administration.

Mr. Milton moved that the name of Mr. Stumpf be added as co-author to S. F. Nos. 1747 and 1749. The motion prevailed.

Mr. Gearty moved that the report from the Committee on Governmental Operations, reported May 12, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Gearty moved that the foregoing report be now adopted. The motion prevailed.

#### CONFIRMATION

Mr. Gearty moved that in accordance with the report from the Committee on Governmental Operations, reported May 12, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

#### MINNESOTA STATE ETHICS COMMISSION

Mrs. Elizabeth Ebbott, 509 Birchwood Avenue, Birchwood, Washington County, effective April 29, 1975, for a term expiring April 29, 1979.

The motion prevailed. So the appointment was confirmed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that the report from the Committee on Governmental Operations, reported May 12, 1975, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Gearty moved that the foregoing report be now adopted. The motion prevailed.

#### CONFIRMATION

Mr. Gearty moved that in accordance with the report from the Committee on Governmental Operations, reported May 12, 1975, the Senate, having advised with, do now consent to and confirm the appointments of:

#### STATE BOARD OF HUMAN RIGHTS

Cathy Clardy, 116 Circle High Drive, Burnsville, Dakota County, effective April 15, 1975, for a term expiring January 1, 1976.

#### STATE PERSONNEL BOARD

Edna Schwartz, P. O. Box 4042, St. Paul, Ramsey County, effective January 1, 1975, for a term expiring January 1, 1977.

C. E. Sheehy, Jr., 1505 Edgewater, St. Paul, Ramsey County, effective January 1, 1975, for a term expiring January 1, 1977.

Cornell Moore, 2727 Dean Boulevard, Minneapolis, Hennepin County, effective January 1, 1975, for a term expiring January 1, 1977.

Robert Bruce, 1106 Cedar, Albert Lea, Freeborn County, effective January 1, 1975, for a term expiring January 1, 1977.

The motion prevailed. So the appointments were confirmed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Merriam moved that S. F. No. 226 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Merriam moved that the recommendations and Conference Committee Report as printed in the Journal May 9, 1975 on S. F. No. 226 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. 226: A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

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 57 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olhoft	Sillers
Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Ashbach	Frederick	Larson	Olson, H. D.	Spear
Bang	Gearty	Laufenburger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	McCutcheon	Patton	Stumpf
Brown	Hughes	Merriam	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Pillsbury	Willet
Conzemius	Keefe, S.	Nelson	Renneke	
Davies	Kirchner	North	Schmitz	
Doty	Kleinbaum	Ogdahl	Schrom	

Mr. Berg voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

Mr. Borden moved that H. F. No. 100 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 100**

A bill for an act relating to game and fish; authorizing the commissioner of natural resources to establish limitations on fishing contests and to issue special permits for fishing contests; amending Minnesota Statutes 1974, Section 101.42, by adding a subdivision.

May 8, 1975

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. 100 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. 100 be amended as follows:

Page 1, line 13, after "fees" insert "over \$10 per person or total prizes valued over \$2,000"

Page 2, line 2, after "2." delete "[EFFECTIVE DATE.]"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Glen A. Sherwood, William Luther, Wesley J. Skoglund, John S. Biersdorf, Gene Wenstrom.

Senate Conferees: (Signed) Winston W. Borden, Wayne Olhoff, Robert G. Dunn, Ed Schrom, John Bernhagen.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 100 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. 100: A bill for an act relating to game and fish; authorizing the commissioner of natural resources to establish limitations on fishing contests and to issue special permits for fishing contests; amending Minnesota Statutes 1974, Section 101.42, by adding a subdivision.

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 53 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Gearty	Jensen
Arnold	Brataas	Doty	Hansen, Baldy	Keefe, S.
Bang	Brown	Dunn	Hanson, R.	Kirchner
Berg	Coleman	Fitzsimons	Hughes	Kleinbaum
Bernhagen	Conzemius	Frederick	Humphrey	Kowalczyk

Larson	Moe	Olson, J. L.	Schmitz	Stumpf
Laufenburger	Nelson	Patton	Sillers	Tennessee
Lewis	North	Perpich, A. J.	Solon	Ueland
McCutcheon	Ogdahl	Pillsbury	Spear	Willet
Merriam	Olhoff	Purfeerst	Stassen	
Milton	Olson, H. D.	Renneke	Stokowski	

Messrs. Knutson; Olson, A. G.; O'Neill and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 981, No. 2 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 981: A bill for an act relating to sales and use tax; providing for seizure of certain property; amending Minnesota Statutes 1974, Sections 297A.01, Subdivision 8; and 297A.15.

Mr. Perpich, A. J. moved that the amendment made to H. F. No. 981 by the Committee on Rules and Administration in the report adopted April 19, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 981 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 6, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoff	Solon
Arnold	Fitzsimons	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Brown	Humphrey	Merriam	Perpich, G.	Willet
Chenoweth	Jensen	Milton	Pillsbury	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schmitz	

Those who voted in the negative were:

Bang	Frederick	Hansen, Baldy	Schrom	Sillers
Davies				

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that S. F. No. 546, No. 36 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

S. F. No. 546: A bill for an act relating to Hennepin county; establishing the salaries of certain officials.

Mr. Tennessen moved to amend S. F. No. 546 as follows:

Page 1, line 6, before "Notwithstanding" insert "Subdivision 1."

Page 1, line 9, after "salaries" insert "as provided in this subdivision until changed as authorized in Laws 1971, Chapter 744, Sections 1 and 2, and subject to the provisions of subdivisions 2, 3 and 4 of this section."

Page 1, line 9, strike "in"

Page 1, strike line 10

Page 1, after line 15, insert:

"Subd. 2. After the effective date of this act, any change in the annual salaries of the county commissioners shall be made only by a resolution adopted and published in the even-numbered year not less than 30 days prior to the date of opening of filings for the office of county commissioner, and the salaries shall not be effective until January 1, of the next odd-numbered year.

Subd. 3. After the effective date of this act, the salaries of the county attorney and county sheriff shall not be increased during the term of office for which they are elected.

Subd. 4. The salaries of the district court administrator and the municipal court administrator may not be changed until after July 1, 1976."

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend S. F. No. 546 as follows:

Page 1, strike lines 14 and 15

The motion did not prevail. So the amendment was not adopted.

S. F. No. 546 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Hanson, R.	Larson	Olson, H. D.
Bang	Conzemius	Jensen	Laufenburger	Patton
Berg	Davies	Josefson	Milton	Renneke
Bernhagen	Dunn	Keefe, J.	Nelson	Schmitz
Blatz	Fitzsimons	Kirchner	North	Schrom
Brataas	Frederick	Knutson	Olhoft	Stassen
Brown	Hansen, Mel	Kowalczyk	Olson, A. G.	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Merriam	Pillsbury	Stumpf
Arnold	Hughes	Moe	Purfeerst	Tennessee
Borden	Humphrey	Ogdahl	Schaaf	Ueland
Chenoweth	Keefe, S.	Olson, J. L.	Sillers	Willet
Coleman	Kleinbaum	O'Neill	Solon	
Doty	Lewis	Perpich, A. J.	Spear	
Gearty	McCutcheon	Perpich, G.	Stokowski	

So the bill, as amended, passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 929, No. 33 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 929: A bill for an act relating to banks; authorizing consumer banking facilities.

Mr. Olson, A. G. moved to amend H. F. No. 929, as amended pursuant to Rule 49, adopted by the Senate May 10, 1975, as follows:

Page 1, line 6, strike "5" and insert "10"

Page 4, line 5, strike "5" and insert "10"

Page 4, line 8, strike "5" and insert "10"

Page 4, line 19, strike "5" and insert "10"

Page 5, line 14, strike "5" and insert "10"

Page 5, line 16, strike "5" and insert "10"

Page 5, line 20, strike "5" and insert "10"

Page 5, line 22, strike "5" and insert "10"

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend H. F. No. 929, as amended pursuant to Rule 49, adopted by the Senate May 10, 1975, as follows:

Page 3, line 10, strike "deposits and"

Page 3, line 11, after "but" insert "deposits in person's own account may not be made and"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 929 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	Olhoft	Schmitz
Arnold	Davies	Knutson	Olson, A. G.	Schrom
Ashbach	Dunn	Kowalczyk	Olson, H. D.	Sillers
Bang	Fitzsimons	Larson	Olson, J. L.	Solon
Berg	Frederick	Laufenburger	O'Neill	Spear
Bernhagen	Gearty	Lewis	Patton	Stassen
Blatz	Hansen, Mel	McCutcheon	Perpich, A. J.	Stokowski
Borden	Hanson, R.	Merriam	Perpich, G.	Stumpf
Brataas	Hughes	Milton	Pillsbury	Ueland
Brown	Humphrey	Moe	Purfeerst	Willet
Chenoweth	Jensen	Nelson	Renneke	
Coleman	Keefe, J.	Ogdahl	Schaaf	

Messrs. Chmielewski; Hansen, Baldy; and Josefson voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 522, No. 143 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 522: A bill for an act relating to workmen's compensation; extending coverage; increasing benefit levels; providing for attorney's fees; amending Minnesota Statutes 1974, Sections 79.28; 176.011, Subdivisions 9, and 16, and by adding subdivisions; 176.041; 176.051; 176.081, and by adding subdivisions; 176.101; 176.111, Subdivisions 1, 5 and 11; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.133; 176.141; 176.151; 176.191; 176.461; 176.511, Subdivision 3; and Chapters 175, by adding a section; and Chapter 176, by adding sections; repealing Minnesota Statutes 1974, Section 176.111, Subdivisions 6, 7, 8, 9, 12, 13, 14, 15, 19, 20 and 21.

Mr. Keefe, S. moved to amend H. F. No. 522 as follows:

Page 2, strike lines 30 to 32

Page 3, strike lines 1 to 32

Page 4, strike lines 1 to 32

Page 5, strike lines 1 to 32

Page 6, strike lines 1 to 3

Page 7, lines 3 to 10, strike the new language

Page 8, line 12, after "*permanent*" insert "*and the employee's primary duties do not require extensive travel out of the state into which the employee is transferred*"

Page 8, line 30, restore the stricken "if the"

Page 9, line 9, after the stricken "herein" insert "*employee*"

chooses to forego any worker compensation claim resulting from the injury that he may have a right to pursue in some other state”

Page 10, line 2, before “commissioner” insert “deputy” and after “industry” insert “in charge of workers’ compensation”

Page 10, line 7, after the period insert “A compensation judge shall in matters before him have authority to approve a fee of up to 25 percent of the first \$4,000 of compensation awarded to the employee and 20 percent of the next \$20,000 of compensation awarded to employee. The workers’ compensation commissioner shall have authority only to approve fees in settlements upon appeal before them up to 25 percent of the first \$4,000 of compensation awarded to the employee and 20 percent of the next \$20,000 of compensation awarded to the employee.”

Page 10, after line 12, insert:

“Subd. 2. Any application for attorney fees in excess of the amount which a compensation judge or the workers’ compensation commission may authorize shall be made to the deputy commissioner of the department of labor and industry in charge of workers’ compensation. The application shall set forth the fee requested and the basis for such request and whether or not a hearing is requested. The application, with affidavit of service upon the employee, shall be filed by the attorney requesting the fee. If a hearing is requested by an interested party, a hearing shall be set with notice of such hearing served upon known interested parties. In all cases the employee shall be served with notice of hearing.

Subd. 3. An employee who is dissatisfied with his attorney fees, may file an application for review by the deputy commissioner of the department of labor and industry in charge of workers’ compensation. Such application shall state the basis for the need of review and whether or not a hearing is requested. A copy of such application shall be served upon the attorney for the employee by the deputy and if a hearing is requested by either party, the matter shall be set for hearing. The notice of hearing shall be served upon known interested parties. The attorney for the employee shall be served with a notice of the hearing. The deputy commissioner of the department of labor and industry in charge of workers’ compensation shall have the authority to raise the question of the issue of the attorney fees at any time upon his own motion and shall have continuing jurisdiction over attorney fees.

Subd. 4. The review of a determination by the deputy commissioner of the department of labor and industry in charge of workers’ compensation shall be only by supreme court by certiorari upon the ground that it is arbitrary and unwarranted by the evidence. There shall be no review under Minnesota Statutes, Sections 176.421 and 176.442.

Subd. 5. In the determination of the reasonable value of attorney fees arising out of a claim or proceeding under this chapter, the following principles are to be applied:

(a) *The fee in each individual case must be a reasonable one.*

(b) *There is no set standard fee to be awarded in any workers' compensation matter.*

(c) *No attorney-client fee contract or arrangement is binding in any workers' compensation matter.*

(d) *In determining a reasonable attorney fee, important factors to be taken into account are: the amount involved, the time and expense necessary to prepare for trial, the responsibility assumed by counsel, the difficulties of the issues involved, the nature of proof needed to be adduced and the results obtained. The amount of money involved shall not be the controlling factor.*

(e) *The determination of the fee in each specific workers' compensation matter must be done with the same care as the determination of any other fact question in the matter.*

(f) *The determiner of the attorney fee in each matter must ascertain whether or not a retainer fee has been paid to the attorney and if so, the amount of the retainer fee.*

(g) *The determiner of attorney fees in each case must personally see that the workers' compensation file contains fully adequate information to justify the fee that is determined.*

*Subd. 6. The deputy commissioner of the department of labor and industry in charge of workers' compensation may prescribe reasonable and proper rules and regulations to effect his and the division's obligations under this section without regard to the joint prescription required under Minnesota Statutes, Section 175.17; Subdivision 3."*

Page 10, line 13, strike "2" and insert "7"

Page 10, line 23, strike "a reasonable attorney fee, costs"

Page 10, line 24, strike "and disbursements"

Page 10, line 26, after "employee" insert ", an amount equal to 25 percent of that portion of the attorney's fee which has been awarded pursuant to this section that is in excess of \$250"

Page 10, line 27, strike "3" and insert "8"

Page 11, strike line 12 except "(1)"

Page 11, line 13, strike "September 30, 1976,"

Page 11, line 14, after "shall" strike "not be less than" and insert "be equal to 80 percent of"

Page 11, line 14, after "wage" strike "for" and insert "or \$150 whichever is less."

Page 11, strike lines 15 to 28

Page 11, line 29, strike "(5)" and insert "(2)"

Page 11, line 30, after "be" strike "not less than 50" and insert "20"

Page 11, line 31, strike "*or 75 percent of the*" and insert a period

Page 11, strike line 32

Page 12, strike lines 1 to 2

Page 12, line 15, after "*to*" insert "*80 percent of*"

Page 12, line 16, after "*wage*" insert "*or \$150 whichever is less*"

Page 12, line 31, after "*to*" insert "*80 percent of*"

Page 12, line 32, after "*wage*" insert "*or \$150 whichever is less*"

Page 20, line 3, strike "*the limitations imposed in subdivision 1*" and insert "*a maximum weekly compensation equal to the maximum weekly compensation for a temporary total disability and a minimum weekly compensation equal to the minimum weekly compensation for a temporary total disability*"

Page 20, line 8, restore the stricken "*disability*"

Page 20, lines 9 to 12, restore the stricken language

Page 20, line 13, strike "*governmental*"

Page 22, line 16, restore the stricken "*up to*" and after the stricken "*104*" insert "*156*"

Page 22, line 17, restore the stricken "*weeks of*"

Page 23, line 5, strike "*25*" and insert "*21*"

Page 23, after line 8 insert:

"Sec. 12. Minnesota Statutes 1974, Section 176.111, Subdivision 6, is amended to read:

Subd. 6. [WIDOW, NO DEPENDENT CHILD.] If the deceased employee leave a widow and no dependent child, there shall be paid to the widow 40 50 percent of the daily wage at the time of the injury of the deceased.

Sec. 13. Minnesota Statutes 1974, Section 176.111, Subdivision 7, is amended to read:

Subd. 7. [SPOUSE, ONE DEPENDENT CHILD.] If the deceased employee leave a surviving spouse and one dependent child, there shall be paid to the surviving spouse for the benefit of such spouse and child 50 60 percent of the daily wage at the time of the injury of the deceased.

Sec. 14. Minnesota Statutes 1974, Section 176.111, Subdivision 8, is amended to read:

Subd. 8. [SPOUSE, TWO DEPENDENT CHILDREN.] If the deceased employee leave a surviving spouse and two dependent children, there shall be paid to the surviving spouse for the benefit of such spouse and such children 60 66 $\frac{2}{3}$  percent of the daily wage at the time of the injury of the deceased."

Page 23, strike lines 9 to 20

Page 23, line 24, strike "widow" and insert "*surviving spouse*"

Page 23, line 24, strike "she" and insert "*the surviving spouse*"

Page 23, line 28, strike "widow" and insert "*surviving spouse*"

Page 23, line 30, strike "her" and insert "*the surviving spouse's*"

Page 23, line 30, strike "mother" and insert "*parent*"

Page 24, line 4, strike "mother's" and insert "*parent's*"

Page 24, line 6, strike "mother" and insert "*parent*"

Page 24, line 10, strike "widow" and insert "*surviving spouse*"

Page 24, line 11, strike "widow" and insert "*surviving spouse*"

Page 24, after line 12, insert:

"Sec. 16. Minnesota Statutes 1974, Section 176.111, Subdivision 12, is amended to read:

Subd. 12. [ORPHANS.] If the deceased employee leave a dependent orphan, there shall be paid 45 55 percent of the daily wage at the time of the injury of the deceased, with 10 percent additional for each additional orphan, with a maximum of 66 2/3 percent of such wages for two or more orphans there shall be paid 66 2/3 percent of the wages .

Sec. 17. Minnesota Statutes 1974, Section 176.111, Subdivision 20, is amended to read:

Subd. 20. [ACTUAL DEPENDENTS, COMPENSATION.] Actual dependents are entitled to take compensation in the order named in subdivision 3 during dependency until 66 2/3 percent of the daily wage of the deceased at the time of injury is exhausted. This compensation shall not exceed \$40,000 in case of a dependent wife, child, or orphan or continue beyond 300 weeks in case of any other dependent. The total weekly compensation to be paid to full actual dependents of a deceased employee shall not exceed in the aggregate \$100 per week an amount equal to the maximum weekly compensation for a temporary total disability .

Sec. 18. Minnesota Statutes 1974, Section 176.111, Subdivision 21, is amended to read:

Subd. 21. [DEATH, BENEFITS; COORDINATION WITH GOVERNMENTAL SURVIVOR BENEFITS.] The following provisions shall apply to any dependent entitled to receive weekly compensation benefits under subdivisions 19 and 20 this section as the result of the death of an employee, and who is also receiving or entitled to receive benefits under any government survivor program:

(a) The combined total of weekly government survivor benefits and workmen's compensation death benefits provided under this section shall not exceed 100 percent of the weekly wage being earned by the deceased employee at the time of the injury causing his death; provided, however, that no state workmen's compensa-

tion death benefit shall be paid for any week in which the survivor benefits paid under the federal program, by themselves, exceed 100 percent of such weekly wage; and

(b) In the event that weekly workmen's compensation benefits payable as the result of an employee's death are reduced below the maximum benefit to which a dependent is otherwise entitled under this section, the 300 week limit on compensation payments provided in subdivisions 19 and 20 *this section shall not apply.*"

Page 28, line 2, strike "55" and insert "50"

Page 28, line 10, strike "55" and insert "50"

Page 28, line 29, strike "55" and insert "50"

Page 29, line 11, strike "they" and insert "*an amount equal to 25 percent of that portion of the fee which is in excess of \$250*"

Page 29, line 13, after the period insert "*The fees shall be subject to the limitations contained in section 176.081.*"

Page 32, strike lines 15 to 32

Page 33, strike lines 1 to 32

Page 34, strike line 1

Page 34, line 28, strike "they" and insert "*an amount equal to 25 percent of that portion of the fee which is in excess of \$250*"

Page 34, line 30, after the period insert "*The fees shall be subject to the limitations contained in section 176.081.*"

Page 35, line 22, strike "workmen's" and insert "workers' "

Page 35, line 23, after "section" insert "*including costs and reasonable attorney fees, and for punitive damages not to exceed three times the amount of any compensation benefit to which the employee is entitled*"

Page 35, line 28, after "Subdivisions" strike "6, 7, 8," and after "9" strike "12, 13, 14, 15," and insert "and" and strike "20 and"

Page 35, line 29, strike "21,"

Page 36, line 10, strike "12"

Page 36, line 10, after "13," insert "15,"

Page 36, line 10, strike "25" and insert "30"

Renumber the sections

Amend the title as follows:

Page 1, line 5, strike "Subdivisions 9, and 16"

Page 1, line 6, strike "and"

Page 1, line 7, strike “, and by adding subdivisions”

Page 1, line 8, strike “5 and” and insert “6, 7, 8,” and after “11” insert “, 12, 20 and 21”

Page 1, line 10, strike “176.191;”

Page 1, line 12, strike “Chapter”

Page 1, line 12, strike “sections” and insert “a section”

Page 1, line 14, after “Subdivisions” strike “6, 7, 8,” and after “9” strike “, 12, 13, 14, 15,” and insert “and”

Page 1, line 15, after “19” strike “, 20 and 21”

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend H. F. No. 522 as follows:

Pages 29 and 30, strike all of Section 17

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, strike “176.141;”

The motion prevailed. So the amendment was adopted.

Mr. Pillsbury moved to amend H. F. No. 522 as follows:

Strike the Keefe, S. amendment to page 11, line 14, adopted May 13, 1975

Page 11, strike lines 14 and 15 and insert “*shall be \$135.*”

Strike the Keefe, S. amendment to page 12, line 15

Page 12, line 15, reinstate the stricken language

Page 12, line 15, strike “\$100” and insert “\$135”

Page 12, line 15, strike the new language

Strike the Keefe, S. amendment to page 12, line 16

Page 12, line 16, strike the new language

Page 12, line 31, reinstate the stricken language

Page 12, line 31, strike “\$100” and insert “\$135”

Page 12, line 31, strike the new language

Strike the Keefe, S. amendment to page 12, line 31

Page 12, line 32, strike the new language

Strike the Keefe, S. amendment to page 12, line 32

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Olhoff	Renneke
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Schmitz
Berg	Hansen, Baldy	Knutson	Olson, J. L.	Schrom
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Sillers
Blatz	Hanson, R.	Larson	Patton	Ueland
Brataas	Josefson	Moe	Pillsbury	Wegener
Brown	Keefe, J.	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Arnold	Davies	Laufenburger	Ogdahl	Stassen
Borden	Doty	Lewis	Olson, A. G.	Stokowski
Chenoweth	Gearty	McCutcheon	Perpich, A. J.	Stumpf
Chmielewski	Hughes	Merriam	Perpich, G.	Tennessee
Coleman	Humphrey	Milton	Schaaf	
Conzemius	Keefe, S.	North	Spear	

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 522 as follows:

Page 7, line 23, reinstate the stricken language

Page 7, line 24, reinstate "for hire"

Page 7, line 25, reinstate "are not subject"

Page 7, line 25, after the stricken "thereto" insert "*to this chapter*"

Page 7, line 25, reinstate "if a"

Page 7, reinstate line 26

Page 7, line 27, reinstate "professional athlete and the employer"

Page 7, line 28, reinstate "is filed with the commission" and after "commission" insert a period

The motion prevailed. So the amendment was adopted.

H. F. No. 522 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 36 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, H. D.	Stassen
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stokowski
Borden	Hughes	Merriam	Perpich, G.	Stumpf
Chenoweth	Humphrey	Milton	Pillsbury	Tennessee
Chmielewski	Jensen	Moe	Purfeerst	
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kleinbaum	Ogdahl	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Renneke	Willet
Berg	Fitzsimons	Larson	Schmitz	
Bernhagen	Frederick	Olhoff	Sillers	
Blatz	Hansen, Baldy	Olson, J. L.	Ueland	
Brataas	Josefson	Patton	Wegener	

So the bill, as amended, passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that S. F. No. 1653, No. 13 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

S. F. No. 1653: A bill for an act relating to land planning in the metropolitan area; requiring local adoption of minimum plans and controls; providing for limited council review and acceptance prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning; amending Minnesota Statutes 1974, Section 462.-355, by adding a subdivision; and Laws 1975, Chapter 13, Section 19, and by adding sections.

The question recurred on Mr. Conzemius' motion of May 12 to re-refer S. F. No. 1653 to the Committee on Metropolitan and Urban Affairs.

The question being taken on the adoption of the motion,

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Jensen	Nelson	Schmitz
Ashbach	Conzemius	Josefson	Olson, J. L.	Schrom
Bang	Dunn	Keefe, J.	O'Neill	Sillers
Berg	Fitzsimons	Kirchner	Patton	Stassen
Bernhagen	Frederick	Knutson	Pillsbury	Ueland
Blatz	Hansen, Baldy	Kowalczyk	Purfeerst	Wegener
Brown	Hanson, R.	Larson	Renneke	

Those who voted in the negative were:

Borden	Hansen, Mel	McCutcheon	Olson, A. G.	Stokowski
Brataas	Hughes	Merriam	Olson, H. D.	Stumpf
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennesen
Coleman	Keefe, S.	Moe	Perpich, G.	Willet
Davies	Kleinbaum	North	Schaaf	
Doty	Laufenburger	Ogdahl	Solon	
Gearty	Lewis	Olhoff	Spear	

The motion prevailed.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 p.m. having arrived, the President called the Senate to order.

**CALL OF THE SENATE**

Mr. Coleman imposed a call of the Senate for the balance of today's Session. The following Senators answered to their names:

Arnold	Conzemius	Josefson	Merriam	Pillsbury
Ashbach	Davies	Keefe, S.	Nelson	Renneke
Berg	Dunn	Kirchner	North	Schmitz
Borden	Fitzsimons	Knutson	Olhoft	Schrom
Brataas	Gearty	Kowalczyk	Olson, A. G.	Stassen
Brown	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Chmielewski	Hansen, Mel	Laufenburger	Patton	Tennessee
Coleman	Hughes	McCutcheon	Perpich, A. J.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

**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.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Willet moved that S. F. No. 460 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. NO. 460**

A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

May 12, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 460 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendment and that S. F. No. 460 be further amended as follows:

Page 2, line 2, delete "July 1, 1976" and insert "January 1, 1977"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Gerald L. Willet, Myrton O. Wegener, Roger Hanson.

House Conferees: (Signed) Neil S. Haugerud, Willard M. Munger, Ken Nelson.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Jensen moved that H. F. No. 522 be recalled from the House of Representatives for further consideration.

The question being taken on the adoption of the motion,

Mr. Coleman moved that those not voting be excused from voting.

The question being taken on adoption of the motion of Mr. Coleman,

And the roll being called, there were yeas 39 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	North	Solon
Arnold	Hansen, Baldy	Larson	Olhoft	Spear
Borden	Hansen, Mel	Laufenburger	Olson, A. G.	Stokowski
Chenoweth	Hanson, R.	Lewis	Olson, H. D.	Stumpf
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Humphrey	Merriam	Pillsbury	Wegener
Conzemius	Keefe, S.	Milton	Schaaf	Willet
Davies	Kleinbaum	Moe	Schrom	

Those who voted in the negative were:

Brown	Keefe, J.	Nelson	Patton	Sillers
Jensen	Kirchner	Olson, J. L.	Renneke	Ueland
Josefson	Kowalczyk	O'Neill	Schmitz	

The motion prevailed.

The question recurred on the adoption of the motion of Mr. Jensen,

And the roll being called, there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	North	Schrom
Bang	Fitzsimons	Kirchner	Olson, J. L.	Sillers
Blatz	Hansen, Mel	Knutson	O'Neill	Ueland
Brataas	Hanson, R.	Kowalczyk	Patton	
Brown	Jensen	Larson	Pillsbury	
Chmielewski	Josefson	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olson, H. D.	Stumpf
Arnold	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessen
Borden	Hughes	Merriam	Perpich, G.	Wegener
Chenoweth	Humphrey	Milton	Schaaf	Willet
Coleman	Keefe, S.	Moe	Schmitz	
Conzemius	Kleinbaum	Olhoff	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

The motion did not prevail.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1758:

Messrs. Arnold; Ashbach; Davies; Hansen, Mel and Tennesen. The motion prevailed.

#### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1, No. 112 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

Mr. Merriam moved to amend H. F. No. 1 as follows:

Page 28, line 9, strike "*July 6*" and insert "*June 30*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1 as amended by the Committee on Labor and Commerce, adopted by the Senate May 6, 1975, as follows:

Strike the committee amendment to pages 32 and 33 and further amend H. F. No. 1 as follows:

Page 33, line 10, reinstate the stricken language

Page 33, line 12, strike "full time"

Page 33, strike lines 17 to 32

Strike the committee amendment to the title, page 1, lines 18 and 19, and amend the title as follows:

Page 1, line 18, strike ", 3,"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1 as follows:

Page 46, strike lines 6 to 28

Renumber the remaining sections

Amend the title as follows:

Page 1, line 12, strike "and of advisory"

Page 1, line 13, strike "council members"

Page 1, line 20, strike "6,"

The motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 1 as follows:

Page 19, line 8, reinstate the stricken language

Page 19, line 9, reinstate "equal to"

Page 19, line 9, after the stricken "\$4,800" insert "\$6,200"

Page 19, line 9, reinstate "has been"

Page 19, lines 9 through 12, strike the new language

Page 19, line 15, reinstate the stricken language

Page 19, line 19, after the stricken "\$4,800" insert "\$6,200"

Page 19, line 19, reinstate stricken "paid"

Page 19, line 20, strike the new language

Page 21, lines 6 through 18, strike the new language

Also strike the amendment to page 19, line 9, made by the Committee on Labor and Commerce adopted by the Senate May 6, 1975

The motion did not prevail. So the amendment was not adopted.

Mr. Josefson moved to amend H. F. No. 1 as follows:

Page 36, line 25, after "occurs" insert "*because of a voluntary separation as described in this clause or*"

Page 36, strike lines 27 to 29

Page 36, line 30, strike "(c)" and insert "(b)"

The motion prevailed. So the amendment was adopted.

Mr. Josefson then moved to amend H. F. No. 1, as amended by the Committee on Labor and Commerce, adopted by the Senate May 6, 1975, as follows:

Page 54, after line 31, insert:

"Sec. 26. Minnesota Statutes 1974, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source.

For each of the taxable years beginning after December 31, 1960 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1972, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, shall be in effect for taxable years beginning after December 31, 1973.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under chapter 290, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) Losses which do not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses, and including any such nonassignable losses which occur prior to the time the individual becomes a resident of the state of Minnesota;

(7) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(8) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(9) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1972, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1972, that was previously

allowed as a deduction either under section 290.01, subdivision 20 (b) (9) or under section 290.09, subdivision 24; and

(10) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29 ; and

(11) *Benefits received from the fund established by Minnesota Statutes, Section 268.06, but only to the extent that such benefits are attributable to employers and only to the extent that the total of benefits and federal adjusted gross income exceeds \$12,000.*

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to fifty per centum of such portion of the gain;

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Income which does not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20;

(5) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carry-forwards or carrybacks resulting from such losses;

(6) If included in federal adjusted gross income, the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(7) The amount of any pension or benefit which is excluded from gross income under the provisions of section 290.08, subdivision 6; and

(8) The amount of compensation for personal services in the armed forces of the United States or the United Nations which is excluded from gross income under the provisions of section 290.65; and

(9) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax

liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1972.

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1 (2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642 (g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 22, before "and" insert "290.01, Subdivision 20;"

The motion prevailed. So the amendment was adopted.

Mrs. Brataas moved to amend H. F. No. 1 as amended by the Committee on Labor and Commerce, adopted by the Senate May 6, 1975, as follows:

Strike the amendment to page 35, lines 19 and 20

The motion prevailed. So the amendment was adopted.

H. F. No. 1 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 60 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Schmitz
Arnold	Davies	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Blatz	Gearty	Larson	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Stumpf
Brown	Hanson, R.	McCutcheon	Perpich, G.	Tennessen
Chenoweth	Hughes	Merriam	Pillsbury	Ueland
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Josefson	Nelson	Schaaf	Willet

Messrs. Bernhagen, Jensen, Patton and Renneke voted in the negative.

So the bill, as amended, passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

S. F. No. 1135: A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

Mr. McCutcheon moved to amend S. F. No. 1135 as follows:

Page 2, line 2, after "premises" strike the remainder of the line and insert a semicolon

Page 2, strike lines 3 to 5

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen moved to amend S. F. No. 1135 as follows:

Page 3, line 21, strike "over"

Page 3, line 21, after "age" insert "*or over*"

Page 5, line 7, strike "over"

Page 5, line 8, after "age" insert "*or over*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1135 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Bernhagen moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 47 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jensen	Olson, A. G.	Sillers
Arnold	Davies	Josefson	Olson, H. D.	Solon
Ashbach	Dunn	Kirchner	Olson, J. L.	Stassen
Bang	Fitzsimons	Knutson	O'Neill	Stokowski
Berg	Frederick	Kowalczyk	Patton	Tennessee
Bernhagen	Gearty	McCutcheon	Perpich, A. J.	Wegener
Borden	Hansen, Baldy	Moe	Pillsbury	Willet
Brataas	Hansen, Mel	Nelson	Renneke	
Brown	Hanson, R.	Ogdahl	Schaaf	
Chenoweth	Hughes	Olhoft	Schmitz	

Those who voted in the negative were:

Blatz	Keefe, S.	Lewis	North	Spear
Coleman	Kleinbaum	Merriam	Perpich, G.	Stumpf
Conzemius	Laufenburger	Milton	Schrom	Ueland
Humphrey				

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Doty; Moe; Olson, J. L.; Renneke and Perpich, G. The motion prevailed.

### SPECIAL ORDER

S. F. No. 819: A bill for an act relating to taxation; providing for public financing in political campaigns; increasing the tax credit for political contributions; amending Minnesota Statutes 1974, Section 290.06, Subdivision 11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Olson, H. D.	Sillers
Bang	Frederick	Larson	Olson, J. L.	Solon
Berg	Gearty	Laufenburger	O'Neill	Spear
Bernhagen	Hanson, R.	Merriam	Patton	Stassen
Brataas	Hughes	Milton	Perpich, A. J.	Stokowski
Brown	Jensen	Moe	Perpich, G.	Stumpf
Chmielewski	Josefson	Nelson	Pillsbury	Ueland
Coleman	Keefe, S.	North	Renneke	Wegener
Conzemius	Kirchner	Ogdahl	Schaaf	Willet
Dunn	Kleinbaum	Olson, A. G.	Schmitz	

Messrs. Hansen, Baldy and Knutson voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 932: A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Kowalczyk	Olson, H. D.	Sillers
Berg	Hanson, R.	Larson	Olson, J. L.	Solon
Bernhagen	Hughes	Laufenburger	O'Neill	Spear
Brataas	Humphrey	Merriam	Patton	Stassen
Brown	Jensen	Milton	Perpich, A. J.	Stokowski
Chmielewski	Josefson	Moe	Perpich, G.	Stumpf
Conzemius	Keefe, S.	Nelson	Pillsbury	Ueland
Fitzsimons	Kirchner	North	Renneke	Willet
Frederick	Kleinbaum	Ogdahl	Schaaf	
Gearty	Knutson	Olson, A. G.	Schmitz	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 689: A bill for an act relating to local government; providing for the creation and operation of community councils in the city of Minneapolis.

Mr. Keefe, S. moved to amend S. F. No. 689 as follows:

Page 1, line 18, strike "to participate"

Page 2, line 25, strike "recognized neighborhood" and insert "proposed community service"

Page 2, line 26, strike "a" and insert "the"

Page 3, line 2, strike "to" and insert "in"

Page 3, line 7, after "provided" insert "by the state agency, governmental subdivision, or agency of a subdivision"

Page 3, line 7, strike "city council" and insert "governing body of the city"

Page 3, lines 10 and 11, strike "any governmental subdivision of the state" and insert "Hennepin county"

Page 3, line 12, strike "substantive"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S. F. No. 689 as follows:

Page 2, line 8, strike "may" and insert "shall"

Page 2, line 10, strike "or be selected in any other"

Page 2, strike line 11

Page 2, line 12, strike "Minneapolis"

Page 2, line 14, strike "or selective"

Page 2, line 16, strike everything after "council"

Page 2, strike line 17

Page 2, line 18, strike "Members so appointed shall serve"

The motion did not prevail. So the amendment was not adopted.

S. F. No. 689 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Borden	Laufenburger	Olhoft	Schmitz	Ueland
Brataas	Merriam	Olson, H. D.	Solon	Wegener
Davies	Milton	O'Neill	Spear	Willet
Hanson, R.	Nelson	Perpich, A. J.	Stumpf	
Humphrey	North	Schaaf	Tennessee	

Those who voted in the negative were:

Ashbach	Conzemius	Hughes	Kowalczyk	Schrom
Bang	Dunn	Jensen	Larson	Sillers
Berg	Fitzsimons	Josefson	Ogdahl	Stassen
Bernhagen	Frederick	Keefe, S.	Olson, A. G.	Stokowski
Blatz	Gearty	Kirchner	Patton	
Chmielewski	Hansen, Baldy	Kleinbaum	Pillsbury	
Coleman	Hansen, Mel	Knutson	Purfeerst	

So the bill failed to pass.

#### MEMBERS EXCUSED

Mr. Milton was excused for the balance of this afternoon's Session.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 669, No. 91 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 669: A bill for an act relating to taxation; assessment and collection of personal property taxes on mobile homes; amending Minnesota Statutes 1974, Section 273.13, Subdivision 3; and Chapter 274, 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Bang	Frederick	Knutson	O'Neill	Solon
Borden	Gearty	Kowalczyk	Patton	Spear
Brataas	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Laufenburger	Pillsbury	Stumpf
Coleman	Humphrey	Nelson	Purfeerst	Ueland
Conzemius	Jensen	North	Schaaf	Wegener
Dunn	Kirchner	Olhoft	Schmitz	Willet

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1124: A bill for an act relating to Anoka county; creating a housing and redevelopment authority in Anoka county; applying the provisions of the municipal housing and redevelopment act to Anoka county.

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 2, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olson, A. G.	Sillers
Bang	Frederick	Kleinbaum	Olson, H. D.	Solon
Berg	Gearty	Knutson	O'Neill	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	Stokowski
Borden	Hanson, R.	Larson	Perpich, A. J.	Ueland
Brataas	Hughes	Merriam	Pillsbury	Willet
Chmielewski	Humphrey	Nelson	Purfeerst	
Conzemius	Jensen	Ogdahl	Schaaf	
Dunn	Josefson	Olhoft	Schmitz	

Messrs. North and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1077: A bill for an act relating to taxation; income tax credit; defining homestead; amending Minnesota Statutes 1974, Section 290.0601, Subdivision 5.

Mr. Frederick moved to amend S. F. No. 1077 as follows:

Page 1, line 10, after "spouse," insert "*unless it is not so occupied by the claimant due to circumstances beyond his control,*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1077 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:

Anderson	Fitzsimons	Keefe, S.	Nelson	Schaaf
Berg	Frederick	Kirchner	North	Schmitz
Bernhagen	Gearty	Kleinbaum	Olhoft	Schrom
Blatz	Hansen, Baldy	Knutson	Olson, H. D.	Sillers
Borden	Hanson, R.	Kowalczyk	O'Neill	Stassen
Brataas	Hughes	Larson	Patton	Stokowski
Chenoweth	Humphrey	Laufenburger	Perpich, A. J.	Stumpf
Chmielewski	Jensen	Merriam	Pillsbury	Ueland
Dunn	Josefson	Milton	Purfeerst	Willet

So the bill, as amended, passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1126: A bill for an act relating to plats and surveys in Anoka county; providing for verification by the county surveyor and providing for a fee.

Mrs. Brataas moved to amend S. F. No. 1126 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [CHECKING PLATS AND SURVEYS IN CERTAIN COUNTIES.] In any county in which the office of the county surveyor is a full time position and the surveyor has an office in a building maintained by the county for county purposes, the county board may, by ordinance adopted in accordance with section 375.51, require that each subdivision plat or registered land survey plat shall be approved by the county surveyor before recording. The proprietor of the plat shall be charged a fee for the service in accordance with a schedule established by the board of commissioners of the county.

Sec. 2. This act is effective upon approval by a majority of the governing body of the county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, strike lines 2 to 4 and insert:

"relating to counties; providing for the approval of plats and surveys by the county surveyor in certain counties; providing for a fee."

The motion prevailed. So the amendment was adopted.

S. F. No. 1126: A bill for an act relating to counties; providing for the approval of plats and surveys by the county surveyor in certain counties; providing for a fee.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Schmitz
Berg	Frederick	Kirchner	Olhoft	Sillers
Blatz	Gearty	Kleinbaum	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Knutson	O'Neill	Stokowski
Brataas	Hanson, R.	Kowalczyk	Patton	Stumpf
Chenoweth	Hughes	Larson	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Laufenburger	Pillsbury	Willet
Coleman	Jensen	Merriam	Purfeerst	
Dunn	Josefson	Nelson	Schaaf	

Mr. Schrom voted in the negative.

So the bill, as amended, passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1551: A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Schrom
Berg	Frederick	Kirchner	Olhoft	Sillers
Blatz	Gearty	Kleinbaum	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Knutson	O'Neill	Stokowski
Brataas	Hanson, R.	Kowalczyk	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Larson	Pillsbury	Ueland
Chmielewski	Humphrey	Laufenburger	Purfeerst	Willet
Coleman	Jensen	Merriam	Schaaf	
Dunn	Josefson	Nelson	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 45: A bill for an act relating to taxation; exempting from sales and use tax certain sand and gravel; amending Minnesota Statutes 1974, Section 297A.25, 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 16 and nays 29, as follows:

Those who voted in the affirmative were:

Berg	Fitzsimons	Jensen	O'Neill	Schrom
Bernhagen	Hansen, Baldy	Larson	Pillsbury	Ueland
Brataas	Hanson, R.	Laufenburger	Schmitz	Wegener
Chmielewski				

Those who voted in the negative were:

Anderson	Gearty	Kowalczyk	Olson, A. G.	Sillers
Borden	Humphrey	Lewis	Olson, H. D.	Solon
Chenoweth	Josefson	McCutcheon	Patton	Spear
Coleman	Keefe, S.	Nelson	Perpich, A. J.	Stumpf
Doty	Kirchner	North	Purfeerst	Willet
Dunn	Knutson	Olhoft	Schaaf	

So the bill failed to pass.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 229, No. 106 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.-02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.-26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Solon
Berg	Frederick	Knutson	Olson, H. D.	Spear
Bernhagen	Gearty	Kowalczyk	O'Neill	Stassen
Blatz	Hansen, Baldy	Larson	Patton	Stokowski
Brataas	Hanson, R.	Laufenburger	Perpich, A. J.	Stumpf
Brown	Hughes	Lewis	Pillsbury	Ueland
Chmielewski	Humphrey	McCutcheon	Purfeerst	Wegener
Coleman	Jensen	Merriam	Schaaf	Willet
Conzemius	Josefson	Nelson	Schmitz	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. The motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

#### MEMBERS EXCUSED

Mr. Stassen was excused from the evening's Session at 7:00 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. 1674 at 7:00 p.m.:

Messrs. Blatz; Coleman; Conzemius; Olson, A. G. and Perpich, A. J. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 235 at 7:00 p.m.:

Messrs. Anderson, Hughes, Humphrey, O'Neill and Sillers. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 1759 at 8:00 p.m.:

Messrs. Borden, Chenoweth, Fitzsimons, Josefson and Willet. The motion prevailed.

#### SPECIAL ORDER

S. F. No. 863: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1974, Section 123.34, 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	North	Schmitz
Berg	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bernhagen	Gearty	Knutson	Olhoft	Solon
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Brown	Hansen, Mel	Larson	Olson, J. L.	Stumpf
Chmielewski	Hanson, R.	Laufenburger	Patton	Tennessee
Conzemius	Jensen	McCutcheon	Pillsbury	Ueland
Davies	Josefson	Merriam	Renneke	Wegener
Doty	Keefe, S.	Moe	Schaaf	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 628: A bill for an act relating to Voyageurs National Park; establishing and empowering an advisory committee thereon.

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 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Milton	Schmitz
Ashbach	Doty	Kirchner	Moe	Solon
Bang	Dunn	Kleinbaum	Ogdahl	Spear
Berg	Fitzsimons	Knutson	Olhoft	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Brown	Hansen, Mel	Laufenburger	Patton	Tennessee
Chenoweth	Hanson, R.	Lewis	Pillsbury	Ueland
Coleman	Jensen	McCutcheon	Renneke	Wegener
Conzemius	Josefson	Merriam	Schaaf	Willet

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 661: A bill for an act relating to labor; occupational safety and health; defining terms; requiring minimum posting time of citations; enforcement; notice to employee representative; amending Minnesota Statutes 1974, Sections 182.651, Subdivision 12; 182.66, Subdivision 2; and 182.661, Subdivisions 1 and 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kirchner	Nelson	Solon
Ashbach	Doty	Kleinbaum	North	Spear
Bang	Dunn	Knutson	Olhoff	Stassen
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Stumpf
Borden	Hansen, Baldy	Laufenburger	Patton	Tennessee
Brataas	Hansen, Mel	Lewis	Pillsbury	Ueland
Brown	Hanson, R.	McCutcheon	Renneke	Wegener
Chmielewski	Jensen	Merriam	Schaaf	Willet
Coleman	Josefson	Milton	Schmitz	
Conzemius	Keefe, S.	Moe	Schrom	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 973: A bill for an act relating to taxation; providing for a reduction of ad valorem taxes paid by certain persons; appropriating money; amending Minnesota Statutes 1974, Sections 273.011, Subdivision 5; 273.012, Subdivision 2, and by adding a subdivision; 273.061, by adding a subdivision; Minnesota Statutes 1974, Chapter 273, by adding sections; and repealing Minnesota Statutes 1974, Section 290.066.

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	Doty	Kleinbaum	North	Schrom
Bang	Fitzsimons	Knutson	Ogdahl	Solon
Berg	Frederick	Kowalczyk	Olhoff	Spear
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Stumpf
Brataas	Hansen, Mel	Lewis	Patton	Tennessee
Brown	Hanson, R.	McCutcheon	Pillsbury	Ueland
Chmielewski	Jensen	Merriam	Purfeerst	Wegener
Coleman	Josefson	Milton	Renneke	Willet
Conzemius	Keefe, S.	Moe	Schaaf	
Davies	Kirchner	Nelson	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 866: A bill for an act relating to liquor; abolishing the office of liquor control commissioner and transferring the powers and duties thereof to the commissioners of public safety and revenue; amending Minnesota Statutes 1974, Chapter 299A, by adding a section; Sections 299A.01, Subdivision 3; 340.44; 340.47, Subdivision 2; 340.485, Subdivision 1; and 340.492; repealing Minnesota Statutes 1974, Sections 299A.01, Subdivision 4; 340.08; 340.09; 340.485, Subdivision 4; and 340.491.

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	Doty	Knutson	Olhoff	Solon
Berg	Dunn	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Fitzsimons	Larson	Olson, J. L.	Stokowski
Borden	Frederick	Laufenburger	Patton	Stumpf
Brataas	Gearty	McCutcheon	Pillsbury	Ueland
Brown	Hansen, Baldy	Merriam	Purfeerst	Wegener
Chenoweth	Jensen	Moe	Renneke	Willet
Chmielewski	Josefson	Nelson	Schaaf	
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1169: A bill for an act relating to agriculture; inspection; licensing; fees; amending Minnesota Statutes 1974, Sections 17.35, Subdivision 6; 18.032, Subdivision 6; 18.53; 18.54, Subdivision 1; 18A.02, Subdivision 3; 21.54, Subdivision 2; 24.072, Subdivisions 2 and 4; 28A.03; 28A.04; 28A.05; 28A.08; 28A.09; 28A.15, Subdivision 5; 31.101; 31.102, Subdivision 1; 31.103, Subdivision 1; 31.104; 31.31; 31.39; 32.075; 32.394, Subdivision 8, and by adding subdivisions; 32.59; and 34.05, Subdivisions 1 and 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Olson, H. D. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 39 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Spear
Arnold	Fitzsimons	Keefe, S.	North	Stassen
Berg	Gearty	Kleinbaum	Olhoff	Stokowski
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stumpf
Chenoweth	Hansen, Mel	Laufenburger	Purfeerst	Tennessee
Chmielewski	Hanson, R.	Lewis	Schmitz	Wegener
Coleman	Hughes	Merriam	Schrom	Willet
Davies	Humphrey	Milton	Solon	

Those who voted in the negative were:

Bang	Dunn	Kowalczyk	Olson, J. L.	Renneke
Bernhagen	Jensen	McCutcheon	O'Neill	Sillers
Brataas	Kirchner	Nelson	Patton	Ueland
Brown	Knutson	Ogdahl	Pillsbury	

So the bill passed and its title was agreed to.

#### MEMBERS EXCUSED

Mr. Nelson was excused from the balance of this evening's Session.

#### SPECIAL ORDER

H. F. No. 745: A bill for an act relating to charitable organizations; solicitation; limitations and prohibitions; amending Minnesota Statutes 1974, Section 309.55, Subdivision 5; and by adding a subdivision.

Mr. Milton moved to amend H. F. No. 745 as follows:

Page 1, line 16, strike "*which unfairly tend*" and insert "*designed*"

The motion prevailed. So the amendment was adopted.

H. F. No. 745 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 34 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Larson	Olhoft	Schmitz
Berg	Hanson, R.	Laufenburger	Olson, H. D.	Solon
Brataas	Jensen	Lewis	Olson, J. L.	Spear
Brown	Keefe, J.	McCutcheon	Patton	Stokowski
Chenoweth	Kirchner	Milton	Pillsbury	Stumpf
Doty	Kleinbaum	Moe	Purfeerst	Ueland
Gearty	Knutson	North	Renneke	

Those who voted in the negative were:

Borden	Chmielewski	Merriam	Schrom	Wegener
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So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 557: A bill for an act relating to commerce; consumer fraud; providing an exclusion for mass media; amending Minnesota Statutes 1974, Sections 325.774; and 325.79, Subdivision 3.

Mr. Olhoft moved that the amendment made to H. F. No. 557 by the Committee on Rules and Administration in the report adopted May 10, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 557 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 1, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Olson, J. L.	Stokowski
Berg	Frederick	Larson	Patton	Stumpf
Bernhagen	Gearly	Laufenburger	Pillsbury	Ueland
Borden	Hansen, Baldy	McCutcheon	Purfeerst	Wegener
Brataas	Hanson, R.	Merriam	Renneke	
Brown	Jensen	Moe	Schmitz	
Chmielewski	Kirchner	North	Solon	
Doty	Kleinbaum	Olhoft	Spear	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 534: A bill for an act relating to chiropractic; further defining the term "chiropractic"; amending Minnesota Statutes 1974, Sections 148.01, by adding a subdivision; and 148.08, 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	North	Renneke
Berg	Frederick	Kleinbaum	Ogdahl	Schmitz
Bernhagen	Gearly	Knutson	Olhoft	Solon
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Spear
Brataas	Hanson, R.	Larson	Patton	Stokowski
Brown	Jensen	Laufenburger	Perpich, G.	Stumpf
Chmielewski	Josefson	Merriam	Pillsbury	Ueland
Doty	Keefe, S.	Moe	Purfeerst	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1252: A bill for an act relating to the sale of state owned lands to the city of Owatonna; providing for valuation at current fair market value; amending Laws 1965, Chapter 216, Sections 2, as amended; and 3, Subdivision 1, as amended.

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	Frederick	Knutson	Ogdahl	Schmitz
Berg	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Spear
Brataas	Hanson, R.	Laufenburger	Patton	Stokowski
Brown	Jensen	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Keefe, S.	Merriam	Pillsbury	Ueland
Doty	Kirchner	Moe	Purfeerst	Wegener
Dunn	Kleinbaum	North	Renneke	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1107: A bill for an act relating to railroads; requiring certain railroad locomotives to have certain equipment; requiring certain records to be kept thereof; and prescribing certain duties of the department of public service in relation thereto.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kowalczyk	Olhoft	Solon
Berg	Hansen, Baldy	Larson	Olson, J. L.	Spear
Brataas	Hanson, R.	Laufenburger	Patton	Stokowski
Brown	Jensen	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Keefe, S.	Merriam	Purfeerst	Ueland
Doty	Kirchner	Moe	Renneke	Wegener
Dunn	Kleinbaum	North	Schmitz	
Frederick	Knutson	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1476: A bill for an act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota Statutes 1974, Section 162.10.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Larson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Laufenburger	Patton	Stokowski
Bernhagen	Hanson, R.	McCutcheon	Perpich, G.	Stumpf
Brown	Jensen	Merriam	Pillsbury	Ueland
Chmielewski	Keefe, S.	Milton	Purfeerst	Wegener
Doty	Kirchner	Ogdahl	Renneke	
Dunn	Kleinbaum	Olhoft	Schmitz	
Frederick	Kowalczyk	Olson, H. D.	Solon	

Messrs. Knutson and North voted in the negative.

So the bill passed and its title was agreed to.

Mr. Schmitz moved that S. F. No. 1293 be stricken from the Special Orders Calendar and returned to its author. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 49: A bill for an act relating to the city of Duluth; authorizing the rendering of emergency service by physician's trained mobile intensive care paramedic; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Hanson, R.	Laufenburger	Olson, J. L.	Spear
Berg	Jensen	McCutcheon	Patton	Stokowski
Bernhagen	Keefe, S.	Merriam	Perpich, G.	Stumpf
Brown	Kirchner	Milton	Pillsbury	Ueland
Chmielewski	Kleinbaum	North	Purfeerst	Wegener
Doty	Knutson	Ogdahl	Renneke	
Gearty	Kowalczyk	Olhoft	Schmitz	
Hansen, Baldy	Larson	Olson, H. D.	Solon	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 332: A bill for an act relating to taxation; providing for filing and disclosure requirements for certain tax exempt property; providing a penalty; amending Minnesota Statutes 1974, Section 272.02, Subdivision 1; and Chapter 272, 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 36 and nays 4, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Laufenburger	Olson, H. D.	Stokowski
Berg	Hanson, R.	McCutcheon	Olson, J. L.	Stumpf
Bernhagen	Keefe, S.	Merriam	Perpich, G.	Ueland
Brataas	Kirchner	Milton	Pillsbury	Wegener
Brown	Kleinbaum	Moe	Purfeerst	
Chmielewski	Knutson	North	Schmitz	
Doty	Kowalczyk	Ogdahl	Solon	
Dunn	Larson	Olhoft	Spear	

Messrs. Hansen, Baldy; Patton; Renneke and Schrom voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 715: A bill for an act relating to public welfare; clarifying the definition of vendor of medical assistance to cover public health nurses; amending Minnesota Statutes 1974, Section 256B.02, Subdivision 7.

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	Gerty	Kowalczyk	Olhoft	Schrom
Berg	Hansen, Baldy	Larson	Olson, H. D.	Solon
Bernhagen	Hanson, R.	McCutcheon	Olson, J. L.	Spear
Brataas	Jensen	Merriam	Perpich, G.	Stokowski
Brown	Keefe, S.	Milton	Pillsbury	Stumpf
Chmielewski	Kirchner	Moe	Purfeerst	Ueland
Doty	Kleinbaum	North	Renneke	Wegener
Dunn	Knutson	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 209: A bill for an act relating to adoptions; annulment of decree after discovery of defect; repealing Minnesota Statutes 1974, Section 259.30.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kowalczyk	Ogdahl	Schrom
Berg	Gerty	Larson	Olhoft	Solon
Bernhagen	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Brataas	Hanson, R.	McCutcheon	Olson, J. L.	Stokowski
Brown	Keefe, S.	Merriam	Perpich, G.	Stumpf
Chmielewski	Kirchner	Milton	Pillsbury	Ueland
Doty	Kleinbaum	Moe	Purfeerst	Wegener
Dunn	Knutson	North	Schmitz	

Messrs. Jensen and Renneke voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 884: A bill for an act relating to taxation; providing a homestead exemption for certain stockholders of a family farm corporation and partners of a partnership; amending Minnesota Statutes 1974, Section 273.13, by adding a subdivision.

Mr. Berg moved that the amendment made to H. F. No. 884 by the Committee on Rules and Administration in the report

adopted May 10, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 884 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Perpich, G. moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 38 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Jensen	Merriam	Purfeerst
Bang	Dunn	Josefson	Moe	Renneke
Berg	Fitzsimons	Kirchner	Ogdahl	Schmitz
Bernhagen	Frederick	Kleinbaum	Olhoft	Schrom
Borden	Gearty	Knutson	Olson, H. D.	Stokowski
Brataas	Hansen, Baldy	Kowalczyk	Olson, J. L.	Ueland
Brown	Hansen, Mel	Larson	Patton	
Chmielewski	Hanson, R.	Laufenburger	Pillsbury	

Those who voted in the negative were:

Keefe, S.	Milton	Perpich, G.	Spear	Tennessee
McCutcheon	North	Solon	Stumpf	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 78: A bill for an act relating to the operation of state government; requiring departments, agencies and institutions of the state to procure products and services from sheltered workshops and work activity programs.

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	Frederick	Kowalczyk	Olhoft	Schmitz
Berg	Gearty	Larson	Olson, H. D.	Solon
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Brataas	Hanson, R.	Merriam	Patton	Stokowski
Brown	Jensen	Milton	Perpich, G.	Stumpf
Chmielewski	Kirchner	Moe	Pillsbury	Ueland
Doty	Kleinbaum	North	Purfeerst	Wegener
Dunn	Knutson	Ogdahl	Renneke	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1058: A bill for an act relating to state parks; adding land to Helmer Myre state park.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	North	Renneke
Berg	Gearty	Kowalczyk	Ogdahl	Schmitz
Bernhagen	Hansen, Baldy	Larson	Olhoft	Solon
Brataas	Hanson, R.	Laufenburger	Olson, H. D.	Spear
Brown	Jensen	McCutcheon	Olson, J. L.	Stokowski
Chmielewski	Keefe, S.	Merriam	Patton	Stumpf
Conzemius	Kirchner	Milton	Pillsbury	Ueland
Doty	Kleinbaum	Moe	Purfeerst	Wegener

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1569: A bill for an act relating to the city of Shoreview; authorizing the city of Shoreview to defer special assessments previously levied on property owned by senior citizens.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kowalczyk	Ogdahl	Schmitz
Berg	Hansen, Baldy	Larson	Olhoft	Schrom
Bernhagen	Hanson, R.	Laufenburger	Olson, H. D.	Solon
Brataas	Jensen	McCutcheon	Olson, J. L.	Spear
Brown	Keefe, S.	Merriam	Patton	Stokowski
Chmielewski	Kirchner	Milton	Perpich, G.	Stumpf
Conzemius	Kleinbaum	Moe	Purfeerst	Ueland
Doty	Knutson	North	Renneke	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 866: A bill for an act relating to courts; setting the salaries for certain court reporters; amending Minnesota Statutes 1974, Section 486.05.

Mr. Kleinbaum moved that the amendment made to H. F. No. 866 by the Committee on Rules and Administration in the report adopted May 5, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 866 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 34 and nays 9, as follows:

Those who voted in the affirmative were:

Berg	Doty	Kleinbaum	Ogdahl	Solon
Bernhagen	Dunn	Knutson	Olson, H. D.	Spear
Brown	Gearly	Kowalczyk	Olson, J. L.	Stokowski
Chmielewski	Hanson, R.	Larson	Patton	Stumpf
Coleman	Jensen	Laufenburger	Pillsbury	Ueland
Conzemius	Keefe, S.	Merriam	Renneke	Wegener
Davies	Kirchner	Milton	Schmitz	

Those who voted in the negative were:

Bang	Hansen, Baldy	North	Perpich, G.	Schrom
Brataas	Moe	Olhoft	Purfeerst	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1277: A bill for an act relating to the legislature; prescribing powers and duties of the joint coordinating committee; amending Minnesota Statutes 1974, Chapter 3, by adding a section; Section 3.304, Subdivisions 1, 2, 3 and 5; and Chapter 482, by adding sections; repealing Minnesota Statutes 1974, Section 3.304, Subdivisions 4, 6 and 7.

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:

Bang	Frederick	Larson	Olson, H. D.	Solon
Berg	Gearly	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	McCutcheon	Patton	Stokowski
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Brown	Jensen	Milton	Perpich, G.	Ueland
Chmielewski	Keefe, S.	Moe	Pillsbury	Wegener
Coleman	Kirchner	North	Purfeerst	
Conzemius	Kleinbaum	Ogdahl	Renneke	
Doty	Knutson	Olhoft	Schmitz	
Dunn	Kowalczyk	Olson, A. G.	Schrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1552: A bill for an act relating to public welfare; pertaining to the development of community based residential care facilities for the mentally ill, mentally deficient and drug dependent through the housing finance agency; amending Minnesota Statutes 1974, Sections 462A.02, by adding a subdivision; 462A.03, Subdivision 7, and by adding subdivisions.

Mr. Perpich G. moved to amend S. F. No. 1552 as follows:

Page 1, line 13, strike "found and"

Page 1, line 20, strike "*remodeling*" and insert "*rehabilitation*"

Page 1, line 22, strike "*attendant thereto*"

Page 2, line 5, strike "*undertaken*"

The motion prevailed. So the amendment was adopted.

S. F. No. 1552 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Larson	Olson, H. D.	Solon
Berg	Gearty	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	McCutcheon	Patton	Stokowski
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Brown	Jensen	Milton	Perpich, G.	Ueland
Chmielewski	Keefe, S.	Moe	Pillsbury	Wegener
Coleman	Kirchner	North	Purfeerst	
Conzemius	Kleinbaum	Ogdahl	Renneke	
Doty	Knutson	Olhoft	Schmitz	
Dunn	Kowalczyk	Olson, A. G.	Schrom	

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 146: A bill for an act relating to commerce; requiring that tents and sleeping bags be flame resistant; providing a penalty.

Mr. Keefe, S. moved that the amendments to H. F. No. 146 made by the Committee on Labor and Commerce, adopted by the Senate April 28, 1975 be stricken.

The motion prevailed. So the amendments were stricken.

H. F. No. 146 was then progressed.

#### SPECIAL ORDER

H. F. No. 161: A bill for an act relating to occupational safety and health; authorizing certain actions against an employer to be brought by the commissioner in the district court; amending Minnesota Statutes 1974, Section 182.669, Subdivision 1; repealing Minnesota Statutes 1974, Section 182.669, Subdivisions 2, 3, 4, 5 and 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kowalczyk	Olhoff	Solon
Berg	Frederick	Larson	Olson, A. G.	Spear
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stokowski
Brataas	Hansen, Baldy	Merriam	Olson, J. L.	Stumpf
Brown	Hanson, R.	Milton	Perpich, A. J.	Ueland
Chmielewski	Keefe, S.	Nelson	Perpich, G.	Wegener
Coleman	Kleinbaum	North	Purfeerst	
Doty	Knutson	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 794: A bill for an act relating to labor; providing for the determination of prevailing wage rates for state financed projects and highway construction; providing penalties; amending Minnesota Statutes 1974, Sections 177.41; 177.42, Subdivision 2; 177.43, Subdivisions 4 and 5; and 177.44, Subdivisions 4 and 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Doty	Knutson	Ogdahl	Schmitz
Berg	Dunn	Kowalczyk	Olhoff	Schrom
Bernhagen	Frederick	Larson	Olson, A. G.	Solon
Brataas	Gearty	Laufenburger	Olson, J. L.	Spear
Brown	Hansen, Baldy	Merriam	Patton	Stokowski
Chmielewski	Hanson, R.	Milton	Perpich, A. J.	Stumpf
Coleman	Keefe, S.	Nelson	Purfeerst	Ueland
Conzemius	Kleinbaum	North	Renneke	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 232: A bill for an act relating to commerce; removing certain responsibilities for bedding from the department of labor and industry; providing penalties for mislabeling of bedding; amending Minnesota Statutes 1974, Sections 325.30; 325.32; repealing Minnesota Statutes 1974, Sections 325.28; and 325.29.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Coleman	Gearty	Kleinbaum	Merriam
Bernhagen	Conzemius	Hansen, Baldy	Knutson	Milton
Brataas	Doty	Hanson, R.	Kowalczyk	Moe
Brown	Dunn	Jensen	Larson	Nelson
Chmielewski	Frederick	Keefe, S.	Laufenburger	North

Ogdahl	Olson, J. L.	Purfeerst	Solon	Ueland
Olhoff	Patton	Renneke	Spear	Wegener
Olson, A. G.	Perpich, A. J.	Schmitz	Stokowski	
Olson, H. D.	Perpich, G.	Schrom	Stumpf	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 486: A bill for an act relating to franchises; providing exceptions as to certain motor vehicle and motor fuel franchises; amending Minnesota Statutes 1974, Section 80C.01, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kowalczyk	Olson, J. L.	Spear
Berg	Frederick	Larson	Patton	Stokowski
Bernhagen	Gearty	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Hansen, Baldy	Merriam	Purfeerst	Ueland
Brown	Hanson, R.	Milton	Renneke	Wegener
Chmielewski	Jensen	Nelson	Schaaf	
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Ogdahl	Schrom	
Doty	Knutson	Olhoff	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1513: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for housing and rehabilitation loan and grant programs; removing certain bonding authority for rehabilitation loans for urban renewal development and code enforcement areas; amending Laws 1963, Chapter 881, Section 1, Subdivision 1, as amended, and by adding a subdivision; Laws 1974, Chapter 351, Section 4; repealing Laws 1963, Chapter 881, Sections 4 and 5, as added by Laws 1973, Chapter 395, 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 38 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Merriam	Olson, J. L.	Solon
Chmielewski	Humphrey	Milton	O'Neill	Spear
Coleman	Keefe, J.	Moe	Perpich, A. J.	Stokowski
Conzemius	Keefe, S.	Nelson	Perpich, G.	Stumpf
Doty	Kleinbaum	North	Purfeerst	Ueland
Dunn	Larson	Olhoff	Schaaf	Wegener
Gearty	Laufenburger	Olson, A. G.	Schmitz	
Hanson, R.	McCutcheon	Olson, H. D.	Sillers	

Those who voted in the negative were:

Bang	Brataas	Hansen, Baldy	Knutson	Renneke
Berg	Brown	Jensen	Patton	Schrom
Bernhagen	Frederick			

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 703: A bill for an act relating to state government; revising the personnel laws; amending Minnesota Statutes 1974, Chapter 43, by adding sections; Sections 15A.083, Subdivision 1; 43.05, Subdivision 2; 43.09, Subdivision 7; 43.20, Subdivision 4; 43.22, Subdivisions 2 and 3; 43.30; 43.42; 43.43; 43.47; 84.14, Subdivision 1; 487.02, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.071; 16.027, Subdivision 8.

Mr. Stokowski moved to amend the amendment placed on H. F. No. 703 by the Committee on Governmental Operations, adopted by the Senate May 5, 1975, as follows:

Sec. 4, strike all of subdivision 1

5th line, Sec. 4, strike "*Subd. 2.* [TEST RECORDS.]"

Sec. 13, third line, strike "state officers"

Sec. 13, 4th line, strike "or"

Sec. 13, 7th line, strike "state officers or"

Sec. 13, 8th line, strike "*public officer*" and insert "*state employee*"

The motion prevailed. So the amendment to the amendment was adopted.

H. F. No. 703 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 37 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	McCutcheon	Perpich, A. J.	Stokowski
Brataas	Hanson, R.	Merriam	Perpich, G.	Stumpf
Brown	Hughes	Milton	Purfeerst	Tennessee
Chmielewski	Humphrey	Moe	Schaaf	Ueland
Coleman	Keefe, J.	Olhoft	Schmitz	Wegener
Doty	Keefe, S.	Olson, A. G.	Schrom	
Dunn	Kleinbaum	Olson, H. D.	Solon	
Gearty	Laufenburger	O'Neill	Spear	

Those who voted in the negative were:

Ashbach	Bernhagen	Jensen	Nelson	Renneke
Bang	Frederick	Knutson	Olson, J. L.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Patton	

So the bill, as amended, passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. McCutcheon moved that H. F. No. 1526 be stricken from the Calendar of Ordinary Matters and returned to General Orders. The motion prevailed.

Without objection the Senate reverted to the Order of Business of Messages From the House and Reports of Committees.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 66: A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

There has been appointed as such committee on the part of the House:

McEachern, Begich and Biersdorf.

Senate File No. 66 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 13, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1160.

H. F. No. 1160: A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

McCauley, Pehler, McCollar, Brinkman and Jaros have been appointed as such committee on the part of the House.

House File No. 1160 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 13, 1975

Mr. Laufenburger moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1160, and

that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 522:

H. F. No. 522: A bill for an act relating to workmen's compensation; extending coverage; increasing benefit levels; providing for attorney's fees; amending Minnesota Statutes 1974, Section 79.28; 176.011, Subdivisions 9, and 16, and by adding subdivisions; 176.-041; 176.051; 176.081, and by adding subdivisions; 176.101; 176.-111, Subdivisions 1, 5 and 11; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.133; 176.141; 176.151; 176.191; 176.461; 176.-511, Subdivision 3; and Chapters 175, by adding a section; and Chapter 176, by adding sections; repealing Minnesota Statutes 1974, Section 176.111, Subdivisions 6, 7, 8, 9, 12, 13, 14, 15, 19, 20 and 21.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Moe; Beauchamp; Adams, L.; Sarna and Dean have been appointed as such committee on the part of the House.

House File No. 522 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 13, 1975

Mr. Keefe, S. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 522, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 749:

H. F. No. 749: A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, and by adding a subdivision.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Knoll, Moe, Eckstein, Faricy and Searle have been appointed as such committee on the part of the House.

House File No. 749 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 13, 1975

Mr. Tennessen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 749, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1:

H. F. No. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept re-employment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Sieben, H.; Enebo; Adams, L.; Carlson, A. and Osthoff have been appointed as such committee on the part of the House.

House File No. 1 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 13, 1975

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1, and that a Conference Committee of 5 members be appointed by

the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

#### REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Joint Rule 20, together with the committee report thereon,

S. F. No. 1715: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; amending Minnesota Statutes 1974, Sections 43.05, Subdivision 2; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1 and 2; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee.

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Amendments adopted. Report adopted.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, May 14, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

### FIFTY-THIRD DAY

St. Paul, Minnesota, Wednesday, May 14, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, J.	Ogdahl	Schmitz
Arnold	Doty	Keefe, S.	Olhoft	Schrom
Ashbach	Dunn	Kirchner	Olson, A. G.	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Berg	Frederick	Kowalczyk	Olson, J. L.	Spear
Bernhagen	Gearty	Larson	O'Neill	Stassen
Blatz	Hansen, Baldy	Laufenburger	Patton	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Stumpf
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Tennessee
Brown	Hughes	Merriam	Pillsbury	Ueland
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Jensen	Moe	Renneke	Willet
Conzemius	Josefson	North	Schaaf	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

#### MEMBERS EXCUSED

Messrs. Chenoweth, Knutson and Nelson were excused from this morning's Session. Mr. McCutcheon was excused from the Session of today at 3:00 o'clock p.m.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1975 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of

the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1975 May 9	Date Filed 1975 May 9
	110	99		

Sincerely,

Joan Anderson Growe  
Secretary of State

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Anderson, Kirchner and Milton introduced—

S. F. No. 1750: A bill for an act relating to health; establishing a program of comprehensive school health services to be administered by the department of education; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, S. introduced—

S. F. No. 1751: A bill for an act relating to taxation; taxes upon real property; establishing a deduction from gross income for the cost of improvements to certain homesteads to meet building code standards.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 1752: A bill for an act relating to taxation; establishing an investment tax credit for the promotion of commuter vans; exempting sales of motor vehicles used in commuter van programs from sales and use taxation; amending Minnesota Statutes 1974, Sections 290.06, by adding a subdivision; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 1753: A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

Referred to the Committee on Labor and Commerce.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 220.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

Senate File No. 1026 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. Frederick moved that S. F. No. 1026 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 711: A bill for an act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served to senior citizens or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, and by adding subdivisions.

Senate File No. 711 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Moe moved that the Senate concur in the amendments by the House to S. F. No. 711 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 711: A bill for an act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served to individuals who are 60 years of age or over, and their spouses or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, and by adding a subdivision.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Ogdahl	Schmitz
Arnold	Doty	Keefe, S.	Olson, A. G.	Schrom
Ashbach	Dunn	Kirchner	Olson, H. D.	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, J. L.	Solon
Berg	Frederick	Larson	O'Neill	Spear
Bernhagen	Gearty	Laufenburger	Patton	Stokowski
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Brataas	Hansen, Mel	McCutcheon	Perpich, G.	Tennessee
Brown	Hanson, R.	Merriam	Pillsbury	Ueland
Chmielewski	Hughes	Milton	Purfeerst	Wegener
Coleman	Humphrey	Moe	Renneke	Willet
Conzemius	Jensen	North	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 39: A bill for an act relating to taxation; providing exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1974, Section 297B.03.

Senate File No. 39 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Fitzsimons moved that the Senate concur in the amendments by the House to S. F. No. 39 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 39 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Frederick	Hughes
Arnold	Blatz	Davies	Gearty	Humphrey
Ashbach	Borden	Doty	Hansen, Baldy	Jensen
Bang	Brataas	Dunn	Hansen, Mel	Josefson
Berg	Brown	Fitzsimons	Hanson, R.	Kirchner

Kleinbaum	Moe	Perpich, A. J.	Sillers	Ueland
Larson	North	Perpich, G.	Solon	Wegener
Laufenburger	Ogdahl	Pillsbury	Spear	Willet
Lewis	Olson, A. G.	Purfeerst	Stassen	
McCutcheon	Olson, H. D.	Renneke	Stokowski	
Merriam	Olson, J. L.	Schmitz	Stumpf	
Milton	Patton	Schrom	Tennessee	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 782: A bill for an act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1.

Senate File No. 782 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 782 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 782: A bill for an act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1; repealing Minnesota Statutes 1974, Section 593.18.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 56 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Olson, H. D.	Spear
Ashbach	Doty	Kirchner	Olson, J. L.	Stassen
Bang	Dunn	Kleinbaum	O'Neill	Stokowski
Berg	Fitzsimons	Larson	Patton	Stumpf
Bernhagen	Gearty	Laufenburger	Pillsbury	Tennessee
Blatz	Hansen, Baldy	Lewis	Purfeerst	Ueland
Borden	Hansen, Mel	McCutcheon	Renneke	Wegener
Brataas	Hanson, R.	Merriam	Schaaf	Willet
Brown	Hughes	Milton	Schmitz	
Chmielewski	Humphrey	Moe	Schrom	
Coleman	Jensen	Ogdahl	Sillers	
Conzemius	Keefe, J.	Olson, A. G.	Solon	

Messrs. North; Perpich, A. J. and Perpich, G. voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 210, 649, 1199 and 1722.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 13, 1975

#### FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 210: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 649: A bill for an act relating to human services; supporting the operation of human services boards; creating a state office of human services; providing for the development of a unified state plan and budget for human services; appropriating money; amending Minnesota Statutes 1974, Sections 402.01, Subdivision 1; 402.02, Subdivisions 1 and 2, and by adding subdivisions; 402.04, Subdivision 1; 402.05, Subdivisions 1 and 2; and 402.08; and repealing Minnesota Statutes 1974, Section 402.05, Subdivision 3.

Referred to the Committee on Finance.

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

Referred to the Committee on Rules and Administration.

H. F. No. 1722: A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state

agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

Mr. Coleman moved that H. F. No. 1722 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1292: A bill for an act relating to crime prevention; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1974, Section 352E.04.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1308: A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 24, line 18, strike "\$1,160,000" and insert "\$840,000"

Page 24, line 19, after "fund" insert "*for the biennium ending June 30, 1977,*"

Page 24, line 24, after the period strike "*Notwithstanding the*"

Page 24, strike lines 25 through 28

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 804: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, strike "90" and insert "75"

Page 4, line 3, after "cancel" insert "the first year"

Page 4, line 4, strike "expended" and insert "June 30, 1977"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1393: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1165: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1288: A bill for an act relating to the operation of

shade tree disease control programs by local governments; providing funds for the control of shade tree disease; establishing a grant-in-aid program under the department of agriculture; appropriating money; amending Minnesota Statutes 1974, Sections 18.022, by adding a subdivision; 18.023, Subdivisions 1 and 3, and by adding subdivisions.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1436: A bill for an act relating to natural resources; authorizing the department of natural resources to make a grant to the city of Duluth for the construction of a dam at Hartley Pond on Tischer Creek.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 872: A bill for an act relating to welfare; requiring the commissioner of public welfare to negotiate an agreement transferring the Lake Owasso Children's Home from the state to Ramsey county; appropriating money; repealing Minnesota Statutes 1974, Section 252.025, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, strike "The sum needed to continue"

Page 1, strike lines 22 through 24

Page 2, strike lines 1 and 2 and insert: "The sum of \$300,000 is appropriated to the department of public welfare from the general fund for the purpose of operating and maintaining the Lake Owasso Children's Home. This appropriation shall not cancel but remain available until expended."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1030: A bill for an act relating to pollution control; authorizing a county solid waste grants-in-aid program; appropriating money; amending Minnesota Statutes 1974, Sections 116.06, Subdivision 1; and 400.03, Subdivision 1; and Chapter 116, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "400.161" insert "*and Laws 1975, Chapter 13, Sections 11 and 138 to 144*"

Page 2, after line 18 insert a new subdivision to read:

*"Subd. 4. The agency shall submit any rules proposed under this section to the senate committee on finance and the house committee on appropriations for review."*

Page 3, line 3, strike "*period*" and insert "*biennium*"

Page 3, line 4, strike "*beginning July 1, 1975, and*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1062: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes 1974, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "*receiving*" and insert "*entitled to receive*"

Page 1, line 15, strike "*of*" and insert "*allotted*"

Page 1, line 16, following "*1975*" strike the semicolon and insert "*and in the same proportion of such salary as the proportion to which he was entitled upon retirement*"

Page 1, line 19, strike "*his*" and insert "*the*"

Page 1, line 19, after "*if any*" insert "*and provided spouse is otherwise entitled thereto*"

Page 2, strike line 7

Page 2, line 8, strike "*required herein are hereby appropriated*"

Page 2, line 10, strike "*and the*"

Page 2, strike line 11

Page 2, line 12, strike "*appropriated from the general fund*"

Page 2, line 22, after "*retirement*" insert "*and for life*"

Page 2, line 22, after "*on*" insert "*a salary not greater than*"

Page 3, line 2, after "*if any*" insert "*and provided the spouse is otherwise entitled thereto*"

Page 3, line 12, strike "*widow*" and insert "*surviving spouse*"

Page 3, line 13, strike "*her*" and insert "*the spouse*"

Page 3, line 16, strike "*June 30*" and insert "*July 1*"

Page 3, line 18, strike all the language after "account"

Page 3, strike line 19

Page 3, line 20, strike "appropriated from the general fund"

Page 3, line 25, strike "(3)"

Page 3, line 26, strike "section" and insert "clause"

Page 3, line 32, strike "(4)" and insert "(3)"

Page 4, strike lines 7 and 8

Page 5, after line 16, insert:

"Sec. 4. [APPROPRIATION.] *There is appropriated from the general fund in the state treasury to the executive director of the Minnesota state retirement system the amounts specified in this section for the purposes indicated, to be available for the fiscal years ending June 30, 1975, 1976, and 1977.*

*Supreme and district court judges' retirement benefits \$1,454,500*

*Supreme and district court judges' survivors' benefits \$ 568,200*

Sec. 5. [NON-SEVERABILITY.] *If any provision of this act is declared unconstitutional, the entire act is void."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 3, after "act;" insert "appropriating money;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1074: A bill for an act relating to public welfare; medical assistance for the needy; establishing a department lien on certain causes of action accruing to the needy; authorizing the assignment of insurance proceeds and the subrogation to the department of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; and 256B, by adding sections; Sections 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 62A, is amended by adding a section to read:

[62A.045] [PAYMENTS TO WELFARE RECIPIENTS.] *No policy of accident and sickness insurance issued or renewed after August 1, 1975, shall contain any provision denying or reducing*

*benefits because services are rendered to an insured or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B.*

Sec. 2. Minnesota Statutes 1974, Chapter 62C, is amended by adding a section to read:

[62C.141] [PAYMENTS TO WELFARE RECIPIENTS.] *After August 1, 1975, no service plan corporation shall deliver, issue for delivery, or renew any subscriber's contract which contains any provision denying or reducing benefits because services are rendered to a subscriber or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B.*

Sec. 3. Minnesota Statutes 1974, Chapter 64A, is amended by adding a section to read:

[64A.221] [PAYMENT TO WELFARE RECIPIENTS.] *After August 1, 1975, no association authorized to do business in this state which provides or pays for any health care benefits shall issue any certificate which contains any provision denying or reducing benefits because services are rendered to a certificate holder or beneficiary who is eligible for or receiving medical assistance pursuant to chapter 256B.*

Sec. 4. Minnesota Statutes 1974, Section 64A.23, is amended to read:

64A.23 [BENEFITS NOT ATTACHABLE.] *Except as provided in chapter 256B, the money or other benefits, charity, relief, or aid to be paid, provided, or rendered by any association authorized to do business under this chapter shall, neither before nor after being paid, be liable to attachment, garnishment, or other process and shall not be seized, taken, appropriated, or applied by any legal or equitable process or operation of laws to pay any debt or liability of a certificate holder or of any beneficiary named in a certificate, or of any person who may have any right thereunder.*

Sec. 5. Minnesota Statutes 1974, Section 393.10, Subdivision 2, is amended to read:

Subd. 2. [PUBLIC WELFARE; MEDICAL ASSISTANCE LIEN.] *Such The county board or county welfare board may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70 and 514.71, except that it shall have 180 days from the date when the last item of medical, surgical or hospital care was furnished in which to file its lien. ~~Provided, however, that no lien pursuant to this section shall be effective as to any payment made prior to the time that the lien is filed.~~*

Sec. 6. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

[256B.042] [THIRD PARTY LIABILITY.] *Subdivision 1. When the state agency provides, pays for or becomes liable for medical care, it shall have a lien for the cost of the care upon any and all causes of action which accrue to the person to whom the*

care was furnished, or to his legal representatives, as a result of the injuries which necessitated the medical care.

*Subd. 2. The state agency may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70 and 514.71, except that it shall have one year from the date when the last item of medical care was furnished in which to file its verified lien statement, and the statement shall be filed with the appropriate clerk of court in the county of financial responsibility. The verified lien statement shall contain the following: the name and address of the person to whom medical care was furnished, the date of injury, the name and address of the vendor or vendors furnishing medical care, the dates of the service, the amount claimed to be due for the care, and, to the best of the state agency's knowledge, the names and addresses of all persons, firms or corporations claimed to be liable for damages arising from the injuries. This section shall not affect the priority of any attorney's lien.*

Sec. 7. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

**[256B.37] [PRIVATE INSURANCE POLICIES.]** *Subdivision 1. Upon furnishing medical assistance to any person having private health care coverage, the state agency shall be subrogated, to the extent of the cost of medical care furnished, to any rights the person may have under the terms of any private health care coverage. The right of subrogation does not attach to benefits paid or provided under private health care coverage prior to the receipt of written notice of the exercise of subrogation rights by the carrier issuing the health care coverage.*

*Subd. 2. To recover under this section, the attorney general, or the appropriate county attorney, acting upon direction from the attorney general, may institute or join a civil action against the carrier of the private health care coverage.*

Sec. 8. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

**[256B.39] [AVOIDANCE OF DUPLICATE PAYMENTS.]** *Billing statements forwarded to recipients of medical assistance by vendors seeking payment for medical care rendered shall clearly state that reimbursement from the state agency is contemplated.*

Sec. 9. Minnesota Statutes 1974, Section 256B.02, is amended by adding a subdivision to read:

*Subd. 9. "Private health care coverage" means any plan regulated by chapters 62A, 62C or 64A. Private health care coverage also includes any self-insurance plan providing health care benefits.*

Sec. 10. Minnesota Statutes 1974, Section 256B.06, Subdivision 1, is amended to read:

**256B.06 [ELIGIBILITY REQUIREMENTS.]** *Subdivision 1. Medical assistance may be paid for any person:*

(1) Who is eligible for or receiving public assistance under the aid to families with dependent children program; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not have equity in real property in excess of \$15,000; and

(8) Who, if single, does not have more than \$750 in cash or liquid assets or, if married, whose cash or liquid assets do not exceed \$1,000 plus \$150 for each additional legal dependent; and

(9) Who has or anticipates receiving an annual income not in excess of \$2,600 for a single person, or \$3,250 for two family members (man and wife, parent and child, or two siblings), plus \$625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application (or during the three months prior to the month of application) incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In such excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred.

Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, both excess income and income over and above that required for justified needs are to be applied to the cost of institutional care; and

(10) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from ~~health and accident insurance policies private health care coverage~~ *on to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care cover-*

*age. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under private health care coverage prior to receipt of the assignment by the person or organization providing the benefits."*

Further amend the title in its entirety and insert:

"A bill for an act relating to public welfare; establishing a lien on certain causes of action accruing to recipients of medical assistance; authorizing the assignment of insurance proceeds and the subrogation to the commissioner of public welfare of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; 62C, by adding a section; 64A, by adding a section; 256B, by adding sections; and Sections 64A.23; 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 343: A bill for an act relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory council; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.35, Subdivision 3; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 16, strike "*and equitable*"

Page 2, line 19, strike "*12*" and insert "*11*"

Page 2, line 26, strike "*such*" and insert "*the*"

Page 2, line 28, strike "*12*" and insert "*11*"

Page 3, line 6, after "*class*" insert "*of units*"

Page 4, line 18, after "*individual*" insert "*natural*"

Page 4, line 18, strike "*recreation area*" and insert "*recreational state park*"

Page 4, line 23, strike "*such*"

Page 5, line 2, after "*a*" insert "*natural*"

Page 5, line 15, after "*and*" begin a new paragraph and insert "(3)" before "*is*"

Page 6, line 24, strike "*state recreation areas*" and insert "*recreational state parks*"

Page 7, line 26, strike "*that mode*" and insert "*a particular manner of travel*"

Page 8, line 2, strike "*act*" and insert "*subdivision*"

Page 8, line 7, after "*pass,*" insert "*and*"

Page 8, strike line 32

Page 9, strike line 1

Page 9, line 5, strike "*a*" and insert "*an undisturbed*"

Page 11, line 21, after "*traffic.*" insert "*Motorized traffic shall not be allowed.*"

Page 11, line 22, strike "*Motorized traffic shall not be allowed*"

Page 11, strike line 23

Page 11, line 24, strike "*purposes.*"

Page 11, line 32, strike "*such*"

Page 12, line 1, strike "*such*" and insert "*a*"

Page 12, line 1, strike "*as is*"

Page 14, line 16, strike "*such*" and insert "*the*"

Page 16, line 17, strike "*said*" and insert "*the*"

Page 16, line 27, strike "*may*" and insert "*shall*"

Page 17, line 26, strike "*said*" and insert "*the*"

Page 17, line 31, strike "*said*" and insert "*the*"

Page 18, line 1, strike "*such*" and insert "*the*"

Page 18, line 7, strike "*such*" and insert "*the*"

Page 18, line 11, before "*state*" insert "*natural*"

Page 19, line 11, strike "*agreement*" and insert "*agreement*"

Page 19, line 16, strike "*shall have*" and insert "*has*"

Page 19, line 18, strike "*shall have*" and insert "*has*"

Page 19, line 30, after "*present*" strike "*such*" and insert "*the*"

Page 19, line 30, after "*in*" strike "*such*"

Page 19, line 31, strike "*in such*"

Page 19, line 31, strike "*as may be*" and insert "*that is*"

Page 22, line 8, strike "*schedules*" and insert "*scheduled*"

Page 23, line 13, strike "[86A.12]"

Page 23, line 24, after "*before*" insert "*January 1, 1976 and*"

Page 24, line 6, after "*before*" insert "*January 1, 1976 and*"

Page 28, line 9, restore the stricken language and strike the new language

Page 30, line 31, strike "*establish*" and insert "*designate*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1415: A bill for an act relating to public welfare; authorizing an experimental program for the cost of home care of mentally retarded and cerebral palsied children; appropriating money; amending Minnesota Statutes 1974, Section 252.27, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, after "*retarded*" strike "*or cerebral palsied*"

Page 2, line 1, strike "*the costs of room and board,*"

Page 2, line 2, strike "*as well as*"

Page 2, line 2, strike "*additional needed services including,*"

Page 2, line 3, strike "*but not limited to,*"

Page 2, line 6, strike "*daytime activity center costs,*"

Page 2, line 8, after "*costs*" insert "*not to exceed \$250 per month per family*"

Page 2, strike section 2

Further amend the title as follows:

Page 1, line 4, strike "*and cerebral palsied*"

Page 1, line 5, strike "*appropriating money;*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance to which was referred

S. F. No. 429: A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 31, after "enactment." insert "The appropriation made in section 4 shall not cancel on June 30, 1975, but shall remain available until June 30, 1977."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance to which was referred

S. F. No. 1347: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects as provided for in Laws 1974, Chapter 534; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, after "assistance" insert "or demonstration projects"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 175: A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3, and by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "and" strike "*municipal*,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 243: A bill for an act relating to corrections; providing for the retention of funds received for use of facilities and

provision of services to juvenile courts; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 7; and 260.161, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 521: A bill for an act relating to retirement; mandatory retirement for corrections department employees; amending Minnesota Statutes 1974, Section 43.051, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 2: A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 231: A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes 1974, Section 168.021.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1206: A bill for an act relating to state parks; exempting senior citizens from payment of certain fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1167: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees, native Americans, and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, Subdivision 1, and by adding subdivisions; and Chapter 254A, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 12, after the period insert "*The method of evaluation shall be one approved by the alcohol and drug abuse evaluation consortium.*"

Page 2, after line 12, insert:

*"Subd. 18. "Alcohol and drug abuse evaluation consortium" means a collaborative agency working within the state authority and comprised of individuals employed at the state authority and the university of Minnesota. The agency shall develop guidelines and criteria for effective evaluation of all activity funded through the state authority. The evaluation shall be directed at determining the degree to which funded activities attain their pre-stated objectives, whether existent and proposed activities are the most appropriate programmatic response to predetermined needs and whether they are the most cost effective."*

Page 3, line 25, strike "*Subdivision 1.*"

Page 4, strike lines 1 through 6

Page 4, line 19, after the period insert "*In evaluating or providing for the evaluation of programs, he shall consult with the alcohol and drug abuse evaluation consortium.*"

Page 6, line 15, after the period insert "*Reallocations under this provision may only be made after consultation with the alcohol and drug abuse evaluation consortium.*"

Page 6, line 19, strike "\$5,000,000" and insert "\$2,360,000"

Page 6, line 25, strike "\$250,000" and insert "\$125,000"

Page 6, line 32, strike "\$2,700,000" and insert "\$1,400,000"

Page 6, line 32, strike "*For the purposes of section 6,*"

Page 7, strike lines 1 and 2

Page 7, line 14, strike "\$100,000" and insert "\$50,000"

Page 7, line 18, strike "\$225,000." and insert "\$125,000; and there is appropriated to the Board of Regents of the University of Minnesota for the biennium ending June 30, 1977, the sum of \$150,000."

Further amend the title as follows:

Page 1, line 5, after "groups;" insert "creating an alcohol and drug abuse evaluation consortium, and prescribing its duties;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 982: A bill for an act relating to motor vehicles;

authorizing the issuance of personalized license plates; prescribing additional charges therefor; amending Minnesota Statutes 1974, Section 168.12, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "\$30" and insert "\$75"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 837: A bill for an act providing for the identification of donors by the designation "donor" on the driver's license or nonqualification certificate; appropriating money; amending Minnesota Statutes 1974, Sections 171.07, by adding a subdivision; 171.12, by adding a subdivision; 525.924, by adding a subdivision; and 525.927, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "shall" and insert "may"

Page 3, line 6, strike "\$44,000" and insert "\$35,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "100" and insert "90"

Page 2, line 7, strike "the day following final"

Page 2, line 8, strike "enactment" and insert "July 1, 1975"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 685: A bill for an act relating to daytime activities centers; providing for the transportation of handicapped persons to licensed daytime activity centers attended by these persons; amending Minnesota Statutes 1974, Sections 123.39, by adding a subdivision; 252.24, Subdivision 4; and 252.26.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1096: A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "in every county" and insert "to serve throughout each of the seven counties in the metropolitan area, and similar systems shall be established on or before December 15, 1984, to serve throughout every remaining county in the state"

Page 1, line 10, after the period insert "Determination of non-compatibility may be made only by the department of administration."

Page 1, line 12, strike "or" and insert "and"

Page 1, line 17, strike "Every system may" and insert "Planning for every system shall"

Page 1, line 18, after "include" insert the "the study of"

Page 1, line 19, after "and" insert "emergency"

Page 2, line 6, strike "1980" and insert "1984, where technologically feasible. Determination of non-feasibility may be made only by the department of administration"

Page 2, line 15, after "number" insert ", dispatch zone identification,"

Page 2, line 19, strike "develop an overall plan" and insert "coordinate"

Page 2, line 20, strike "for"

Page 2, line 21, strike "December 15, 1980" and insert "the deadline established in section 1"

Page 2, line 27, after "increase" insert "911 systems' "

Page 2, line 30, strike "technical and operational"

Page 3, line 17, after "date" insert "and a description of changes planned during the reporting period"

Page 3, line 18, after "2" insert "or changes planned pursuant to subdivision 3"

Page 3, line 22, strike "shall" and insert "may"

Page 3, line 27, strike "shall" and insert "may"

Page 3, line 32, before "In" insert "Subdivision 1."

Page 4, line 7, strike "Copies of the"

Page 4, strike lines 8 and 9

Page 4, strike line 10 and insert

“Subd. 2. Public safety agencies with jurisdictional responsibilities shall in all cases be notified by the dispatch center of a request for service in their jurisdiction.”

Page 4, line 12, strike “December 1, 1975 and December 1, 1976,” and insert “January 1, 1976 to January 1, 1977,”

Page 4, line 24, strike “\$35,000” and insert “\$40,000”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1379: A bill for an act relating to economic development; participation in federal programs by the area redevelopment agency; authorizing the state agency to make certain loans and guarantees and to expend funds for certain purposes; appropriating money; amending Minnesota Statutes 1974, Section 472.13, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 11, insert:

*“There shall be designated \$250,000 from this appropriation for the development of pilot community development corporation projects; areas to be designated by the commissioner of economic development with approval from the state executive council. At least one will be in the metropolitan area and one in outstate Minnesota. Up to \$50,000 may be used for administration.”*

Further amend the title as follows:

Page 1, line 6, after “purposes;” insert “authorizing community development corporation projects;”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 50: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 6 through 20

Renumber the sections in sequence

Page 5, line 16, strike “\$3,000,000” and insert “\$1,000,000”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 916: A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025, Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 27, strike "\$260,000" and insert "\$200,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1339: A bill for an act relating to appropriations; appropriating funds for development of a comprehensive plan for the development of irrigation and specialty crops.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "\$226,835" and insert "\$175,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1299: A bill for an act relating to education; fluctuating school enrollments; providing for study by an advisory commission; appropriating money; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, after the dollar sign insert "60,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "17" and insert "12"

Page 1, line 12, after the comma insert "and"

Page 1, line 13, strike ", and five by the governor"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

H. F. No. 48: A bill for an act relating to public welfare; providing a coordinated approach to the supervision, protection and habilitation of mentally retarded persons; amending Minnesota Statutes 1974, Sections 253A.02, Subdivision 5, and by adding a subdivision; 253A.04, Subdivisions 1 and 2; 253A.07, Subdivision 17, 19, and 21; 253A.15, Subdivision 1; 256.93, Subdivisions 1 and 2; 259.24, Subdivision 1; and 517.03; repealing Minnesota Statutes 1974, Sections 253A.07, Subdivision 18; 253A.13; and 256.07.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35, together with the committee report thereon,

H. F. No. 1527: A bill for an act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivisions 1c and 1e, and 1g, as amended; and Minnesota Statutes 1974, Sections 168.012, Subdivision 7; 168.09, Subdivision 3; and 168.31, Subdivision 3.

Reports the same back with the recommendation that the report from the Committee on Transportation and General Legislation shown in the Journal for May 10, 1975 that "when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1180 and 719 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

<b>CALENDAR OF</b>					
<b>GENERAL ORDERS</b>		<b>ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1180	1177				
719	685				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 654, 831, 718, 1146 and 1441 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
654	1041				
831	1700				
718	1171				
1146	1390				
1441	1695				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 654 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 609.185, is amended to read:

609.185 [MURDER IN THE FIRST DEGREE.] Whoever does either of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) Causes the death of a human being with premeditation and with intent to effect the death of such person or of another; or

(2) Causes the death of a human being while committing or attempting to commit ~~rape or sodomy~~ *criminal sexual conduct in the first or second degree* with force or violence, either upon or affecting such person or another.

Sec. 2. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.29] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 2 to 12, the terms in this section have the meanings given them:*

*Subd. 2. "Actor" means a person accused of criminal sexual conduct.*

*Subd. 3. "Force" means commission or threat by the actor of an assault, as defined in section 609.22, or commission or threat of any other crime by the actor against the complainant or another, which causes the complainant to reasonably believe that the actor has the present ability to execute the threat, and also causes the complainant to submit.*

*Subd. 4. "Consent" means a voluntary uncoerced manifestation of a present agreement to perform a particular sexual act.*

*Subd. 5. "Intimate parts" includes the primary genital area, groin, inner thigh, buttocks, or breast of a human being.*

*Subd. 6. "Mentally defective" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of his conduct.*

*Subd. 7. "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his conduct due to the influence of alcohol, a narcotic, anesthetic, or any other substance administered to that person without his agreement, or due to any other act committed upon that person without his agreement.*

*Subd. 8. "Physically helpless" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to act and the condition is known or reasonably should have been known to the actor.*

*Subd. 9. "Position of authority" includes but is not limited to any person acting in the place of a parent and charged with any of a parent's rights, duties or responsibilities to a child, or a person who is charged with any duty or responsibility for the health, welfare, or supervision of a child, either independently or through another, no matter how brief, at the time of the act.*

*Subd. 10. "Sexual contact" includes any of the following acts committed without the complainant's consent, if the acts can reasonably be construed as being for the purpose of satisfying the actor's sexual or aggressive impulses, except in those cases where consent is not a defense:*

*(i) The intentional touching by the actor of the complainant's intimate parts, or*

*(ii) The coerced touching by the complainant of the actor's, the complainant's, or another's intimate parts, or*

*(iii) The coerced touching by another of the complainant's intimate parts, or*

*(iv) In any of the cases above, of the clothing covering the immediate area of the intimate parts.*

*Subd. 11. "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion however slight into the genital or anal openings of the complainant's body of any part of the actor's body or any object used by the actor for this purpose, where the act is committed without the complainant's consent, except in those cases where consent is not a defense. Emission of semen is not necessary.*

*Subd. 12. "Complainant" means a person alleging to have been subjected to criminal sexual conduct.*

Sec. 3. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.291] [CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.]** *A person is guilty of criminal sexual conduct in the first degree and may be sentenced to imprisonment for not more than 20 years, if he engages in sexual penetration with another person and if any of the following circumstances exists:*

(a) *The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant, and uses this authority to coerce the complainant to submit. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(c) *Circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; or*

(d) *The actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit; or*

(e) *The actor causes bodily harm to the complainant, as defined in section 609.02, subdivision 7, and either of the following circumstances exists:*

(i) *The actor uses force or coercion to accomplish sexual penetration; or*

(ii) *The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless; or*

(f) *The actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:*

(i) *An accomplice uses force or coercion to cause the complainant to submit; or*

(ii) *An accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.*

Sec. 4. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.292] [CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.] *A person is guilty of criminal sexual conduct in the second degree and may be sentenced to imprisonment for not more than 15 years if he engages in sexual contact with another person and if any of the following circumstances exists:*

(a) *The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant, and uses this authority to coerce the complainant to submit. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(c) *Circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; or*

(d) *The actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit; or*

(e) *The actor causes bodily harm to the complainant, as defined in section 609.02, subdivision 1, and either of the following circumstances exists:*

(i) *The actor uses force or coercion to accomplish the sexual contact; or*

(ii) *The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless; or*

(f) *The actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:*

(i) *An accomplice uses force or coercion to cause the complainant to submit; or*

(ii) *An accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.*

Sec. 5. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.293] [CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE.] *A person is guilty of criminal sexual conduct in the third degree and may be sentenced to imprisonment for not more than ten years, if he engages in sexual penetration with another person and any of the following circumstances exists:*

(a) *The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the complainant and not in a position of authority over the complainant. In any such case it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor believes the complainant to be 16 years of age or older. If the actor in such a case is no more*

*than 48 months but more than 24 months older than the complainant, he may be sentenced to imprisonment for not more than five years. Consent by the complainant is not a defense; or*

*(c) The actor uses force or coercion to accomplish the penetration; or*

*(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.*

Sec. 6. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.294] [CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.]** *A person is guilty of criminal sexual conduct in the fourth degree and may be sentenced to imprisonment for not more than five years, if he engages in sexual contact with another person and if any of the following circumstances exists:*

*(a) The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense; or*

*(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant and uses this authority to coerce the complainant to submit. In any such case, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor reasonably believes the complainant to be 16 years of age or older; or*

*(c) The actor uses force or coercion to accomplish the sexual contact; or*

*(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.*

Sec. 7. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

**[609.295] [SUBSEQUENT OFFENSES.]** *Subdivision 1. If a person is convicted of a second or subsequent offense under sections 3 to 7 within 15 years of the prior conviction, the court shall commit the defendant to the commissioner of corrections for imprisonment for a term of not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted; provided, however, that the court may invoke the provisions of section 609.135, if a specific condition of the probationary term under section 609.135 includes the successful completion of a treatment program for anti-social sexual behavior, and such person shall not be eligible for parole from imprisonment until he shall either have served the full minimum sentence herein provided, or until he shall have successfully completed a treatment program for anti-social sexual behavior as herein provided notwithstanding the provisions of sections 242.19, 243.05, 609.11, 609.12 and 609.135.*

*Subd. 2. For the purposes of this section, an offense is considered a second or subsequent offense if, prior to conviction of the second or subsequent offense, the actor has been at any time convicted under sections 3 to 7 or under any similar statute of the United States, or this or any other state.*

Sec. 8. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.296] [EVIDENCE.] *Subdivision 1. In a prosecution under sections 3 to 7, the testimony of a complainant need not be corroborated.*

*Subd. 2. In a prosecution under sections 3 to 7, there is no need to show that the complainant resisted the actor.*

*Subd. 3. In a prosecution under sections 3 to 7, evidence of the complainant's previous sexual conduct shall not be admitted nor shall any reference to such conduct be made in the presence of the jury, except by court order under the procedure provided in subdivision 4, and only to the extent that the court finds that any of the following proposed evidence is material to the fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value:*

*(a) When consent or fabrication by the complainant is the defense in the case, evidence of such conduct tends to establish a common scheme or plan of similar conduct on the part of the complainant, relevant to the issue of consent or fabrication. Evidence of such conduct engaged in more than one year prior to the date of alleged offense is inadmissible;*

*(b) Evidence of specific instances of sexual activity showing the source of semen, pregnancy, or disease at the time of the incident or, in the case of pregnancy, between the time of the incident and trial;*

*(c) Evidence of the complainant's past sexual conduct with the defendant;*

*(d) For purposes of impeachment, when such evidence is offered to rebut specific testimony of the complainant.*

*Subd. 4. The defendant may not offer evidence described in subdivision 3 except pursuant to the following procedure:*

*(a) A motion shall be made by the defendant prior to trial, unless later for good cause shown, stating to the court and prosecutor that the defendant has an offer of proof of the relevancy of the evidence of the sexual conduct of the complainant which is proposed to be presented;*

*(b) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, if any, and in such hearing shall allow the defendant to make a full presentation of his offer of proof;*

*(c) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant regarding the*

*sexual conduct of the complainant is relevant and material to the fact of consent, and is not so prejudicial as to be inadmissible, the court shall make an order stating the extent to which evidence is admissible under subdivision 3 and prescribing the nature of questions to be permitted at trial. The defendant may then offer evidence pursuant to the order of the court;*

*(d) If new information is discovered after the date of the hearing or during the course of trial, which may make evidence described in subdivision 3 admissible, the defendant shall make the disclosures under clause (a) of this subdivision and the court shall order an in camera hearing to determine whether the proposed evidence is admissible by the standards herein.*

*Subd. 5. In a prosecution under sections 3 to 7, the court shall not instruct the jury to the effect that:*

*(a) It may be inferred that a complainant who has previously consented to sexual intercourse with persons other than the defendant would be therefore more likely to consent to sexual intercourse again; or*

*(b) The complainant's previous or subsequent sexual conduct in and of itself may be considered in determining the credibility of the complainant; or*

*(c) Criminal sexual conduct is a crime easily charged by a complainant but very difficult to disprove by a defendant because of the heinous nature of the crime; or*

*(d) The jury should scrutinize the testimony of the complainant any more closely than it should scrutinize the testimony of any witness in any felony prosecution.*

*Sec. 9. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:*

*[609.297] This act shall not apply to sexual penetration or sexual contact when done for a bona fide medical purpose.*

*Sec. 10. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:*

*[609.298] A person does not commit criminal sexual conduct under this act if the actor and complainant were cohabiting at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for separate maintenance or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by any person against his legal spouse.*

*Sec. 11. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:*

*[609.299] [COSTS OF MEDICAL EXAMINATION.] No costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a complainant of criminal sexual conduct, when the examination is per-*

*formed for the purpose of gathering evidence for possible prosecution, shall be charged directly or indirectly to the complainant. The reasonable costs of such examination shall be paid by the county in which the alleged offense was committed. Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private.*

Sec. 12. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.2911] [APPLICABILITY TO PAST AND PRESENT PROSECUTIONS.] *Except for section 8 of this act, crimes committed prior to the effective date of this act are not affected by its provisions.*

Sec. 13. *Minnesota Statutes 1974, Sections 609.29; 609.291; 609.-292; 609.293; 609.295; 609.296; 609.34; and 609.36 are repealed.*"

Further amend the title as follows:

Line 6, after "609.185;" insert "and"

Line 8, delete "and"

Line 9, after "609.296" insert "; 609.34; and 609.36"

And when so amended, H. F. No. 654 will be identical to S. F. No. 1041 and further recommends that H. F. No. 654 be given its second reading and substituted for S. F. No. 1041 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 831 be amended as follows:

Page 1, after line 8, insert

"Section 1. Minnesota Statutes 1974, Section 609.11, is amended by adding a subdivision to read:

*Subd. 3. A defendant convicted of soliciting or inducing another to practice prostitution within the meaning of section 609.32, subdivision 2, shall be committed to the commissioner of corrections or the Minnesota corrections authority for a term of not less than one year and if the defendant has been previously convicted of this crime the defendant shall not be eligible for stay of imposition of sentence, stay of execution of sentence, nor for probation by the court, nor shall he be conditionally released by parole until the expiration of the one year term, notwithstanding the provisions of sections 242.19, 243.05, 609.12 and 609.135."*

Page 1, line 13, restore the stricken "or to payment of" and delete the underscored period

Page 1, line 14, restore the stricken ", or both:" and delete "may also be"

Page 1, delete line 15

Page 3, after line 13, insert

"Sec. 6. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, after "prostitution;" insert "providing minimum sentences for certain felonies relating to soliciting another to practice prostitution;"

Page 1, line 5, delete "Section" and insert "Sections 609.11, by adding a subdivision; and"

And when so amended, H. F. No. 831 will be identical to S. F. No. 1700 and further recommends that H. F. No. 831 be given its second reading and substituted for S. F. No. 1700 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 718 be amended as follows:

Page 2, line 3, strike "has no usual place of abode and"

Page 2, lines 9 and 10, strike "no person is actually occupying the premises and that"

Page 2, strike line 23

Page 2, line 24, strike "his appearance and defend therein" and insert "*proceed*"

Page 2, after line 24 insert

"Sec. 2. Minnesota Statutes 1974, Section 566.09, is amended to read:

566.09 [JUDGMENT; FINE; EXECUTION.] If, upon the trial, the justice or jury find for the plaintiff, the justice shall *immediately* thereupon enter judgment that the plaintiff have restitution of the premises, and tax the costs for him. The justice shall issue execution in favor of the plaintiff for such costs, and also *immediately* issue a writ of restitution. *No stay of the writ of restitution may be granted except upon a showing by the defendant that the restitution would work a substantial hardship upon the defendant. Upon a proper showing by the defendant of substantial hardship, the justice may stay the writ of restitution for a reasonable period not to exceed seven days, except that no stay of the writ of restitution shall extend later than three days prior to the date the rent is next due.* If the justice or jury shall find for the defendant, he shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor."

Further, amend the title as follows:

Page 1, line 3, before "amending" insert "providing for stay of writ of restitution;"

Page 1, line 3, delete "Section 566.06" and insert "Sections 566.06; and 566.09"

And when so amended, H. F. No. 718 will be identical to S. F. No. 1171 and further recommends that H. F. No. 718 be given its

second reading and substituted for S. F. No. 1171 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1146 be amended as follows:

Page 1, line 15, delete "*may bring an action*" and insert "*has a claim*"

Page 2, line 5, after "*sale*" insert a comma

Page 4, line 8, delete the second "*the*" and insert "*a*"

Page 5, line 10, after "*void.*" delete the remainder of the line

Page 5, delete lines 11 to 13

Page 7, line 3, delete "*personally or*"

Page 7, line 3, after "*mail*" delete the comma and insert "*or personally*"

Page 8, delete lines 5 to 8

Page 9, after line 11, insert

"Sec. 9. Minnesota Statutes 1974, Section 504.20, is amended by adding a subdivision to read:

*Subd. 7a. No tenant may withhold payment of all or any portion of rent for the last payment period of a residential rental agreement on the grounds that such deposit should serve as payment for the rent. Withholding all or any portion of rent for the last payment period of the residential rental agreement creates a rebuttable presumption that the tenant withheld the last payment on the grounds that such deposit should serve as payment for the rent. Violation of this subdivision after written demand and notice of this subdivision shall subject the tenant to damages of twice the deposit and forfeiture of any interest due on the deposit in addition to any actual damages."*

Further, amend the title as follows:

Page 1, line 4, before "providing" insert "security deposits; withholding rent for last payment period;"

Page 1, line 6, after "6;" insert "504.20, by adding a subdivision;"

And when so amended, H. F. No. 1146 will be identical to S. F. No. 1390 and further recommends that H. F. No. 1146 be given its second reading and substituted for S. F. No. 1390 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1441 be amended as follows:

Page 4, after line 1, insert

"Sec. 6. Minnesota Statutes 1974, Section 474.02, Subdivision 1, is amended to read:

474.02 [DEFINITIONS.] Subdivision 1. The term "Project" as used in sections 474.01 to 474.13 chapter 474, unless a different meaning clearly appears from the context, means any properties, real or personal, used or useful in connection with :

(a) a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in :

(1) generating, transmitting, or distributing electricity, ;

(2) assembly, fabricating, manufacturing, mixing, processing, storing, warehousing, or distributing any products of agriculture, forestry, mining, or manufacture, or in ;

(3) research and development activity in this field. The term "project" shall also include any properties, real or personal, used or useful in fields enumerated in paragraphs (a) (1) and (2) of this subdivision; and

(4) any other business or profession, whether or not for profit, including but not limited to hospitals, nursing homes, clinics and other health care facilities;

(b) the abatement or control of noise, air or water pollution, or the disposal of solid wastes, in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in any business or industry. The term "project" shall also mean any properties, real or personal, used or useful in connection with ;

(c) the business of telephonic communications, conducted or to be conducted by a telephone company, including, without limitation, toll lines, poles, cables, switching and other electronic equipment and administrative, data processing, garage and research and development facilities."

Page 8, lines 21 to 27, delete the underscored language

Page 15, delete lines 22 to 32

Page 16, delete lines 1 to 20 and insert

"Sec. 21. Minnesota Statutes 1974, Section 474.10, Subdivision 4, is amended to read:"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, before "2," insert "1,"

Page 1, line 9, after "474.10" insert ", Subdivisions 1 and 4"

And when so amended, H. F. No. 1441 will be identical to S. F. No. 1695 and further recommends that H. F. No. 1441 be given its second reading and substituted for S. F. No. 1695 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred for proper reference under Rule 35:

S. F. Nos. 1721, 1722, 1723, 1724, 1668, 1738 and 1363, reports the same back with the recommendation that the bills be re-referred as follows:

S. F. Nos. 1721, 1722, 1723, 1724 and 1738 to the Committee on Health, Welfare and Corrections.

S. F. No. 1668 to the Committee on Metropolitan and Urban Affairs.

S. F. No. 1363 to the Committee on Judiciary.

Report adopted.

### SECOND READING OF SENATE BILLS

S. F. Nos. 1308, 804, 1393, 1165, 1030, 1062, 1415, 429, 1347, 175, 243, 1206, 1167, 1096, 1379, 50, 916, 1339, 1299 and 250 were read the second time.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 1292, 1288, 1436, 872, 1074, 343, 521, 2, 231, 982, 837, 533, 685, 48, 1527, 1180, 719, 654, 831, 718, 1146 and 1441 were read the second time.

### MOTIONS AND RESOLUTIONS

#### SUSPENSION OF RULES

Mr. Merriam moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1292 and that the rules of the Senate be so far suspended as to give H. F. No. 1292, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1292: A bill for an act relating to crime prevention; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1974, Section 352E.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bang	Blatz	Brown	Conzemius
Arnold	Berg	Borden	Chmielewski	Davies
Ashbach	Bernhagen	Brataas	Coleman	Doty

Dunn	Keefe, J.	Milton	Perpich, A. J.	Spear
Fitzsimons	Keefe, S.	Moe	Perpich, G.	Stassen
Gearty	Kirchner	North	Pillsbury	Stokowski
Hansen, Baldy	Kleinbaum	Ogdahl	Purfeerst	Stumpf
Hansen, Mel	Kowalczyk	Olhoff	Renneke	Tennessee
Hanson, R.	Larson	Olson, A. G.	Schaaf	Ueland
Hughes	Laufenburger	Olson, H. D.	Schmitz	Wegener
Humphrey	Lewis	Olson, J. L.	Schrom	Willet
Jensen	McCutcheon	O'Neill	Sillers	
Josefson	Merriam	Patton	Solon	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

Mr. Borden moved to amend H. F. No. 511 as follows:

Page 1, after line 21, insert:

“Sec. 2. Minnesota Statutes 1974, Section 334.01, is amended by adding a subdivision to read:

*Subd. 3. Notwithstanding subdivisions 1 and 2, a financial institution, as defined in section 47.015, subdivision 1, or a mortgage bank may contract for the loan or forbearance of money (a) at a rate of interest not exceeding the lesser of nine percent or three-quarters of one percent above the federal reserve discount rate on 90 day commercial paper in effect for national banking associations in the ninth federal reserve district or (b) at an interest rate that is otherwise permitted by law. This subdivision expires July 1, 1976. A contract for a loan or forbearance of money made before July 1, 1976 at a rate of interest authorized by this subdivision shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.”*

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 4, after “rates;” insert “permitting financial institutions to charge an interest rate based upon the federal reserve discount rate on short term commercial paper in the ninth federal reserve district;”

Page 1, line 5, after “Subdivision 2” insert “, and by adding a subdivision”

Mr. Frederick moved to amend the Borden amendment to H. F. No. 511, as follows:

Line 2 of the underlined language in the Borden amendment, strike "or"

Line 3, after "bank" insert "*an insurance company as defined in section 60A.02, subdivision 4, or any agricultural credit corporation organized to lend money for agricultural purposes,*"

The motion prevailed. So the amendment to the Borden amendment was adopted.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Conzemius	Jensen	Milton	Renneke
Arnold	Davies	Josefson	Moe	Schaaf
Ashbach	Doty	Keefe, J.	Ogdahl	Schmitz
Bang	Dunn	Keefe, S.	Olhoft	Schrom
Berg	Fitzsimons	Kirchner	Olson, A. G.	Sillers
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stumpf
Brataas	Hansen, Mel	Laufenburger	Patton	Tennessee
Brown	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Chmielewski	Hughes	McCutcheon	Pillsbury	Wegener
Coleman	Humphrey	Merriam	Purfeerst	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the Borden amendment, as amended,

And the roll being called, there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Ogdahl	Schrom
Arnold	Conzemius	Jensen	Olson, H. D.	Sillers
Ashbach	Davies	Josefson	Olson, J. L.	Solon
Bang	Doty	Keefe, J.	O'Neill	Stassen
Berg	Dunn	Kirchner	Patton	Ueland
Bernhagen	Fitzsimons	Kowalczyk	Pillsbury	Wegener
Blatz	Frederick	Larson	Purfeerst	
Borden	Hansen, Baldy	Laufenburger	Renneke	
Brataas	Hansen, Mel	Milton	Schaaf	
Brown	Hanson, R.	Moe	Schmitz	

Those who voted in the negative were:

Chmielewski	Keefe, S.	Merriam	Olson, A. G.	Stumpf
Gearty	Lewis	North	Perpich, A. J.	Tennessee
Hughes	McCutcheon	Olhoft	Spear	Willet

The motion prevailed. So the amendment was adopted.

H. F. No. 511 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Moe	Renneke
Arnold	Conzemius	Jensen	Nelson	Schaaf
Ashbach	Davies	Josefson	Ogdahl	Schmitz
Bang	Doty	Keefe, J.	Olhoff	Schrom
Berg	Dunn	Kirchner	Olson, H. D.	Sillers
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Solon
Blatz	Frederick	Larson	O'Neill	Stassen
Borden	Hansen, Baldy	Laufenburger	Patton	Tennessee
Brataas	Hansen, Mel	Lewis	Pillsbury	Ueland
Brown	Hanson, R.	Milton	Purfeerst	Wegener

Those who voted in the negative were:

Chmielewski	Keefe, S.	North	Spear	Willet
Gearty	McCutcheon	Olson, A. G.	Stokowski	
Hughes	Merriam	Perpich, A. J.	Stumpf	

So the bill, as amended, passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. No. 1722 be taken from the table and referred to the Committee on Rules and Administration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 135: A bill for an act relating to taxation; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigarettes; amending Minnesota Statutes 1974, Section 297.08, Subdivisions 1 and 2, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Larson	Patton	Solon
Arnold	Gearty	Laufenburger	Perpich, A. J.	Spear
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stassen
Blatz	Hanson, R.	Merriam	Pillsbury	Stokowski
Brataas	Humphrey	Nelson	Purfeerst	Stumpf
Brown	Jensen	North	Renneke	Wegener
Chenoweth	Josefson	Ogdahl	Schaaf	Willet
Chmielewski	Keefe, J.	Olhoff	Schmitz	
Doty	Keefe, S.	Olson, H. D.	Schrom	
Fitzsimons	Kowalczyk	O'Neill	Sillers	

Those who voted in the negative were:

Bang	Dunn	Kleinbaum	Milton	Ueland
Coleman	Hansen, Baldy	Lewis		

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 674, No. 5 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 674: A bill for an act relating to taxation; providing for additional powers to commissioner of revenue for collection of unpaid tax; creating lien on real and personal property for taxes due; providing for third party liability for withholding tax; changing rates of penalty and interest; providing that contractors shall give bond for certain unpaid taxes; amending Minnesota Statutes 1974, Chapters 270; 291; 292; by adding sections; Section 270.07, Subdivisions 1 and 5; 270.075, Subdivision 2; 270.076, Subdivision 2; 273.41; 290.087, Subdivisions 4 and 5; 290.45, Subdivision 2; 290.53, Subdivisions 1 and 2; 290.92, Subdivision 15, and by adding a subdivision; 290.93, Subdivision 10; 290.934, Subdivision 1; 290.988, Subdivisions 2 and 3; 291.11, Subdivision 5; 291.15; 291.18; 291.35; 291.46; 292.12, Subdivision 1; 294.03, Subdivisions 1 and 2; 296.15, Subdivisions 1 and 2; 297.07, Subdivision 4; 297.35, Subdivision 5; 297A.35, Subdivision 1; 297A.39, Subdivision 7; 298.09, Subdivision 4; 574.26; 574.261, Subdivision 1; repealing Minnesota Statutes 1974, Section 292.11.

Mr. Perpich, A. J. moved that the amendment made to H. F. No. 674 by the Committee on Rules and Administration in the report adopted April 19, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Perpich, A. J. moved to amend H. F. No. 674 as follows:

Strike the amendment adopted May 12, 1975, to H. F. No. 674 as amended pursuant to Rule 49, and further amend H. F. No. 674 as follows:

Page 4, line 22, strike "8" and insert "7"

Pages 5 to 8, strike section 5

Page 14, lines 5 and 20, strike "8" and insert "7"

Page 15, lines 1 and 15, strike "8" and insert "7"

Page 16, lines 5 and 9, strike "8" and insert "7"

Page 17, lines 4 and 15, strike "8" and insert "7"

Page 18, lines 5, 28, and 32, strike "8" and insert "7"

Page 23, line 14, strike "8" and insert "7"

Page 26, line 2, strike "8" and insert "7"

Page 26, lines 17 and 32, strike "8" and insert "7"

Page 29, lines 3, 13, and 22, strike "8" and insert "7"

Page 31, line 6, strike "8" and insert "7"

Page 32, line 26, strike "8" and insert "7"

Page 33, line 4, strike "8" and insert "7"

Page 34, line 18, strike "8" and insert "7"

Page 35, lines 4, 24, and 32, strike "8" and insert "7"

Page 36, line 25, strike "8" and insert "7"

Page 37, lines 3 and 26, strike "8" and insert "7"

Page 39, line 14, strike "8" and insert "7"

Page 40, line 5, strike "8" and insert "7"

Page 42, line 5, strike "6, and 7" and insert "5, and 6"

Page 42, line 7, strike "5, 40, and 41" and insert "39 and 40"

Page 42, line 9, strike "15" and insert "14"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, strike "creating lien on real and personal property for taxes due;"

The motion prevailed. So the amendment was adopted.

H. F. No. 674 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Schmitz
Arnold	Doty	Keefe, J.	North	Schrom
Bang	Dunn	Keefe, S.	Ogdahl	Solon
Berg	Fitzsimons	Kirchner	Olhoft	Spear
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Stassen
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Brataas	Hansen, Mel	Larson	O'Neill	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessen
Chenoweth	Hughes	McCutcheon	Pillsbury	Ueland
Chmielewski	Humphrey	Merriam	Purfeerst	Wegener
Coleman	Jensen	Milton	Renneke	Willet

Messrs. Ashbach; Hansen, Baldy and Knutson voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 69: A bill for an act relating to athletics; providing for equal opportunity for members of both sexes to participate in athletics; amending Minnesota Statutes 1974, Chapter 126, by adding a section; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

Mr. Milton moved to amend the amendment placed on H. F. No. 69 by the Committee on Judiciary, adopted by the Senate May 1, 1975, as follows:

Page 2, line 7, strike the period inserted in the committee amendment and insert “; provided, if a membership restriction on the basis of sex results in the operation of two teams in the same sport which are separated or substantially separated according to sex, the two”

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 69 as follows:

Page 3, after line 9, insert:

“Sec. 2. *Laws 1973, Resolution No. 1, is repealed.*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after “repealing” insert “Laws 1973, Resolution No. 1; and”

The question being taken on the adoption of the amendment,

Mr. Chmielewski moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 33 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Olhoff	Schmitz
Bang	Fitzsimons	Keefe, J.	Olson, H. D.	Schrom
Berg	Gearty	Kirchner	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Wegener
Blatz	Hansen, Mel	Kowalczyk	Patton	Willet
Brown	Hanson, R.	Larson	Pillsbury	
Chmielewski	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Spear
Arnold	Doty	McCutcheon	Perpich, A. J.	Stassen
Borden	Frederick	Merriam	Perpich, G.	Stokowski
Brataas	Hughes	Milton	Purfeerst	Stumpf
Chenoweth	Humphrey	Moe	Schaaf	Tennessee
Coleman	Keefe, S.	North	Sillers	
Conzemius	Laufenburger	Ogdahl	Solon	

The motion did not prevail. So the amendment was not adopted.

Mr. Willet moved to amend H. F. No. 69 as follows:

Page 1, strike all of subdivision 1

Renumber the subdivisions in sequence

Page 2, line 29, strike “2” and insert “1”

Page 3, line 1, strike “2” and insert “1”

Page 3, line 3, strike “2” and insert “1”

Page 3, line 9, strike “2” and insert “1”

The motion prevailed. So the amendment was adopted.

H. F. No. 69 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kowalczyk	Olson, H. D.	Sillers
Bang	Frederick	Larson	Olson, J. L.	Solon
Blatz	Gearty	Laufenburger	O'Neill	Spear
Borden	Hansen, Mel	Lewis	Patton	Stassen
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stokowski
Brown	Hughes	Milton	Perpich, G.	Stumpf
Chenoweth	Humphrey	Moe	Pillsbury	Tennessee
Coleman	Jensen	Nelson	Purfeerst	Ueland
Conzemius	Josefson	North	Renneke	Wegener
Davies	Keefe, S.	Ogdahl	Schaaf	Willet
Doty	Kirchner	Olhoff	Schmitz	
Dunn	Knutson	Olson, A. G.	Schrom	

Messrs. Berg and Hansen, Baldy voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 251: A bill for an act relating to eminent domain; possession; amending Minnesota Statutes 1974, Section 117.042.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	Olson, H. D.	Solon
Bang	Gearty	Larson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Stumpf
Brown	Hughes	Merriam	Pillsbury	Tennessee
Chenoweth	Humphrey	Milton	Purfeerst	Ueland
Coleman	Jensen	Moe	Renneke	Wegener
Conzemius	Josefson	Nelson	Schaaf	Willet
Davies	Keefe, S.	North	Schmitz	
Dunn	Kirchner	Ogdahl	Schrom	
Fitzsimons	Knutson	Olhoff	Sillers	

Mr. Doty voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 68: A bill for an act relating to public welfare; juveniles; guardian ad litem; amending Minnesota Statutes 1974, Section 260.155, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Stassen
Bang	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Berg	Gearty	Larson	O'Neill	Stumpf
Blatz	Hansen, Baldy	Laufenburger	Patton	Tennessee
Borden	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brataas	Hughes	Merriam	Pillsbury	Wegener
Brown	Humphrey	Milton	Renneke	
Chenoweth	Jensen	Moe	Schmitz	
Coleman	Josefson	Nelson	Schrom	
Davies	Keefe, S.	North	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 409: A bill for an act relating to veterans affairs; the transfer of the personal property a deceased resident leaves at the Minnesota veterans home; repealing Minnesota Statutes 1974, Section 198.23.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schmitz
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Frederick	Knutson	Olson, A. G.	Sillers
Berg	Gearty	Kowalczyk	Olson, H. D.	Solon
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Spear
Borden	Hansen, Mel	Lewis	O'Neill	Stassen
Brataas	Hanson, R.	McCutcheon	Perpich, A. J.	Stokowski
Brown	Hughes	Merriam	Perpich, G.	Stumpf
Chenoweth	Humphrey	Milton	Pillsbury	Tennessee
Coleman	Jensen	Moe	Purfeerst	Ueland
Conzemius	Josefson	Nelson	Renneke	Wegener
Davies	Keefe, S.	North	SchAAF	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 79: A bill for an act regulating smoking at public places and in public meetings; providing a penalty.

Mr. Brown moved to amend H. F. No. 79, as amended by the Committee on Health, Welfare and Corrections, adopted by the Senate May 1, 1975, as follows:

Page 2, line 12, after "public" insert ", except that the department of labor and industry shall, in consultation with the state board of health, establish rules to restrict or prohibit smoking in those places of work where the close proximity of workers or the inadequacy of ventilation causes smoke pollution detrimental to the health and comfort of nonsmoking employees"

Page 3, line 2, after "act" insert ", except as provided for in section 4"

The motion prevailed. So the amendment was adopted.

H. F. No. 79 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kowalczyk	Olhoff	Spear
Bernhagen	Hansen, Mel	McCutcheon	Olson, J. L.	Stumpf
Brataas	Hughes	Merriam	O'Neill	Tennessee
Brown	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Josefson	Moe	Pillsbury	
Conzemius	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schmitz	
Dunn	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Chenoweth	Kleinbaum	Patton	Stassen
Ashbach	Davies	Larson	Perpich, G.	Stokowski
Bang	Fitzsimons	Laufenburger	Purfeerst	Ueland
Berg	Frederick	Lewis	Renneke	Willet
Blatz	Hanson, R.	Olson, A. G.	Schrom	
Borden	Jensen	Olson, H. D.	Solon	

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 177: A bill for an act relating to public health; prohibiting pay toilets and urinals in public places; providing a penalty; amending Minnesota Statutes 1974, Chapter 145, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Gearty	Keefe, J.	Lewis
Arnold	Conzemius	Hansen, Mel	Keefe, S.	McCutcheon
Borden	Davies	Hughes	Knutson	Merriam
Brown	Doty	Humphrey	Kowalczyk	Milton
Chenoweth	Fitzsimons	Josefson	Laufenburger	Moe

Nelson	Olson, H. D.	Purfeerst	Sillers	Stokowski
North	Olson, J. L.	Schaaf	Solon	Stumpf
Olhoff	Pillsbury	Schmitz	Spear	Willet
Olson, A. G.				

Those who voted in the negative were:

Ashbach	Brataas	Kirchner	O'Neill	Stassen
Bang	Dunn	Kleinbaum	Perpich, G.	Tennessen
Bernhagen	Hanson, R.	Larson	Renneke	Ueland
Blatz	Jensen	Ogdahl	Schrom	Wegener

So the bill passed and its title was agreed to.

### RECESS

Mr. Coleman moved that the Senate do now recess until 1:00 o'clock p.m. The motion prevailed.

The hour of 1:00 o'clock p.m. having arrived, the President called the Senate to order.

### SPECIAL ORDER

H. F. No. 1020: A bill for an act relating to Hennepin county; city of Minneapolis; granting authority to lease, operate and maintain a correctional facility, work farm, or detention facilities.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoff	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Blatz	Hanson, R.	Laufenburger	O'Neill	Tennessen
Brataas	Hughes	Lewis	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Merriam	Pillsbury	Willet
Davies	Josefson	Moe	Renneke	
Doty	Keefe, J.	North	Schmitz	

So the bill passed and its title was agreed to.

### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1160, pursuant to the request of the House:

Messrs. Laufenburger; Olhoff; Hansen, Baldy; Frederick and Larson.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1, pursuant to the request of the House:

Messrs. Merriam; Keefe, S.; Laufenburger; Hanson, R. and Mrs. Brataas.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1466, pursuant to the request of the Senate:

Messrs. Arnold, Solon and Bang.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1446, pursuant to the request of the Senate:

Mr. Frederick, Mrs. Brataas and Mr. Humphrey.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 469, pursuant to the request of the Senate:

Messrs. Chenoweth, Stokowski and Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1518, pursuant to the request of the House:

Messrs. O'Neill, North and Stumpf.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### **SPECIAL ORDER**

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Mr. Hansen, Baldy moved to amend S. F. No. 864 as follows:

Page 1, line 13, strike "*next of kin and the*"

Page 1, line 14, after "*physician*" insert "*and the spouse or, if there be none, an adult child or, if there be none, the next of kin*"

The motion prevailed. So the amendment was adopted.

S. F. No. 864 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 39 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Ogdahl	Schmitz
Bang	Frederick	Keefe, J.	Olhoft	Schrom
Berg	Hansen, Baldy	Kirchner	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Kleinbaum	O'Neill	Stassen
Blatz	Hanson, R.	Knutson	Patton	Ueland
Brataas	Hughes	Larson	Perpich, A. J.	Wegener
Brown	Humphrey	Laufenburger	Pillsbury	Willet
Conzemius	Jensen	Moe	Renneke	

Those who voted in the negative were:

Davies	Lewis	Spear	Stumpf	Tennessee
Doty	Merriam			

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on S. F. No. 177:

Messrs. North, Kowalczyk and Milton. The motion prevailed.

### SPECIAL ORDER

H. F. No. 986: A bill for an act relating to crime victims reparations; authorizing the crime victims reparations board to limit the fees charged by an attorney representing a claimant before the board; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 1; and Chapter 299B, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Keefe, J.	Olhoft	Schrom
Bang	Dunn	Kirchner	Olson, A. G.	Sillers
Berg	Frederick	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stassen
Blatz	Hansen, Mel	Laufenburger	Patton	Stumpf
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	McCutcheon	Pillsbury	Ueland
Conzemius	Jensen	Moe	Schaaf	Wegener
Davies	Josefson	Ogdahl	Schmitz	Willet

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1444: A bill for an act relating to metropolitan government; prohibiting membership in more than one commission; amending Laws 1975, Chapter 13, Section 7, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Kirchner	Olson, J. L.	Solon
Bang	Dunn	Kleinbaum	Perpich, A. J.	Spear
Berg	Fitzsimons	Knutson	Perpich, G.	Stumpf
Blatz	Gearty	Laufenburger	Pillsbury	Ueland
Brown	Hansen, Mel	McCutcheon	Purfeerst	Wegener
Coleman	Hughes	Olhoft	Schaaf	
Conzemius	Jensen	Olson, A. G.	Schmitz	
Davies	Keefe, J.	Olson, H. D.	Schrom	

Those who voted in the negative were:

Bernhagen	Hanson, R.	Larson	Patton	Stassen
Brataas	Humphrey	Ogdahl	Renneke	Tennessee
Chenoweth	Josefson	O'Neill	Sillers	Willet

So the bill passed and its title was agreed to.

**RECONSIDERATION**

Mr. Hansen, Baldy moved that the vote whereby S. F. No. 864 was passed by the Senate on May 14, 1975, be now reconsidered. The motion prevailed.

**SPECIAL ORDER**

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Mr. Hansen, Baldy moved to amend S. F. No. 864 as follows:

Page 1, line 14, after the period insert "*The next of kin or the attending physician may, within five days of receipt of the notice, request that a hearing on the discharge be held and that the requesting party be able to testify at the hearing. The discharging authority shall hold the hearing and accept the testimony of the next of kin or attending physician as soon as possible after receipt of the request, and before discharge of the patient.*"

Further amend the title as follows:

Page 1, line 3, after "to" insert "and hearing on request of"

The motion prevailed. So the amendment was adopted.

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to and hearing on request of attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 43 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Josefson	Olhoft	Sillers
Bang	Dunn	Keefe, J.	Olson, H. D.	Solon
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Gearty	Kleinbaum	Patton	Stokowski
Blatz	Hansen, Baldy	Knutson	Perpich, A. J.	Ueland
Brataas	Hansen, Mel	Larson	Pillsbury	Wegener
Brown	Hanson, R.	Laufenburger	Purfeerst	Willet
Coleman	Hughes	McCutcheon	Schaaf	
Conzemius	Jensen	Ogdahl	Schrom	

Those who voted in the negative were:

Chenoweth	Merriam	Spear	Stumpf	Tennessee
Doty	Perpich, G.			

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Olson, J. L.; Renneke; Moe; Perpich, G. and Doty. The motion prevailed.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1758:

Messrs. Ashbach; Arnold; Hansen, Mel; Davies and Tennessee. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 581: A bill for an act relating to retirement; providing a combined service annuity for public employees who have allowable service credit in more than one Minnesota retirement fund; amending Minnesota Statutes 1974, Chapter 356, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Davies	Jensen	Merriam	Sillers
Berg	Dunn	Josefson	Nelson	Spear
Bernhagen	Fitzsimons	Kirchner	Ogdahl	Stassen
Blatz	Frederick	Kleinbaum	Olhoft	Stokowski
Brataas	Gearty	Knutson	Patton	Stumpf
Brown	Hansen, Baldy	Larson	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Laufenburger	Pillsbury	Wegener
Conzemius	Hughes	McCutcheon	Purfeerst	Willet

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1526: A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

Mr. McCutcheon moved to amend H. F. No. 1526 as follows:

Page 1, lines 8 to 12, underline the language

Page 1, strike lines 13 to 17 and insert:

"Sec. 2. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02072] [PAYMENT FOR PARAMEDIC SERVICE.] *Subdivision 1. The governing body of the city of Saint Paul, in conjunction with the operation of its emergency or paramedic ambulance program, may impose reasonable charges for the emergency or paramedic ambulance services in order to finance its costs.*

*Subd. 2. The following persons shall not be subject to such charges:*

*(i) Any person who is eligible for or receiving public assistance under the aid to families with dependent children program, but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

*(ii) Any person who, except for the amount of income or resources, would qualify for aid to families with dependent children, is in need of medical assistance but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

*(iii) Any person over 18 years of age, in need of medical care that neither he nor his relatives responsible under Minnesota Statutes, Sections 256B.01 to 256B.26 are financially able to provide, is not eligible for any federally, state or locally funded public assistance program which would pay for such charges and has no medical, health or accident insurance policies which would pay for such charges.*

Sec. 3. Laws 1974, Chapter 435, Section 1.0207, is amended to read:

Sec. 1.0207. [HEALTH.] (a) [ADDITION TO ST. PAUL-RAMSEY HOSPITAL; PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing

the net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

(b) [MORGUE.] (1) [DUTY TO PROVIDE.] Ramsey county shall provide and equip a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a postmortem or coroner's inquest, without charge to anyone.

(2) [MAINTENANCE.] The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

(c) [HEALTH DEPARTMENT.] (1) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

(2) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

(3) [POWERS AND RESPONSIBILITIES.] (A) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs.

(B) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(C) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(D) Health services for school children vested in or imposed upon a school district when the board of education of the school district petitions the county to provide the services by contract or otherwise for its district.

(E) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(F) The county may authorize the health department to operate

a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(G) Prepare and have published an annual report of the work of the health department.

(H) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(I) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(J) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(K) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(L) The county shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or a part of the county, but no county regulation may supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this subparagraph shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

(M) The health department shall cause all laws and regulations relating to public health to be obeyed and enforced inside its jurisdictional area.

(4) [FUNDING.] (A) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

(B) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

(5) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under paragraph (3), the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

(6) [PERSONNEL.] (A) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

(B) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

(C) [EMPLOYEES.] (i) Each person transferred to the health department by this paragraph and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a non-competitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provision of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

(ii) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

(7) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the

following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection.

(9) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) shall pay for any services provided by this subsection until its governing body has approved the resolution as provided in paragraph (7)

(10) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) [AMBULANCE SERVICE.] (1) [LIMITED TO REQUESTING MUNICIPALITIES.] If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) [SERVICE CHARGE.] If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) [PARAMEDICS.] (1) [DEFINITIONS.] As used in this article, "physician's trained mobile intensive care paramedic" means a person who:

(A) Is an employee of the county of Ramsey or the city of St. Paul;

(B) Has been specially trained in emergency cardiac and non-cardiac care by a licensed physician in a training program certified by the state board of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated herein.

(2) The city of St. Paul and the county of Ramsey are hereby authorized to maintain a staff of physician's trained mobile intensive care paramedics.

(3) (A) Notwithstanding any other provision of law, physi-

cian's trained mobile intensive care paramedics may do any of the following:

- (i) Regular rescue, first aid and resuscitation services;
- (ii) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;
- (iii) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;
- (iv) Administer intravenous saline or glucose solutions;
- (v) Administer parenteral injections in any of the following classes of drugs:
  - (a) antiarrhythmic agents;
  - (b) vagolytic agents;
  - (c) chronotropic agents;
  - (d) analgesic agents;
  - (e) alkalinizing agents;
  - (f) vasopressor agents;
  - (g) diuretics;
- (vi) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

(B) But at all times before undertaking the actions authorized by clauses (iii), (iv), (v) and (vi), paramedics shall make and continue to make, during the course of an emergency, attempts to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, the paramedics shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts to telemeter to a licensed physician, who has been associated with the dispensing of cardiac medical care, an electrocardiogram of the person being treated.

(C) Nothing contained in this subsection shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than physician's trained mobile intensive care paramedics.

(4) No licensed physician or registered nurse, who in good faith *and in the exercise of reasonable care* gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

(5) No certified physician's trained mobile intensive care paramedic, who in good faith *and in the exercise of reasonable care*

renders emergency lifesaving care and treatment as set forth in this subsection, shall be liable for any civil damages because of rendering such care and treatment.

(f) [AIR QUALITY.] (1) [APPROPRIATION.] Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

(2) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

(3) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation adopted by the county pursuant hereto is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

*Sec. 4. The provisions of Laws 1974, Chapter 435, Section 1.0207(e) and section 2 of this act shall also apply to the city of Maplewood.*

*Sec. 5. Laws 1971, Chapter 762, is repealed.*

*Sec. 6. Sections 1 and 2 of this act shall become effective only after their approval by a majority of the governing body of the city of Saint Paul and upon compliance with Section 645.021.*

*Section 4 of this act shall become effective only after the approval of a majority of the governing body of the city of Maplewood and upon compliance with Section 645.021."*

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to the cities of St. Paul and Maplewood; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; amending Laws 1974, Chapter 435, Section 1.0207, and by adding a section; repealing Laws 1971, Chapter 762."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 1526 as follows:

Page 1, after line 12, insert

*Sec. 2. Laws 1974, Chapter 435, Section 1.0209, is amended to read:*

*Sec. 1.0209. [HIGHWAYS.] (a) [POWER TO APPROPRIATE FOR SAINT PAUL STREETS.] (1) [APPROPRIATION.] Ramsey county may appropriate the reasonable sums of money*

that it considers proper shall annually appropriate to the city of Saint Paul an amount of money which shall be not less than the equivalent of a levy of one and one-quarter mills against all taxable property within the county to assist in the construction, improvement and maintenance of roads and streets, and bridges thereon, inside the limits of the city of Saint Paul where the roads and streets, and bridges thereon, connect with, and are extensions of, roads in the county outside of the city, but leading into the city.

(2) [CITY TO CONTROL EXPENDITURE.] Moneys so appropriated shall be spent under the direction of the city.

(b) [DUTY TO APPROPRIATE FOR MUNICIPAL STREETS.] (1) [FORMULA FOR APPROPRIATION.] Ramsey county shall appropriate \$60,000 annually and pay it to the municipalities in the county, outside the city of St. Paul, to aid the municipalities in the construction and maintenance of municipal roads, streets or bridges, and this appropriation shall be apportioned in the following manner:

(A) 70 percent to be prorated to the municipalities in proportion as the number of miles of roads inside, and maintained exclusively by each municipality bears to the total number of miles of roads inside the county and maintained exclusively by all the municipalities; and

(B) 30 percent thereof to the municipalities, proportionately, according to the assessed valuation of all property for taxation in the municipalities, and shall be spent on municipal roads, streets, or bridges by the governing body of each municipality.

(2) [CERTIFICATE.] On or before March 15 of each year, the county engineer shall certify the actual number of miles of roads inside and maintained exclusively by the municipalities outside the city of St. Paul. The mileage so certified shall not include undeveloped roads, even though the plat thereof may have been filed for record.

(c) [COUNTY MAY DO MUNICIPAL WORK.] (1) [MUNICIPAL AUTHORITY.] In Ramsey county, the governing body of a city, village or town therein may authorize the county to construct and maintain any or all of its highways without advertising for bids.

(2) [COST, LIMITATION.] The construction that is referred to in the above paragraph is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

(d) [LEXINGTON AVENUE; OLD TRUNK HIGHWAY NO. 10.] That part of Lexington avenue in Ramsey county from Larpen-teur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway."

Underline all new language in the bill.

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 2, strike "the city of Saint Paul" and insert "local government in Ramsey County"

Page 1, line 4, after the semicolon insert "requiring Ramsey county to appropriate money to the city of St. Paul for certain purposes; amending Laws 1974, Chapter 435, Section 1.0209;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1526 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Olhoff	Spear
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Frederick	Larson	O'Neill	Stokowski
Blatz	Gearty	Laufenburger	Patton	Stumpf
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Ueland
Brataas	Hanson, R.	McCutcheon	Pillsbury	Wegener
Brown	Hughes	Merriam	Purfeerst	Willet
Chenoweth	Jensen	Milton	Schmitz	
Coleman	Josefson	Nelson	Schrom	
Conzemius	Kirchner	North	Sillers	

So the bill, as amended, passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 176: A bill for an act relating to intoxicating liquor; issuance of licenses by cities; amending Minnesota Statutes 1974, Sections 340.11, Subdivisions 7a and 18, and by adding a subdivision; 340.13, Subdivision 4; and 340.353, Subdivision 5; repealing Minnesota Statutes 1974, Section 340.11, Subdivisions 6 and 7.

Mr. Coleman moved to amend H. F. No. 176 as follows:

Page 3, after line 27, insert:

"Sec. 4. Minnesota Statutes 1974, Section 340.11, is amended by adding a subdivision to read:

*Subd. 20. [ON-SALE WINE LICENSES.] (a) "On-sale wine licenses" shall mean licenses authorizing the sale of wine not exceeding 14 percent alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.*

*(b) For purposes of this subdivision "restaurant" shall mean an establishment, under the control of a single proprietor or manager, having appropriate facilities for serving meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests.*

*(c) Any municipality which maintains a municipal liquor store or any municipality or county authorized to issue "on-sale" licenses for*

*the sale of intoxicating liquor may issue on-sale wine licenses to any restaurant having facilities for seating not fewer than 25 guests at one time. The licenses shall be in addition to the number of on-sale licenses for the sale of intoxicating liquor authorized by the intoxicating liquors act. The fee for on-sale wine licenses shall be set by the issuing authority, but shall not exceed one half of the license fee charged by the municipality for an on-sale license, or \$2,000, whichever is less. Licenses issued pursuant to this subdivision shall not be effective until approved by the commissioner. The licenses shall authorize the sale of wine as herein provided on all days of the week unless the issuing authority restricts the license's authorization to the sale of wine on all days other than Sunday."*

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 8, before the period insert ", and by adding a subdivision"

Mr. Larson moved to amend the Coleman amendment to H. F. No. 176, as follows:

Clause (c) of the Coleman amendment, line 8, after "exceed" insert "*the price normally paid for any liquor license*"

Lines 8 to 10, strike "*one half of the license fee charged by the municipality for an on-sale license, or \$2,000, whichever is less*"

The question being taken on the adoption of the amendment to the Coleman amendment,

And the roll being called, there were yeas 21 and nays 31, as follows:

Those who voted in the affirmative were:

Blatz	Humphrey	Larson	Patton	Willet
Chmielewski	Jensen	Lewis	Pillsbury	
Gearty	Keefe, J.	McCutcheon	Schrom	
Hansen, Baldy	Kirchner	Olhoft	Stokowski	
Hanson, R.	Kowalczyk	Olson, H. D.	Wegener	

Those who voted in the negative were:

Anderson	Chenoweth	Kleinbaum	Ogdahl	Solon
Bang	Coleman	Knutson	O'Neill	Spear
Berg	Conzemius	Laufenburger	Perpich, A. J.	Stumpf
Bernhagen	Dunn	Merriam	Purfeerst	
Borden	Fitzsimons	Milton	Schaaf	
Brataas	Frederick	Nelson	Schmitz	
Brown	Josefson	North	Sillers	

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Schrom moved to amend the Coleman amendment to H. F. No. 176 as follows:

The fourth line of clause (c), strike "25" and insert "100"

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Schrom moved to amend the Coleman amendment to H. F. No. 176 as follows:

The eighth line of clause (c), strike "*not exceed*" and insert "*be equal to*"

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 176 as follows:

The ninth line of clause (c), strike "*municipality*" and insert "*issuing authority*"

The motion prevailed. So the amendment to the amendment was adopted.

The question being taken on the adoption of the Coleman amendment,

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 31 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Lewis	Perpich, A. J.	Stumpf
Berg	Gearty	Merriam	Purfeerst	Ueland
Borden	Hanson, R.	Milton	Schaaf	Wegener
Brown	Hughes	Nelson	Schmitz	
Chenoweth	Humphrey	North	Sillers	
Coleman	Kleinbaum	Ogdahl	Solon	
Conzemius	Knutson	O'Neill	Spear	

Those who voted in the negative were:

Bernhagen	Frederick	Kirchner	McCutcheon	Schrom
Blatz	Hansen, Baldy	Kowalczyk	Olhoff	Stassen
Chmielewski	Jensen	Larson	Olson, H. D.	Stokowski
Dunn	Josefson	Laufenburger	Patton	Willet

The motion prevailed. So the amendment was adopted.

H. F. No. 176 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	O'Neill	Spear
Arnold	Davies	Lewis	Perpich, A. J.	Stumpf
Bang	Fitzsimons	Merriam	Pillsbury	Tennessen
Borden	Hanson, R.	Milton	Purfeerst	Ueland
Brataas	Hughes	Nelson	Schaaf	
Brown	Humphrey	North	Schmitz	
Chenoweth	Keefe, J.	Ogdahl	Sillers	
Coleman	Keefe, S.	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Laufenburger	Stassen
Bernhagen	Gearty	Kirchner	Olhoft	Stokowski
Blatz	Hansen, Baldy	Knutson	Olson, H. D.	Wegener
Chmielewski	Hansen, Mel	Kowalczyk	Patton	Willet
Dunn	Jensen	Larson	Schrom	

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 439, No. 34 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 439: A bill for an act relating to taxation; providing an income tax credit to deaf individuals and increasing the tax credit to certain blind persons; amending Minnesota Statutes 1974, Section 290.06, Subdivision 3c.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Patton	Stokowski
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Stumpf
Borden	Hughes	Merriam	Perpich, G.	Ueland
Brataas	Humphrey	Milton	Purfeerst	Wegener
Brown	Jensen	Nelson	Schaaf	Willet
Chmielewski	Josefson	North	Schmitz	
Coleman	Keefe, J.	Ogdahl	Schrom	
Dunn	Kirchner	Olhoft	Sillers	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1304: A bill for an act relating to banks; permitting open end credit arrangements; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

Mr. Merriam moved to amend H. F. No. 1304, as amended pursuant to Rule 49, adopted by the Senate May 10, 1975, as follows:

Strike the Rule 49 amendments to pages 1, 2, 3, and 4; to page 5, lines 1 to 5 and line 11; and to page 6, lines 22 and 23, and further amend H. F. No. 1304 as follows:

Page 2, line 19, after "estate" insert "constituting a primary residence"

Page 2, line 29, after "estate" insert "constituting a primary residence"

The motion did not prevail. So the amendment was not adopted. H. F. No. 1304 was then progressed.

#### SPECIAL ORDER

H. F. No. 619: A bill for an act relating to commerce; providing disclosure obligations and personal solicitation of sales; providing penalties.

Mr. Spear moved to amend H. F. No. 619 as follows:

Page 2, lines 15 and 16, strike "with the information required by this section" and insert "which clearly states the seller's name and the name of the business or organization he represents"

In the amendment to page 2, line 18, adopted by the Senate May 9, 1975, pursuant to Rule 49, strike "requirement of showing identification cards" and insert "requirements of this section"

Page 2, line 20, strike "sections 1 or 2" and insert "section 2"

Page 2, strike lines 23 to 27

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 619 as follows:

Page 1, line 22, strike the period and insert "; or "

Page 1, after line 22, insert:

"(c) An attempted sale of a newspaper subscription in which the seller is a minor child engaged in both the delivery and sale of the newspaper."

The motion prevailed. So the amendment was adopted.

H. F. No. 619 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 35 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Borden	Gearty	Kleinbaum	Ogdahl	Sillers
Brataas	Hanson, R.	Kowalczyk	Olhoft	Solon
Brown	Hughes	Lewis	Olson, A. G.	Spear
Chenoweth	Humphrey	Merriam	Olson, H. D.	Stokowski
Coleman	Keefe, J.	Milton	Perpich, A. J.	Stumpf
Conzemius	Keefe, S.	Nelson	Purfeerst	Wegener

Those who voted in the negative were:

Bang	Dunn	Larson	Patton	Schrom
Bernhagen	Fitzsimons	Laufenburger	Pillsbury	Ueland
Chmielewski	Hansen, Baldy	O'Neill	Schmitz	Willet

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 474, No. 47 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 474: A bill for an act relating to taxation; denying tax deductions relating to substandard rental housing; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivision 20; and 290.12, Subdivision 2.

Mr. Perpich, A. J. moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 1, line 13, after "*interest*" strike the comma and insert "*and*"

Page 1, line 14, after "*depreciation*" strike "*, taxes, trade or business expenses, expenses*"

Page 1, strike line 15

Page 1, line 18, after "*building*" insert "*other than buildings used for agricultural purposes*"

Page 2, line 6, after "*notice*" insert "*or within the time prescribed by the agency in the notice*"

Page 2, line 7, strike "*or the time prescribed by the agency in the*"

Page 2, line 8, strike "*notice,*"

Page 2, line 16, after "*and shall*" insert "*contain the particulars of the noncompliance and shall*"

Page 3, line 5 strike "*income*" and insert "*taxable*"

The motion prevailed. So the amendment was adopted.

Mr. Tennessen moved that H. F. No. 474 be re-referred to the Committee on Taxes and Tax Laws.

The question being taken on the adoption of the motion,

Mr. Perpich, A. J. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Josefson	Olson, J. L.	Stassen
Bang	Dunn	Keefe, J.	O'Neill	Tennessee
Berg	Fitzsimons	Kirchner	Patton	Ueland
Bernhagen	Frederick	Knutson	Pillsbury	Wegener
Blatz	Hansen, Baldy	Kowalczyk	Renneke	
Brown	Hansen, Mel	Nelson	Schaaf	
Coleman	Hanson, R.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olson, A. G.	Solon
Arnold	Hughes	Lewis	Olson H. D.	Spear
Brataas	Humphrey	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Jensen	Milton	Perpich, G.	Stumpf
Chmielewski	Keefe, S.	Moe	Purfeerst	Willet
Conzemius	Kleinbaum	North	Schmitz	
Doty	Larson	Olhoff	Schrom	

The motion did not prevail. H. F. No. 474 was then progressed.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. North moved that the Senate do not concur in the amendments by the House to S. F. No. 1425 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes

1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. Wegener moved that the Senate do not concur in the amendments by the House to S. F. No. 211 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 917: A bill for an act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; amending Minnesota Statutes 1974, Sections 361.09, Subdivision 2; and 361.27, Subdivision 1.

Senate File No. 917 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 917 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 917: A bill for an act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; removing operator's permit exception for certain non-residents; amending Minnesota Statutes 1974, Sections 361.041, Subdivision 2; 361.09, Subdivision 2; and 361.27, Subdivision 1.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Olhoff	Schmitz
Blatz	Fitzsimons	Kowalczyk	Olson, A. G.	Sillers
Brataas	Gearty	Larson	Olson, J. L.	Solon
Brown	Hansen, Mel	Laufenburger	O'Neill	Spear
Chenoweth	Hanson, R.	Lewis	Patton	Stassen
Chmielewski	Hughes	Merriam	Perpich, A. J.	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Stumpf
Conzemius	Jensen	Moe	Pillsbury	Tennessee
Davies	Keefe, J.	Nelson	Purfeerst	Wegener
Doty	Keefe, S.	North	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Berg	Bernhagen	Hansen, Baldy Ueland
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So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 954: A bill for an act relating to elections; rearranging the laws regulating campaign practices and penalties; providing penalties; amending Laws 1975, Chapter 5, by adding a section; and Minnesota Statutes 1974, Sections 123.015; 290.09, Subdivision 2; and 290.21, Subdivision 3; repealing Minnesota Statutes 1974, Sections 210.01 to 210.22 and 211.01 to 211.41.

Senate File No. 954 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 954 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 954: A bill for an act relating to elections; rearranging the laws regulating campaign practices and penalties; providing penalties; amending Minnesota Statutes 1974, Sections 123.015; 290.09, Subdivision 2; and 290.21, Subdivision 3; repealing Minnesota Statutes 1974, Sections 210.01 to 210.21 and 211.01 to 211.41.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Nelson	Schaaf
Arnold	Davies	Josefson	North	Schmitz
Ashbach	Doty	Keefe, J.	Olhoff	Sillers
Bang	Dunn	Keefe, S.	Olson, A. G.	Solon
Berg	Fitzsimons	Knutson	Olson, J. L.	Spear
Bernhagen	Frederick	Kowalczyk	O'Neill	Stassen
Blatz	Gearty	Larson	Patton	Stokowski
Brataas	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Brown	Hansen, Mel	Lewis	Perpich, G.	Tennessee
Chenoweth	Hanson, R.	Merriam	Pillsbury	Ueland
Chmielewski	Hughes	Milton	Purfeerst	Wegener
Coleman	Humphrey	Moe	Renneke	Willet

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 963: A bill for an act relating to insurance; prohibiting offsets in certain contracts for disability benefits received or receivable under the federal Social Security Act; amending Minnesota Statutes 1974, Chapter 62A, by adding a section; Sections 62B.06, Subdivision 2; 62C.14, by adding a subdivision; 62D.12, by adding a subdivision; and 64A.31, by adding a subdivision.

Senate File No. 963 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Patton moved that the Senate concur in the amendments by the House to S. F. No. 963 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 963: A bill for an act relating to insurance; prohibiting offsets in certain contracts for disability benefits received or receivable under the federal Social Security Act; the Railroad Retirement Act, any Veteran's Disability Compensation and Survivor Benefits Act, Worker's Compensation or any similar federal or state law; amending Minnesota Statutes 1974, Chapter 62A, by adding a section; Sections 62B.06, Subdivision 2; 62C.14, by adding a subdivision; 62D.12, by adding a subdivision; and 64A.31, by adding a subdivision.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,  
And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	North	Schmitz
Arnold	Davies	Josefson	Olhoft	Sillers
Ashbach	Doty	Keefe, J.	Olson, H. D.	Solon
Bang	Dunn	Keefe, S.	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	O'Neill	Stokowski
Bernhagen	Frederick	Kowalczyk	Patton	Stumpf
Blatz	Gearty	Larson	Perpich, A. J.	Tennessee
Brataas	Hansen, Baldy	Laufenburger	Perpich, G.	Ueland
Brown	Hansen, Mel	Lewis	Pillsbury	Wegener
Chenoweth	Hanson, R.	Milton	Purfeerst	Willet
Chmielewski	Hughes	Moe	Renneke	
Coleman	Humphrey	Nelson	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 398, 787 and 914.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 14, 1975

#### FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Referred to the Committee on Rules and Administration.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

Referred to the Committee on Rules and Administration.

H. F. No. 914: A bill for an act relating to education; children attending nonpublic schools; providing auxiliary services, text-

books, instructional materials and equipment; appropriating money.

Referred to the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Willet moved that S. F. No. 460 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Willet moved that the recommendations and Conference Committee Report as printed in the Journal May 13, 1975 on S. F. No. 460 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 460: A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Schaaf
Arnold	Doty	Keefe, J.	Ogdahl	Schmitz
Ashbach	Dunn	Kirchner	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Brataas	Hansen, Mel	Lewis	Patton	Stumpf
Brown	Hanson, R.	Merriam	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Milton	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet

Mr. Renneke voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Frederick moved that S. F. No. 1026 be taken from the table. The motion prevailed.

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S. F. No. 1026 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p. m. The motion prevailed.

The hour of 7:30 o'clock p. m. having arrived, the President called the Senate to order.

**MEMBERS EXCUSED**

Messrs. Borden, Milton and Larson were excused from this evening's Session. Mr. Nelson was excused from this evening's Session at 8:30 o'clock p.m.

Pursuant to Rule 21, Mr. Keefe S. moved that the following members be excused for a Conference Committee on H. F. No. 1 at 8:00 p.m.:

Mrs. Brataas, Messrs. Hanson, R; Keefe, S.; Laufenburger and Merriam. The motion prevailed.

**SPECIAL ORDER**

S. F. No. 1554: A bill for an act relating to taxation; providing additional duties and powers for the state board of equalization; providing for tax equalization when one taxing jurisdiction includes two or more counties; amending Minnesota Statutes 1974, Section 270.12.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Schrom
Arnold	Fitzsimons	Knutson	Olson, H. D.	Solon
Bang	Frederick	Kowalczyk	Olson, J. L.	Spear
Berg	Gearty	Laufenburger	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Lewis	Patton	Stokowski
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Stumpf
Brown	Hughes	Merriam	Pillsbury	Tennessee
Chenoweth	Humphrey	Milton	Purfeerst	Wegener
Coleman	Josefson	Moe	Renneke	Willet
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Olhoft	Schmitz	

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Blatz; Coleman; Conzemius; Olson, A. G. and Perpich, A. J. The motion prevailed.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H. F. No. 1759:

Messrs. Borden; Fitzsimons; Chenoweth; Josefson and Willet. The motion prevailed.

Pursuant to Rule 21, Mr. Arnold moved that the following members be excused for a Conference Committee on H. F. No. 1758:

Messrs. Arnold; Ashbach; Davies; Hansen, Mel and Tennesen. The motion prevailed.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1425, pursuant to the request of the Senate:

Messrs. Chenoweth, North, Stumpf.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 211, pursuant to the request of the Senate:

Messrs. Wegener, Olson, A. G. and Kowalczyk.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 749, pursuant to the request of the House:

Messrs. Tennesen; Doty; Olson, J. L.; North and Frederick.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 80: A bill for an act relating to education; authorizing certain governing student associations of institutions of higher learning to expend money for the purpose of funding a legal counseling and services program.

Mr. Hughes moved to amend H. F. No. 80 as follows:

Page 1, line 18, before the period insert "and derived solely from fees received from students"

The motion prevailed. So the amendment was adopted.

H. F. No. 80 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Lewis	Olson, H. D.	Solon
Brataas	Jensen	McCutcheon	O'Neill	Spear
Chenoweth	Josefson	Merriam	Patton	Stassen
Chmielewski	Keefe, J.	Milton	Perpich, G.	Stokowski
Doty	Keefe, S.	Moe	Purfeerst	Stumpf
Dunn	Kirchner	Nelson	Renneke	Ueland
Frederick	Kleinbaum	North	Schmitz	Wegener
Gearty	Knutson	Ogdahl	Schrom	Willet
Hanson, R.	Kowalczyk	Olhoft	Sillers	

Those who voted in the negative were:

Berg	Brown	Hansen, Baldy	Olson, J. L.	Pillsbury
Bernhagen				

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 599: A bill for an act relating to health; practice of healing; increasing the annual registration fee; amending Minnesota Statutes 1974, Section 146.13.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kowalczyk	Olson, J. L.	Spear
Berg	Hanson, R.	Laufenburger	O'Neill	Stassen
Bernhagen	Hughes	Lewis	Patton	Stokowski
Brataas	Humphrey	McCutcheon	Perpich, G.	Stumpf
Brown	Jensen	Merriam	Purfeerst	Ueland
Chmielewski	Keefe, J.	Milton	Renneke	Wegener
Doty	Keefe, S.	Moe	Schmitz	
Dunn	Kirchner	North	Schrom	
Frederick	Kleinbaum	Ogdahl	Sillers	
Gearty	Knutson	Olhoft	Solon	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 600: A bill for an act relating to public health; providing for representation of the state examining committee for physical therapists on the advisory committee on allied health manpower credentialing of the state board of health; amending Minnesota Statutes 1974, Section 145.865, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoff	Schrom
Bang	Hansen, Baldy	Knutson	Olson, J. L.	Solon
Bernhagen	Hanson, R.	Kowalczyk	O'Neill	Spear
Brataas	Hughes	Laufenburger	Patton	Stassen
Brown	Humphrey	Lewis	Perpich, G.	Stokowski
Chmielewski	Jensen	Merriam	Pillsbury	Stumpf
Doty	Keefe, J.	Moe	Purfeerst	Ueland
Dunn	Keefe, S.	North	Renneke	Wegener
Frederick	Kirchner	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 562: A bill for an act relating to school districts; lowering the age of retired employees for whom a school board may purchase medical insurance; amending Minnesota Statutes 1974, Section 123.72.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, J. L.	Solon
Bang	Hughes	McCutcheon	O'Neill	Spear
Bernhagen	Humphrey	Milton	Pillsbury	Stassen
Brown	Jensen	Moe	Purfeerst	Stokowski
Chmielewski	Keefe, J.	Nelson	Renneke	Stumpf
Doty	Kirchner	North	Schmitz	Ueland
Dunn	Kleinbaum	Ogdahl	Schrom	Wegener
Frederick	Kowalczyk	Olhoff	Sillers	

Those who voted in the negative were:

Berg	Knutson	Olson, H. D.	Patton	Perpich, G.
Hansen, Baldy				

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 739: A bill for an act relating to the department of administration; powers of the commissioner; air navigation facilities; amending Minnesota Statutes 1974, Section 16.02, Subdivision 2a.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, J. L.	Schrom
Bang	Gearty	Kowalczyk	O'Neill	Sillers
Berg	Hansen, Baldy	Lewis	Patton	Solon
Bernhagen	Hughes	Moe	Perpich, G.	Spear
Brown	Humphrey	North	Pillsbury	Stokowski
Chmielewski	Keefe, J.	Ogdahl	Purfeerst	Stumpf
Doty	Kirchner	Olhoff	Renneke	Ueland
Dunn	Kleinbaum	Olson, H. D.	Schmitz	Wegener

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 306: A bill for an act relating to children; requiring reports of maltreatment of minors to be filed by certain individuals; authorizing reports to be filed by citizens under certain circumstances; prescribing penalties for failing to report or falsifying reports; amending Minnesota Statutes 1974, Chapter 626, by adding a section; repealing Minnesota Statutes 1974, Section 626.554.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	Olson, J. L.	Schrom
Bang	Hansen, Baldy	Lewis	O'Neill	Sillers
Berg	Hughes	Milton	Patton	Solon
Bernhagen	Humphrey	Moe	Perpich, G.	Spear
Chmielewski	Keefe, J.	North	Pillsbury	Stokowski
Doty	Kirchner	Ogdahl	Purfeerst	Stumpf
Dunn	Kleinbaum	Olhoff	Renneke	Ueland
Frederick	Knutson	Olson, H. D.	Schmitz	Wegener

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 481: A bill for an act relating to agriculture; regulating wholesale produce dealers by requiring licensing, bonding, and assurance of financial responsibility; removing requirement of publication of information concerning commercial feed, fertilizer, and soil conditioners; removing restrictions on unofficial grain inspection certificates; providing a penalty; amending Minnesota Statutes 1974, Sections 27.001; 27.01, Subdivisions 2, 5 and 8; 27.03; 27.04; 27.06; 27.19; and Chapter 27, by adding a section; repealing Minnesota Statutes 1974, Sections 17.724; 17B.19; and 25.45.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Moe	Pillsbury	Stokowski
Bang	Kirchner	North	Purfeerst	Stumpf
Brown	Kleinbaum	Ogdahl	Renneke	Ueland
Chmielewski	Knutson	Olhoff	Schmitz	Wegener
Doty	Kowalczyk	Olson, H. D.	Schrom	
Gearty	Lewis	Olson, J. L.	Sillers	
Hansen, Baldy	McCutcheon	O'Neill	Solon	
Hughes	Milton	Perpich, G.	Spear	

So the bill passed and its title was agreed to.

Mr. Hansen, Baldy moved the Senate do now adjourn.

The question being taken on the adoption of the motion,

Mr. O'Neill moved that those not voting be excused from voting.

The question being taken on the adoption of the motion of Mr. O'Neill,

And the roll being called, there were yeas 15 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Kirchner	Kowalczyk	Ogdahl	Renneke
Brown	Kleinbaum	Lewis	O'Neill	Sillers
Hansen, Baldy	Knutson	North	Pillsbury	Ueland

Those who voted in the negative were:

Moe	Olson, J. L.	Purfeerst	Schrom	Wegener
Olson, H. D.	Perpich, G.	Schmitz	Tennessee	

The motion did not prevail.

Mr. McCutcheon moved that those not voting be excused from voting. The motion did not prevail.

The question being taken on the adoption of the motion of Mr. Hansen, Baldy to adjourn,

And the roll being called, there were yeas 13 and nays 26, as follows:

Those who voted in the affirmative were:

Brown	Knutson	Olson, J. L.	Renneke	Ueland
Hansen, Baldy	Kowalczyk	O'Neill	Schrom	
Kirchner	Ogdahl	Pillsbury	Sillers	

Those who voted in the negative were:

Anderson	Humphrey	Milton	Purfeerst	Tennessee
Arnold	Keefe, S.	Moe	Schmitz	Wegener
Chmielewski	Kleinbaum	North	Solon	
Davies	Laufenburger	Olhoff	Spear	
Gearty	McCutcheon	Olson, H. D.	Stokowski	
Hughes	Merriam	Perpich, G.	Stumpf	

The motion did not prevail.

**SPECIAL ORDER**

H. F. No. 556: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1974, Section 169.14, Subdivision 5, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 41 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoft	Spear
Arnold	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Bang	Hansen, Mel	Laufenburger	O'Neill	Stumpf
Brown	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	McCutcheon	Pillsbury	Wegener
Coleman	Keefe, J.	Merriam	Schmitz	
Davies	Keefe, S.	Milton	Schrom	
Doty	Kirchner	Moe	Sillers	
Dunn	Kleinbaum	North	Solon	

Those who voted in the negative were:

Berg	Hansen, Baldy	Perpich, G.	Renneke	Ueland
Bernhagen	Olson, J. L.	Purfeerst		

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, May 15, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

### FIFTY-FOURTH DAY

St. Paul, Minnesota, Thursday, May 15, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

#### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Olson, H. D.	Schmitz
Arnold	Fitzsimons	Kleinbaum	Olson, J. L.	Sillers
Bang	Frederick	Kowalczyk	O'Neill	Spear
Berg	Gearty	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Milton	Perpich, G.	Tennessee
Chmielewski	Hanson, R.	Moe	Pillsbury	Ueland
Davies	Hughes	Ogdahl	Purfeerst	Wegener
Doty	Keefe, S.	Olhoff	Renneke	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

The roll being called, the following Senators answered to their names:

Anderson	Conzemius	Josefson	Moe	Renneke
Arnold	Davies	Keefe, J.	Nelson	Schmitz
Ashbach	Doty	Keefe, S.	North	Schrom
Bang	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoff	Solon
Bernhagen	Frederick	Knutson	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brataas	Hansen, Mel	Laufenburger	Patton	Stumpf
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

#### MEMBERS EXCUSED

Messrs. Olson, A. G. and Schaaf were excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 287, An act relating to natural resources; changing the name of Minnesota Memorial Hardwood State Forest; prescribing certain duties for the revisor of statutes.

S. F. No. 311, An act relating to unemployment compensation; allowing applicants to receive benefits in weeks they receive holiday pay.

S. F. No. 421, An act relating to natural resources; eliminating duplicate, previously repealed language.

S. F. No. 451, An act relating to natural resources; raising limitations on values of timber which may be sold by informal sale; reducing the value of timber which may be sold at auction; altering certain sale procedures.

S. F. No. 452, An act relating to game and fish; affording protection to turtles and regulating the taking thereof.

S. F. No. 590, An act relating to unemployment compensation; requiring reports to the department of employment services be in the same name as appears on the employer's payroll checks.

S. F. No. 778, An act relating to the city of Medford, authorizing the issuance of certain general obligation bonds in excess of the debt limit of the city.

S. F. No. 845, An act relating to Itasca County; increasing the permissible per capita expenditure on tourist agricultural and industrial promotion.

S. F. No. 871, An act relating to St. Louis County; providing for the donation of Mesabi nursing home to range hospital corporation, a nonprofit corporation.

S. F. No. 1038, An act relating to certain counties; providing for the filing of surveys with the county surveyor.

S. F. No. 1088, An act relating to natural resources; authorizing the establishment of additional state trails.

S. F. No. 1210, An act relating to the city of Ely; authorizing

the governing body thereof to consolidate the offices of city clerk and city treasurer.

S. F. No. 1441, An act relating to real estate; changing recording functions of the register of deeds.

S. F. No. 1443, An act relating to real estate; liens; eliminating the required margin notation by register of deeds.

Sincerely,  
Wendell R. Anderson, Governor

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Purfeerst introduced—

S. F. No. 1754: A bill for an act relating to agriculture; requiring persons purchasing corn or soybeans to pay a premium for dry corn or soybeans.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Keefe, S. introduced—

S. F. No. 1755: A bill for an act relating to public health; altering requirements and procedures for the issuance of certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2, 3, and 5, and by adding subdivisions; 145.75; 145.76; 145.77; 145.78; 145.79; 145.80; and 145.82.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, H. D.; Ueland and Borden introduced—

S. F. No. 1756: A bill for an act relating to intoxicating liquor, restrictions upon places of sale; amending Minnesota Statutes 1974, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. Hughes and Fitzsimons introduced—

S. F. No. 1757: A bill for an act relating to recreation; environmental preservation and energy conservation; conserving human and natural resources by promoting health and recreation and abating environmental pollution by encouraging the use of bicycles; providing for a bicycle registration system, and prescribing the powers and duties of the commissioner of public safety in relation thereto; regulating the use of bicycles on streets, highways, bicycle ways and bicycle lanes; providing for bicycle safety education in schools; prescribing a model bicycle ordinance for political subdivisions; directing the commissioner of natural resources to de-

velop a plan for an interconnecting system of bicycle trails; prescribing penalties; and appropriating money; repealing Minnesota Statutes 1974, Section 169.221.

Referred to the Committee on Transportation and General Legislation.

Mr. Conzemius introduced—

S. F. No. 1758: A bill for an act relating to the establishment of an environmental education center; authorizing the state to receive a gift of property; authorizing the commissioner of natural resources to administer the environmental education center; appropriating money.

Referred to the Committee on Education.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 143, 624, 949, 1102, 282, 912, 977, 1558, 1577, 51, 366, 757, 1113, 167, 306 and 1119.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 14, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 226, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 226: A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

Senate File No. 226 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 14, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Sub-

divisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

There has been appointed as such committee on the part of the House:

Patton, Parish and Biersdorf.

Senate File No. 469 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

There has been appointed as such committee on the part of the House:

Friedrich, Lemke and Dieterich.

Senate File No. 1446 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

There has been appointed as such committee on the part of the House:

Prahl; Anderson, I. and Begich.

Senate File No. 1466 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 229:

H. F. No. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Dietrich, Casserly, Jaros, Tomlinson and Jacobs have been appointed as such committee on the part of the House.

House File No. 229 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 14, 1975

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 229, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1526:

H. F. No. 1526: A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Dieterich, Hanson and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1526 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 14, 1975

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1526, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 133:

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Pehler, Tomlinson, McCollar, DeGroat and White have been appointed as such committee on the part of the House.

House File No. 133 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 14, 1975

Mr. Coleman moved that H. F. No. 133 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 929:

H. F. No. 929: A bill for an act relating to banks, savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Hanson, Eken and Kelly, R. have been appointed as such committee on the part of the House.

House File No. 929 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 14, 1975

Mr. Coleman moved that H. F. No. 929 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1428: A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

Senate File No. 1428 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 14, 1975

Mr. Stumpf moved that the Senate do not concur in the amendments by the House to S. F. No. 1428 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1221: A bill for an act relating to courts; Hennepin county conciliation court; providing for compensation for referees; amending Minnesota Statutes 1974, Section 488A.13, Subdivision 1.

Senate File No. 1221 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 14, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 1221 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1221 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Renneke
Arnold	Doty	Kirchner	Ogdahl	Schmitz
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Stumpf
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet

Mr. Hansen, Baldy voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

Pursuant to Rule 21, Mr. Tennessee moved that the following members be excused for a Conference Committee on H. F. No. 749: Messrs. Tennessee; North; Olson, J. L.; Doty and Frederick. The motion prevailed.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1222: A bill for an act relating to courts; Hennepin county municipal court; providing for assignment of retired judges to hear certain causes; amending Minnesota Statutes 1974, Section 488A.021, by adding a subdivision.

Senate File No. 1222 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 1222 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1222 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olhoft	Solon
Arnold	Doty	Kleinbaum	Olson, J. L.	Spear
Ashbach	Dunn	Kowalczyk	O'Neill	Stassen
Bang	Fitzsimons	Larson	Patton	Stokowski
Berg	Gearty	Laufenburger	Perpich, A. J.	Stumpf
Bernhagen	Hansen, Baldy	Lewis	Perpich, G.	Tennessee
Borden	Hansen, Mel	McCutcheon	Pillsbury	Ueland
Brataas	Hanson, R.	Milton	Purfeerst	Wegener
Brown	Hughes	Moe	Renneke	Willet
Chmielewski	Jensen	Nelson	Schmitz	
Conzemius	Keefe, S.	Ogdahl	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 126: A bill for an act relating to game and fish; methods of taking bear; providing a penalty; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

Senate File No. 126 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 126 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 126 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olson, H. D.	Spear
Arnold	Dunn	Kleinbaum	O'Neill	Stassen
Ashbach	Fitzsimons	Kowalczyk	Patton	Stokowski
Bang	Gearty	Larson	Perpich, A. J.	Stumpf
Berg	Hansen, Baldy	Laufenburger	Perpich, G.	Ueland
Bernhagen	Hansen, Mel	Lewis	Pillsbury	Wegener
Borden	Hanson, R.	Milton	Purfeerst	Willet
Brataas	Hughes	Moe	Renneke	
Brown	Jensen	Nelson	Schmitz	
Chmielewski	Josefson	Ogdahl	Schrom	
Conzemius	Keefe, S.	Olhoft	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 747: A bill for an act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

Senate File No. 747 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 14, 1975

### CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 747 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 747: A bill for an act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; providing penalties for certain acts relating to livestock; providing for the collection of damages; amending Minnesota Statutes 1974, Chapter 609, by adding sections.

S. F. No. 747 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Ogdahl	Sillers
Arnold	Davies	Keefe, J.	Olhoft	Solon
Ashbach	Dunn	Keefe, S.	Olson, H. D.	Spear
Bang	Fitzsimons	Kirchner	O'Neill	Stassen
Berg	Gearty	Kleinbaum	Patton	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Larson	Perpich, G.	Ueland
Brataas	Hanson, R.	Lewis	Pillsbury	Wegener
Brown	Hughes	Milton	Renneke	Willet
Chmielewski	Humphrey	Moe	Schmitz	
Coleman	Jensen	Nelson	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

**Mr. President:**

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 242: A bill for an act relating to corrections; defining powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Section 241.01, Subdivision 5a, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

Senate File No. 242 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. Lewis moved that S. F. No. 242 be laid on the table. The motion prevailed.

**Mr. President:**

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 46: A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

Senate File No. 46 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Ueland moved that the Senate concur in the amendments by the House to S. F. No. 46 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 46: A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.27, Subdivision 1; 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Nelson	Sillers
Arnold	Davies	Kirchner	Ogdahl	Solon
Ashbach	Dunn	Kowalczyk	Olhoft	Spear
Bang	Fitzsimons	Larson	Olson, H. D.	Stassen
Berg	Gearty	Laufenburger	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brataas	Hanson, R.	Merriam	Pillsbury	Wegener
Brown	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Schrom	

Messrs. Jensen, Patton and Schmitz voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that, pursuant to Joint Rule No. 14, the House has receded from the action taken by the House on May 13, 1975, when it refused to concur in the Senate amendments to H. F. No. 522 and appointed a Conference Committee of five members. The House requests the return of H. F. No. 522 for further consideration.

Edward A. Burdick, Chief Clerk, House of Representatives

May 14, 1975

Mr. Keefe, S. moved that the Senate accede to the request of the House for the recall of H. F. No. 522 for further consideration. The motion prevailed.

Mr. President:

I have the honor to announce that the House wishes to recall for purpose of further consideration House File No. 593:

H. F. No. 593: A bill for an act relating to retirement; computation of legislative annuities; mandatory age for legislative employees; miscellaneous changes in the Minnesota state retirement system law; amending Minnesota Statutes 1974, Chapters 3A; 352; and 352B, by adding sections; Sections 3A.01, Subdivisions 2 and 4; 3A.02, Subdivisions 1, 3, and 4; 3A.03, Subdivision 2; 3A.04, Subdivisions 1 and 2; 3A.05; and 3A.10, Subdivision 1; 43.051, Subdivision 1; 352.01, Subdivision 17; 352.03, Subdivisions 4, 11, and by adding a subdivision; 352.113, Subdivisions 1, 5, and 12; 352.115, Subdivisions 2, 10, and 11; 352.12, Subdivisions 1, 2, 6, 7, 8, and 11; 352.15; 352.22, Subdivisions 3 and 8; 352.72, Subdivision 2, and by adding a subdivision; 352.91, by adding a subdivision; 352.93, Subdivision 1; 352B.03, Subdivisions 1 and 2; 352D.015, Subdivision 9; 352D.02, Subdivisions 1 and 3; 352D.05, Subdivision 3; 352D.06, Subdivisions 1 and 2; 352D.065, Subdivisions 2 and 3; and 352D.075, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 352.28; 352.32; 352.38; 352.715; 352B.01, Subdivision 5; 352B.021;

352B.04; 352D.015, Subdivision 10; 352D.05, Subdivision 2; 352D.065, Subdivision 1; 352D.075, Subdivision 1; and 352D.085, Subdivision 2.

Edward A. Burdick, Chief Clerk, House of Representatives  
May 14, 1975

Mr. Chenoweth moved that the Senate accede to the request of the House for the recall of H. F. No. 593 for further consideration. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 943.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 14, 1975

#### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H. F. No. 943: A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1530: A bill for an act relating to wild animals; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be

bonded; authorizing county auditors to retain a four percent commission on all license fees including surcharges; authorizing the commissioner of natural resources to issue regulations regulating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2, 3 and 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, line 21, after the period insert "*All licenses issued for the calendar year 1975 shall be deemed to have been issued for a period ending on the last day of February, 1976.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 483: A bill for an act relating to livestock; registration and publication of livestock brands or marks; amending Minnesota Statutes 1974, Sections 35.824; 35.826; 35.827; 35.828; 35.829; and 35.830; repealing Minnesota Statutes 1974, Section 35.823.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 777: A bill for an act relating to aeronautics; joint operations; authorizing agreements for joint operations between the state and the Dominion of Canada or its governmental subdivisions subject to the approval of the United States; amending Minnesota Statutes 1974, Sections 360.021, Subdivision 3; and 360.042, Subdivision 1, and by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 806: A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1035: A bill for an act relating to railroad safety; appropriating money to the department of public service for the purpose of enforcing certain railroad track safety standards.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 798: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 16 through 21 and insert:

*“(e) Develop, in cooperation with the postsecondary systems, legislative staff and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the university of Minnesota, the state college system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output.”*

Page 3, line 1, delete “;” and insert “.”

Page 3, strike lines 2 through 7

Page 3, line 13, strike “shall”

Page 6, line 28, strike “\$1,200” and reinstate “\$1,000”

Page 7, line 3, strike “\$1,200” and reinstate “\$1,000”

Page 9, line 15, strike “without regard to the number”

Page 9, strike line 16 except the period

Page 9, line 25, after “and” insert “\$120,000 per year”

Page 9, line 25, after “for” and before “loans” insert “new”

Page 9, line 26, strike “, for up to maximum of”

Page 9, line 27, strike “20”

Page 9, line 28, strike “recipients”

Page 9, line 28, strike “per year of the biennium”

Page 11, line 5, strike “\$6,000” and insert “\$4,000”

Page 11, line 8, strike “\$24,000” and insert “\$16,000”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1715: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; amending Minnesota Statutes 1974, Sections 43.05, Subdivision 2; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1 and 2; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivision 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 757: A bill for an act relating to health care; directing the commissioner of insurance to prescribe certain health insurance claim forms.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. The commissioner of insurance shall prescribe uniform health insurance claim forms for each class of provider which shall be used by all insurers issuing in this state policies of accident and sickness insurance, all service plan corporations issuing in this state subscriber contracts, and all state agencies that require health insurance claims for their records. The forms shall be scannable where required and provide information as required to insure maximum federal participation in program and administrative costs. Whenever feasible, the commissioner shall utilize the standardized claim form of the provider or an association to which the provider belongs.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1009: A bill for an act relating to health and welfare; providing for increasing service levels under the nutrition for the elderly program; appropriating money.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1120: A bill for an act relating to flood plain management; providing for a program of grants to local government

units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 12, strike "75" and insert "50"

Page 2, line 16, strike "75" and insert "50"

Page 6, line 11, strike "annually"

Page 6, line 18, strike "16.17" and insert "16A.28"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 257: A bill for an act relating to education; creating a senior citizens higher education program for certain resident senior citizens.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 661: A bill for an act relating to elections; requiring the secretary of state to train all election officials; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 6 through 8

Renumber the remaining section

Further amend the title as follows:

Page 1, line 3, strike the semicolon

Page 1, line 4, strike "appropriating money"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1140: A bill for an act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 344: A bill for an act relating to motor vehicles; providing for activities in connection with motor vehicle and other waste; amending Minnesota Statutes 1974, Sections 168B.02, by adding a subdivision; 168B.09, Subdivision 1; 168B.10, Subdivision 1; and Chapter 168B, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1313: A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, strike lines 11 through 14 and insert:

“Sec. 6. [APPROPRIATION.] The sum of \$300,000 is appropriated for the purposes of this act from the general fund to the state board of health for the period beginning July 1, 1975, and ending January 1, 1977. Funds available shall not cancel until June 30, 1977. Funds appropriated under this act shall not be used to establish family planning clinics in primary and secondary schools.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 907: A bill for an act relating to charitable trusts and trustees; authorizing the secretary of state to establish and maintain a register of charitable trusts; authorizing the attorney general to take appropriate actions to protect and enforce the proper administration of charitable trusts; authorizing investigations; authorizing fees.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1527: A bill for an act relating to the American revolution bicentennial; creating a commission; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike line 32

Page 3, strike lines 1 through 3

Further amend the title as follows:

Page 1, line 3, strike “; appropriating money”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 677: A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and economic development to publicize the set-asides and assist small businesses; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 17, strike “\$25,000” and insert “\$40,000”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1437: A bill for an act creating a legislative commission to study the Minnesota usury law; appropriating money therefor.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 755: A bill for an act relating to state administrative procedures; redefining certain terms; prescribing a method for the adoption, amendment, suspension or repeal of rules; providing for the publication of a manual of state agency rules; providing for the publication of the state register; creating an office of hearing examiners; appropriating money; amending Minnesota Statutes 1974, Sections 15.0411; 15.0412; 15.0413, Subdivisions 1, 2 and 3; 15.0415; 15.0421; 15.046; 15.047, Subdivision 1; 15.048; 15.049; 15.051, Subdivisions 1 and 2, and by adding a subdivision; 16.80, Subdivision 1; Laws 1974, Chapter 344, Section 9; Chapters 5, by adding a section; and 15, by adding sections; repealing Minnesota Statutes 1974, Section 15.0413, Subdivisions 4, 5 and 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 20, line 17, strike “*Subdivision 1.*”

Page 20, line 19, after the dollar sign insert “167,600”

Page 20, strike lines 24 through 27

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 398 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
398			1165		

And that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1722, 210 and 1199 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1722			79		
210			50		
1199			1167		

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1722 be amended as follows:

Strike everything after the acting clause and insert

"Section 1. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

- (1) ~~70~~ 60 percent to the trunk highway fund;
- (2) ~~24~~ 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;
- (3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 2. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

*Subd. 2a. An amount equal to 32 percent of the county turn-back account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turn-back account.*

Sec. 3. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~seven~~ *nine* cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 4. [PROVISIONS OF SECTIONS 1 AND 2 NOT SEVERABLE.] *The provisions of sections 1 and 2 are not severable, and if any provision of sections 1 and 2 is found unconstitutional, all of the provisions of sections 1 and 2 are unconstitutional. Section 3 is severable in accordance with Minnesota Statutes, Section 645.20.*

Sec. 5. [EFFECTIVE DATE.] *This act is effective July 1, 1975. The increase in gasoline tax imposed by section 3 applies to all gasoline in distributor storage on July 1, 1975.*"

Further, strike the title and insert

"A bill for an act relating to taxation; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XIV, Section 5, of the Minnesota Constitution; allocating a portion of the apportionment to the county state-aid highway fund for use on town road bridge structures on a matching basis; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1."

And when so amended, H. F. No. 1722 will be identical to S. F. No. 79 and further recommends that H. F. No. 1722 be given its second reading and substituted for S. F. No. 79 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 210 be amended as follows:

Page 2, line 4, after "individual" insert "age"

Page 2, line 8, delete the semicolon and insert a colon

Page 2, line 14, delete the semicolon and insert a colon

Page 4, line 31, delete "nonsugar coated"

And when so amended, H. F. No. 210 will be identical to S. F. No. 50 and further recommends that H. F. No. 210 be given its second reading and substituted for S. F. No. 50 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1199 be amended as follows:

Strike everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1974, Section 254A.02, Subdivision 1, is amended to read:

254A.02 [DEFINITIONS.] Subdivision 1. For the purposes of ~~Laws 1973, Chapter 572~~ *chapter 254A*, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 1974, Section 254A.02, is amended by adding subdivisions to read:

*Subd. 12. "Area mental health board" means a board established pursuant to Minnesota Statutes, Sections 245.61 to 245.69.*

*Subd. 13. "Commissioner" means the commissioner of public welfare.*

*Subd. 14. "Youth" means any person 17 years of age or under.*

*Subd. 15. "Underserved population" means those population groups not receiving services in proportion to identified problem or need levels.*

*Subd. 16. "Affected employee" means an employee whose job performance is substantially affected by chemical dependency.*

*Subd. 17. "Purchase of service agreement" means a contract between a contractor and service provider for the provision of services, which specifies the services to be provided, the method of delivery, the type of staff to be employed, and a method of evaluation of the services to be provided. The method of evaluation shall be one approved by the alcohol and drug abuse evaluation consortium.*

*Subd. 18. "Alcohol and drug abuse evaluation consortium" means a collaborative agency working within the state authority and comprised of individuals employed at the state authority and the university of Minnesota. The agency shall develop guidelines and criteria for effective evaluation of all activity funded through the state authority. The evaluation shall be directed at determining the degree to which funded activities attain their pre stated objectives, whether existent and proposed activities are the most appropriate programmatic response to predetermined needs and whether they are the most cost effective.*

Sec. 3. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.031] [NATIVE AMERICAN PROGRAMS.] *The commissioner shall enter into one or more purchase of service agreements to provide programs for native Americans. The agreements*

*shall provide for residential and aftercare treatment programs, programs relating to prevention, education, and community awareness, and training programs. All programs shall be designed to meet the needs identified by the native American community relating to alcohol and other drug dependence and abuse. The commissioner shall enter into the agreements after consultation with the special assistant for native American programs or the alcohol and drug abuse section of the department of public welfare, and the agreements shall be reviewed pursuant to section 254A.03.*

Sec. 4. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

**[254A.12] [AFFECTED EMPLOYEES.]** *Participating area boards shall enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.*

Sec. 5. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

**[254A.13] [STATE AS A MODEL EMPLOYER.]** *The commissioner of personnel shall enter into one or more purchase of service agreements to provide services to the agencies and departments of state government to develop personnel practices for prevention of alcoholism and other chemical dependency and to assist affected employees in gaining access to care through identification and referral services.*

*The commisisoner of personnel shall, in consultation with the commissioner, develop uniform personnel rules for state employees which shall provide assurance of continued employment and support for an affected employee if treatment for alcoholism or other chemically related problems is obtained. All agencies and departments of state government shall cooperate with the commissioner of personnel in the implementation of this program.*

Sec. 6. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

**[254A.14] [SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.]** *Participating area boards shall enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall also enter into purchase of service agreements to assist those populations in gaining access to care.*

Sec. 7. **[AFFIRMATIVE OUTREACH.]** *The commissioner shall design and implement a plan of affirmative outreach to encourage utilization of the services authorized in sections 3 to 6 of this act. The plan may include purchase of services by the commissioner to carry out the plan.*

Sec. 8. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

**[254A.16] [RESPONSIBILITY OF THE COMMISSIONER.]**

*The commissioner shall provide program guidelines and technical assistance to the area boards in carrying out their responsibilities under sections 4 and 6. The commissioner shall also evaluate or provide for the evaluation of all the programs authorized by this act. In evaluating or providing for the evaluation of programs, he shall consult with the alcohol and drug abuse evaluation consortium. The commissioner shall recommend to the governor and to the legislature means of making programs wholly or partially self sustaining.*

Sec. 9. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

**[254A.17] [ALLOCATION OF FUNDS BY COMMISSIONER OF PUBLIC WELFARE.]** *The funds appropriated for sections 3 to 7 to the commissioner of public welfare shall be allocated by him subject to the following provisions:*

(a) *For the purposes of section 4, the allocation of funds shall be to each participating area board on the basis of total numbers of persons in the work force in counties served by the area board. For the purposes of section 6, subdivision 1, the allocation of funds shall be to each participating area board on the basis of the elementary, middle and secondary school populations and the most current United States census data in counties served by the area board. Area boards shall ensure that services are provided in each county in proportion to the population to be served.*

(b) *Funds in section 4 to assist affected employees in gaining access to care may be used for private employers or employee groups of under 200 persons, or public employer or employee groups of any number and shall be paid on the following cost sharing basis: During the first year of the biennium, the participating area board shall meet 90 percent of the cost of the program, the employer or employee group shall meet 10 percent of the cost. During the second year of the biennium, each party shall pay 50 percent of the cost of a program. Private employer groups of over 200 may participate in programs authorized under section 4, but shall not be eligible for receipt of public funds under this act. The area board and employer and employee groups must work towards a financially self-sustaining system for each program.*

(c) *Funds shall not be used to supplant or reduce in any way present local, state, federal, or private expenditure levels supporting existing resources.*

(d) *Existing program resources shall be fully utilized before new programs are developed.*

(e) *Allocation of funds to area mental health boards shall be contingent upon the demonstrated capability of the boards to adequately plan and coordinate chemical dependency programs.*

(f) *Area boards shall be encouraged to plan jointly to develop needed program resources on a multiarea basis.*

(g) Programs developed by funds allocated under sections 3 to 6 shall comply with the guidelines established by the commissioner.

(h) No more than five percent of the total allocation to an area mental health board may be used for purposes of administering and monitoring purchased services.

(i) Purchase of service agreements under section 3 shall be contingent on the demonstrated capability of service providers to adequately fulfill the terms of the agreement.

(j) During the biennium, the commissioner may review the unexpended balance of funds allocated to each area board and service provider under sections 4 and 6 and may reallocate unexpended funds within the program categories established by sections 4 and 6 based upon demand for services. Reallocations under this provision may only be made after consultation with the alcohol and drug abuse evaluation consortium.

Sec. 10. [APPROPRIATION.] Subdivision 1. For purposes of section 4 there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$2,360,000. Not more than \$120,000 shall be used by the commissioner for the administration of the program. The approved complement of the department of public welfare shall be enlarged by two positions.

Subd. 2. For purposes of section 5 there is appropriated the sum of \$125,000 from the general fund to the commissioner of personnel. The approved complement of the department of personnel shall be enlarged by one position.

Subd. 3. For the purposes of section 6, subdivision 1, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$1,400,000.

Subd. 4. For the purposes of section 3, there is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1977, the sum of \$1,000,000. Of this sum, \$500,000 shall be used for residential treatment programs; \$450,000 shall be used for prevention, education, community awareness, and training programs; and \$50,000 shall be used for the development of a plan to implement the provisions of section 3.

Subd. 5. For purposes of section 7, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$50,000.

Subd. 6. For purposes of section 8, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund the sum of \$125,000; and there is appropriated to the board of regents of the university of Minnesota for the biennium ending June 30, 1977, the sum of \$150,000.

Sec. 11. This act shall be effective July 1, 1975."

Further, strike the title and insert

“A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees, native Americans, and underserved groups; creating an alcohol and drug abuse evaluation consortium, and prescribing its duties; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, Subdivision 1, and by adding subdivisions; and Chapter 254A, by adding sections.”

And when so amended, H. F. No. 1199 will be identical to S. F. No. 1167 and further recommends that H. F. No. 1199 be given its second reading and substituted for S. F. No. 1167 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 1530, 777, 806, 1035, 798, 1715, 1120, 661, 1313, 1527, 677, 1437 and 755 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 483, 757, 1009, 257, 1140, 344, 907, 398, 1722, 210 and 1199 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. McCutcheon moved that the name of Mr. Fitzsimons be added as second author and the name of Mr. Stassen be stricken as co-author to S. F. No. 100. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 1290 be taken from the table. The motion prevailed.

#### CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1290 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1290: A bill for an act relating to architects, engineers, surveyors and landscape architects; providing for registration and regulation of landscape architects; changing the number of board members required to revoke, suspend or reissue a certification of registration; amending Minnesota Statutes 1974, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1, 2, 4 and 5; 326.12; 326.13; and 326.14.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Nelson	Schmitz
Arnold	Conzemius	Kirchner	Ogdahl	Sillers
Ashbach	Davies	Kleinbaum	Olhoff	Solon
Bang	Dunn	Kowalczyk	Olson, H. D.	Spear
Berg	Gearty	Larson	O'Neill	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stokowski
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Borden	Hughes	McCutcheon	Perpich, G.	Ueland
Brataas	Humphrey	Merriam	Pillsbury	Wegener
Brown	Jensen	Milton	Purfeerst	Willet
Chmielewski	Keefe, J.	Moe	Renneke	

Messrs. Hansen, Baldy and Josefson voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Coleman	Jensen	Nelson	Schmitz
Arnold	Conzemius	Keefe, J.	Ogdahl	Schrom
Ashbach	Davies	Keefe, S.	Olhoff	Sillers
Bang	Dunn	Kleinbaum	Olson, H. D.	Spear
Berg	Fitzsimons	Kowalczyk	O'Neill	Stokowski
Bernhagen	Gearty	Larson	Patton	Stumpf
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Wegener
Brataas	Hansen, Mel	McCutcheon	Perpich, G.	Willet
Brown	Hanson, R.	Merriam	Pillsbury	
Chenoweth	Hughes	Milton	Purfeerst	
Chmielewski	Humphrey	Moe	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743 at 10:00 a.m.:

Messrs. Perpich, G.; Moe; Doty; Olson, J. L. and Renneke. The motion prevailed.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H. F. No. 1759 at 10:00 a.m.:

Messrs. Willet, Borden, Chenoweth, Fitzsimons and Josefson. The motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1167, No. 57 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1167: A bill for an act relating to motor vehicles; registration and taxation; authorizing the transfer of number plates issued to a vehicle used in driver education courses in public schools to another vehicle used for the same purposes; amending Minnesota Statutes 1971, Section 168.12, Subdivision 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Olhoft	Spear
Arnold	Dunn	Keefe, S.	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Kirchner	O'Neill	Stokowski
Bang	Gearty	Kleinbaum	Patton	Stumpf
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Larson	Pillsbury	Wegener
Brataas	Hanson, R.	Laufenburger	Purfeerst	Willet
Brown	Hughes	Milton	Schmitz	
Chmielewski	Humphrey	Nelson	Schrom	
Cenzemius	Jensen	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1308, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1308: A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Olson, H. D. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoff	Sillers
Bang	Gearty	Knutson	Olson, H. D.	Solon
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Spear
Bernhagen	Hanson, R.	Larson	Patton	Stassen
Blatz	Hughes	Laufenburger	Perpich, A. J.	Stokowski
Brataas	Humphrey	Lewis	Pillsbury	Stumpf
Brown	Jensen	McCutcheon	Purfeerst	Ueland
Chmielewski	Josefson	Merriam	Renneke	Wegener
Coleman	Keefe, J.	Milton	Schaaf	Willet
Conzemius	Keefe, S.	Moe	Schmitz	
Dunn	Kirchner	Nelson	Schrom	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 804, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 804: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.

Mr. Moe moved to amend S. F. No. 804 as follows:

Page 1, line 11, after "municipalities" insert "or federally recognized Indian tribes, bands or communities located within the territorial boundaries of the state"

The motion prevailed. So the amendment was adopted.

S. F. No. 804 was then progressed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1288, No. 93 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1288: A bill for an act relating to the operation of shade tree disease control programs by local governments; providing funds for the control of shade tree disease; establishing a grant-in-aid program under the department of agriculture; appropriating money; amending Minnesota Statutes 1974, Sections 18.022,

by adding a subdivision; 18.023, Subdivisions 1 and 3, and by adding subdivisions.

Mr. Humphrey moved to amend H. F. No. 1288 as follows:

Page 6, strike all of section 7

Renumber the remaining section

The motion prevailed. So the amendment was adopted.

H. F. No. 1288 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Gearty	Larson	O'Neill	Spear
Blatz	Hanson, R.	Laufenburger	Patton	Stassen
Brataas	Hughes	Lewis	Perpich, A. J.	Stokowski
Brown	Humphrey	Merriam	Pillsbury	Stumpf
Chenoweth	Jensen	Milton	Purfeerst	Ueland
Chmielewski	Josefson	Nelson	Schaaf	Willet
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Ogdahl	Schrom	
Dunn	Knutson	Olhoff	Sillers	

Mr. Hansen, Baldy voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### MEMBERS EXCUSED

Mr. Merriam was excused for the balance of this morning's Session.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 804, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No 804: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.

Mr. Schaaf moved to amend S. F. No. 804 as follows:

Page 1, after line 6, insert:

"Section 1. [LEGISLATIVE FINDINGS AND PURPOSE.]  
*The legislature finds and declares that the local governmental units within the metropolitan area are interdependent, that the growth and patterns of urbanization within the area create the need for additional state, metropolitan and local public services and facilities and increase the danger of air and water pollution,*

*and that developments in one local governmental unit may have an impact on the provision of regional capital improvements for sewers, transportation, airports and regional recreation open space. Since problems of urbanization and development transcend local governmental boundaries, there is a need for the adoption of coordinated plans, programs and controls by all local governmental units and school districts in order to protect the health, safety and welfare of the residents of the metropolitan area and to ensure coordinated, orderly and economic development. Therefore, it is the purpose of sections 1 to 17 of this act to (1) establish requirements and procedures to accomplish comprehensive local planning with land use controls consistent with planned, orderly and staged development and the metropolitan system plans, and (2) to provide assistance to local governmental units and school districts within the metropolitan area for the preparation of plans and official controls appropriate for their areas and consistent with metropolitan system plans.*

Sec. 2. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144A. [473.901] [DEFINITIONS.] Subdivision 1. As used in sections 1 to 17 of this act, the following terms shall have the meanings given them.*

*Subd. 2. "Advisory metropolitan land use committee" or "advisory committee" means an advisory committee established by the metropolitan council pursuant to section 3 of this act.*

*Subd. 3. "Applicable planning statute" means Minnesota Statutes, Section 394.21 to 394.37 for counties and Minnesota Statutes, Sections 462.351 to 462.364 for cities and towns.*

*Subd. 4. "Capital improvement program" means an itemized program for a five year prospective period, subject to at least biennial review, setting forth the schedule, timing, and details of specific contemplated capital improvements by year, together with their estimated cost, the need for each improvement, financial sources, and the impact that the improvements will have on the current operating expense of the local governmental unit or school district.*

*Subd. 5. "Comprehensive plan" means the comprehensive plan of each local governmental unit described in sections 6 and 7 of this act.*

*Subd. 6. "Local governmental unit" or "unit" means all cities, counties and towns lying in whole or in part within the metropolitan area, but does not include school districts.*

*Subd. 7. "School district" has the meaning given it by Minnesota Statutes, Section 120.02, Subdivisions 14 and 15, and includes any independent or special school district wholly or partly within the metropolitan area.*

*Subd. 8. "Metropolitan system plans" means the airports portion of the metropolitan development guide, and the policy plans, development programs and capital budgets for metropolitan waste control, transportation, and regional recreation open space.*

*Subd. 9. "Official controls" or "controls" means ordinances and regulations which control the physical development of a city, town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.*

*Subd. 10. "Private sewer facility" means a single lot, multiple lot or other sewage collection or treatment facility owned, constructed or operated by any person other than a local governmental unit or the metropolitan waste control commission.*

*Subd. 11. "Fiscal devices" means the valuation of property pursuant to Minnesota Statutes, Section 273.111, the designation of urban and rural service districts, pursuant to Minnesota Statutes, Section 272.67, and the establishment of development districts pursuant to Minnesota Statutes, Sections 472A.01 to 472A.13 and any other statutes authorizing the creation of districts in which the use of tax increment bonding is authorized.*

Sec. 3. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144B. [473.903] [ADVISORY COMMITTEE.] The council may establish an advisory metropolitan land use committee pursuant to section 4, comprised of 16 officials of local governmental units, one from each council district, and as many additional members as are necessary to provide representation from each metropolitan county, plus a chairman.*

Sec. 4. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144C. [473.904] [GUIDELINES.] The council shall prepare and adopt guidelines and procedures relating to the requirements and provisions of sections 1 to 17 of this act which will provide assistance to local governmental units and school districts in accomplishing the provisions of sections 1 to 17 of this act.*

Sec. 5. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144D. [473.906] [METROPOLITAN SYSTEMS STATEMENT.] Subdivision 1. By April 1, 1976, the council shall transmit to each local governmental unit a metropolitan systems statement. In the preparation of metropolitan systems statements, the council shall consult with appropriate commissions and officials of the unit. The statement shall contain information relating to the unit and appropriate surrounding territory that the council determines necessary for the unit to consider in preparing its comprehensive plan, including the following:*

*(a) The timing, character, function, location, projected capacity and conditions on use as appropriate, for existing or planned public facilities specified in metropolitan system plans, including at least interceptor sewers, highways, transit systems, airports, and regional recreation open space;*

*Information shall also be specified for state and federal public facilities to the extent known to the council;*

*(b) Population, employment and housing need projections which have been used by the council as a basis for its metropolitan systems plans.*

*Subd. 2. Any local governmental unit may, within 45 days after receipt of its metropolitan system statement, request the council to conduct a hearing at which the unit may present its views on the information provided in the statement. Not later than 30 days after the hearing, the council shall notify the unit of any changes in the metropolitan systems statement.*

Sec. 6. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144E. [473.908] [COMPREHENSIVE PLANS; LOCAL GOVERNMENTAL UNITS.] Subdivision 1. Within three years following the receipt of the metropolitan systems statement, every local governmental unit shall have prepared a comprehensive plan in accordance with sections 1 to 17 of this act and the applicable planning statute and shall have submitted the plan to the metropolitan council for review pursuant to section 9 of this act. The provisions of sections 1 to 17 of this act shall supersede the provisions of the applicable planning statute wherever a conflict may exist.*

*Subd. 2. Local governmental units shall submit their proposed comprehensive plans to adjacent governmental units and affected school districts for review and comment at least six months prior to submission of the plan to the council.*

*Subd. 3. The comprehensive plans shall be submitted to the council following approval by the planning commission of the unit, if any, and after consideration but before final approval by the governing body of the unit.*

*Subd. 4. Prior to the adoption of comprehensive plans pursuant to sections 1 to 17 of this act, existing comprehensive plans, capital improvement programs, sewer policy plans and official controls of local governmental units shall remain in force and effect. Existing comprehensive plans, capital improvement programs, sewer policy plans, and official controls may be amended as appropriate and new capital improvements programs and official controls may be prepared and adopted prior to the submission to the council of comprehensive plans required by sections 1 to 17 of this act.*

Sec. 7. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144F. [473.910] [COMPREHENSIVE PLAN CONTENT.] Subdivision 1. The comprehensive plan shall contain objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and waters within the jurisdiction of the local governmental unit through 1990 and may extend through any year thereafter which is evenly divisible by five. Each plan shall specify expected industrial and commercial*

development, planned population distribution, and local public facility capacities upon which the plan is based. Each plan shall contain a discussion of the use of the public facilities specified in the metropolitan system statement and the effect of the plan on adjacent local governmental units and affected school districts. Existing plans and official controls may be used in whole or in part following modification, as necessary, to satisfy the requirements of sections 1 to 17 of this act. The comprehensive plan may contain any additional matter which may be included in a comprehensive plan of the applicable local governmental unit pursuant to the applicable planning statute.

*Subd. 2 [LAND USE PLAN.] A land use plan shall designate the existing and proposed location, intensity and extent of use of land and water for agricultural, residential, commercial, industrial and other public and private purposes, or any combination of such purposes. The land use plan shall also contain a protection element, as appropriate, for historic sites and the matters listed in section 28.*

*Subd. 3. [PUBLIC FACILITIES PLAN.] A public facilities plan shall describe the character, location, timing, sequence, function, use and capacity of existing and future public facilities of the local governmental unit, and contain at least the following parts:*

*(a) A transportation plan describing, designating and scheduling the location, extent, function and capacity of existing and proposed public and private transportation services and facilities;*

*(b) A sewer policy plan describing, designating and scheduling the areas to be sewerd by the public system, the existing and planned capacities of the public system, the standards and conditions under which the installation of private sewer systems will be permitted, and to the extent practicable, the areas not suitable for public or private systems because of public health, safety and welfare considerations;*

*(c) A parks and open space plan describing, designating and scheduling the existing and proposed parks and recreation open spaces within the jurisdiction.*

*Subd. 4. [IMPLEMENTATION PROGRAM.] An implementation program shall describe the types of public programs, fiscal devices and other actions to be undertaken in stated sequence to implement the comprehensive plan. The program shall contain a general description of and schedule for the preparation, adoption, and administration of official controls including controls regarding zoning and subdivision ordinances, private sewer systems, and a capital improvements program for transportation, sewers, parks and open space facilities.*

Sec. 8. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144G. [473.912] [COUNTIES.] *Subdivision 1. Comprehensive plans of counties shall contain at least the following:*

*(a) Except for the counties of Hennepin and Ramsey, a land use plan as specified in section 7, subdivision 2 of this act, for all unincorporated territory within the county;*

(b) *A public facilities plan which shall include all appropriate matters specified in section 7, subdivision 3 of this act, including at least a transportation plan, and a description of existing and projected solid waste disposal sites and facilities;*

(c) *An implementation program, as specified in section 7, subdivision 4.*

*Subd. 2. Each county other than Hennepin and Ramsey shall prepare, with the participation and assistance of the town, the comprehensive plan for any town within the county which fails by December 31, 1975, to take action by resolution indicating its intention to prepare the comprehensive plan.*

*Subd. 3. Each county other than Hennepin and Ramsey shall prepare, with the participation and assistance of the town, the comprehensive plan for each town within the county not authorized to plan under Minnesota Statutes, Sections 462.351 through 462.364, or under special law.*

Sec. 9. Laws 1975, Chapter 13, Section 19, is amended to read:

Sec. 19. [473.175] [COUNCIL REVIEW; COMPREHENSIVE PLANS.] *Each city, town, and county all or part of which lies within the metropolitan area, shall submit to the metropolitan council for written comment and recommendation thereon its proposed long term comprehensive plans, including but not limited to plans for land use. The proposed plans shall be submitted to the council after their approval by the planning commission of the local government unit and before final approval by the governing body of the city, town or county. The council shall maintain such plans in its files available for inspection by members of the public.*

*Subdivision 1. The council shall review the comprehensive plans of local governmental units and subsequent amendments thereto to determine their compatibility with each other and conformity with metropolitan system plans. The council may review and comment on the consistency of the comprehensive plans with other adopted chapters of the metropolitan development guide. The council may require the local governmental unit to modify any comprehensive plan or part thereof, solely to ensure conformity with metropolitan system plans.*

*Subd. 2. Within 90 days following receipt of a comprehensive plan, or plan amendment prepared in accordance with sections 1 to 17 of this act, the council shall return a statement containing its comments and required modifications, if any, to the local governmental unit. No local government action shall be taken by any local government unit to place any such submitted comprehensive plan or plan amendment or part thereof into effect until 90 days have elapsed after its submission to the council has returned the comments and required modifications to the unit and until the unit has incorporated the modifications in the plan. Promptly after submission, the council shall notify each city, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date*

of submission, and the identity of the submitting unit. Political subdivisions contiguous to or within the submitting unit shall be notified in all cases. Within 30 days after receipt of such notice any governmental unit so notified or the local governmental unit submitting the plan may request the council to conduct a hearing at which the submitting unit and any other governmental unit or subdivision may present its views. The council may attempt to mediate and resolve differences of opinion which exist among the participants in the hearing with respect to the plans submitted. If within 90 days the council fails to complete its written comments and recommendations the plans shall be deemed approved and may be placed into effect. Any major alteration or amendment to a plan subsequent to the council's review shall be submitted to and acted upon by the council in the same manner as the original plan. The written comments and recommendations of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.

*Subd. 3. If a local governmental unit fails to adopt or amend a comprehensive plan in accordance with sections 1 to 17 of this act the council may commence proceedings to enforce the provisions of sections 1 to 17 of this act by appropriate legal action in the district court where the local governmental unit is located.*

*Subd. 4. Local governmental units shall be required to consider in their initial comprehensive plans submitted to the council any amendments or modifications to metropolitan system plans which were made by the council and transmitted to the local governmental unit prior to January 1, 1977. Thereafter, within nine months after receiving an amendment to a metropolitan system plan, each affected local governmental unit shall review its comprehensive plan to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit shall prepare the amendment and submit it to the council for review pursuant to this section.*

Sec. 10. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144H. [473.914] [PLANS AND PROGRAMS; ADOPTION; AMENDMENT.] Subdivision 1. Each local governmental unit shall adopt its comprehensive plan with required modifications within six months following receipt of the council's comments and required modifications under section 9 of this act.*

*Subd. 2. Amendments to plans of local governmental units shall be prepared and submitted in the same manner as the original plan.*

Sec. 11. Laws 1975, Chapter 13, is amended by adding a section to read:

*Sec. 144I. [473.917] [IMPLEMENTATION OF COMPREHENSIVE PLANS.] Subdivision 1. Each local governmental unit shall adopt official controls as described in its adopted comprehensive plan and shall file copies of the official controls with the council within 30 days following adoption thereof.*

*Subd. 2. A local governmental unit shall not adopt any official control in conflict with its comprehensive plan.*

*Subd. 3. If an official control conflicts with a comprehensive plan as the result of an amendment to the plan, the official control shall be amended by the unit within six months following the amendment to the plan so as to not conflict with the amended comprehensive plan.*

Sec. 12. Laws 1975, Chapter 13, is amended by adding a section to read:

**Sec. 21A. [473.192] [PLANNING ASSISTANCE, LOANS, GRANTS.]** *Subdivision 1. On the request of a local governmental unit, the council may provide assistance to accomplish the requirements of sections 1 to 17 of this act. It shall assemble and provide advisory materials and prepare model plan provisions and official controls to assist in accomplishing the provisions of sections 1 to 17 of this act.*

*Subd. 2. The council shall establish a planning assistance fund as a separate bookkeeping account in its general fund for the purpose of making grants and loans to local governmental units under this section. The council shall adopt uniform procedures for the award, disbursement and repayment of grants and loans.*

*Subd. 3. Applications for grants and loans shall be submitted to the council describing the activities for which the grant or loan funds will be used; the persons which the grantee or borrower plans to use in performing the grant contract; services and activities which will be paid for by funds of the grantee or borrower; the grantee or borrower's need and ability to pay for the contract services; and other information as the council may reasonably request. Grants and loans shall be made subject to contracts between the council and the recipient specifying the use and disbursement of the funds and, for loans, the terms and conditions of repayment, and other appropriate matters.*

*Subd. 4. The total amount of money which may be awarded by any grant shall not exceed 75 percent of the total costs and expenses of the project, service or activity for which the grant is awarded.*

**Subd. 5. [LOAN TERMS.]** *Loans made by the council shall carry an interest rate not to exceed five percent per annum and shall be payable on terms and conditions as the council determines appropriate. No loan shall be for a term in excess of five years. Funds received in payment of loans shall be credited to the planning assistance fund and shall be used for additional loans or grants under this section.*

Sec. 13. Laws 1975, Chapter 13, is amended by adding a section to read:

**Sec. 144J. [473.919] [EXTENSION.]** *A local governmental unit may by resolution request that the council extend the time for fulfilling the requirements of sections 1 to 17 of this act. A request for extension shall be accompanied by a description of the activities previously undertaken by a local governmental unit in fulfillment*

*of the requirements of this act, and an explanation of the reasons necessitating and justifying the request. Upon a finding of exceptional circumstances or undue hardship, the council may, in its discretion, grant by resolution a request for extension and may attach reasonable requirements or conditions to the extension.*

**Sec. 14. [EXEMPTION FROM LEVY LIMIT.]** *Subdivision 1. The increased costs to a municipality of implementing section 6, subdivisions 1 to 3 of this act, and sections 7 to 10 of this act shall be deemed a "special levy" under Minnesota Statutes 1974, Section 275.50, Subdivision 5.*

*Subd. 2. The proceeds of any tax levied under this section shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this section.*

**Sec. 15.** Laws 1975, Chapter 13, is amended by adding a section to read:

**Sec. 144K. [473.923] [SCHOOL DISTRICTS; CAPITAL IMPROVEMENT PROGRAMS.]** *Subdivision 1. By January 1, 1978, each school district lying in whole or in part within the metropolitan area shall prepare and submit to the metropolitan council for review pursuant to this section a capital improvements program for proposed new school sites, buildings, and building additions with a cost of more than \$200,000, including a description of the projected population of the district, facility needs and the effect of the program on affected local governmental units.*

*Subd. 2. Each school district shall submit its program for review and comment to the local governmental units lying in whole or in part within the district at least nine months prior to the submission of the program to the council. The local governmental units shall review the program and provide comments to the school districts, and the council within 90 days on the compatibility of the program with the proposed comprehensive plan of the local governmental unit.*

*Subd. 3. The council shall review the capital improvement programs of school districts and subsequent amendments thereto. The council may review and comment on the apparent consistency of the capital improvement programs with the metropolitan system plans. Failure of the council to comment on the school districts program within 90 days after its submission shall be deemed council comment on the program.*

**Sec. 16.** Minnesota Statutes 1974, Section 462.355, is amended by adding a subdivision to read:

*Subd. 4. [INTERIM ORDINANCE.] If a municipality is conducting or in good faith intends to conduct studies within a reasonable time or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 2 of this act, or if new territory for which no plan or controls have been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the*

*health, safety and welfare of its citizens. The interim ordinance may regulate, restrict or prohibit any use or development within the jurisdiction for a period not to exceed one year from the date it is created, and may be renewed for one additional year.*

Sec. 17. [NEW MUNICIPAL SEWER SYSTEMS.] *Notwithstanding the provisions of sections 1 to 16 of this act, the council shall have no authority under Laws 1975, Chapter 13 to require a local governmental unit to construct a new sewer system to serve structures or buildings for which a building permit was issued prior to the effective date of this act.*

Sec. 18. *Unless the context indicates otherwise, references to section numbers in this act refer to Laws 1975, Chapter 13.*

Sec. 19. *Sections 1 to 18 of this act apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington."*

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring local adoption of minimum plans and controls; providing for limited council review and acceptance prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning;"

Page 1, line 5, before the period, insert "; amending Laws 1975, Chapter 13, Section 19, and by adding sections; and Minnesota Statutes 1974, Section 462.355, by adding a subdivision"

Mr. Conzemius raised a point of order on whether or not the Schaaf amendment was in order.

The Chair ruled that the amendment was in order.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

The question recurred on the Schaaf amendment to S. F. No. 804.

S. F. No. 804 was then progressed.

#### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 679, No. 6 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 679: A bill for an act relating to crime; regulating the transfer, possession, and use of pistols; requiring licenses to sell pistols; requiring permits to acquire and carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols; prescribing penalties; amending Minnesota Statutes 1974, Section 609.11, Subdivision 1.

Mr. Coleman moved to amend H. F. No. 679, as amended pursuant to Rule 49, adopted by the Senate April 26, 1975, as follows:

Strike everything after the enacting clause and insert:

*"Section 1. [CITATION.] Sections 1 to 15 may be cited as the Minnesota pistol regulation act.*

*Sec. 2. [PURPOSE; DECLARATION OF POLICY.] It is the purpose of sections 1 to 15 to permit and regulate the possession, transfer and carrying of pistols. It is not the intent of the legislature to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as pistols, or to place the cost of administration upon those citizens who wish to possess or carry pistols lawfully, or to confiscate or otherwise restrict the use of pistols by law-abiding citizens.*

*Sec. 3. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 15, the terms defined in this section shall have the meanings given them.*

*Subd. 2. "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Pistol" does not include a device firing or ejecting a shot measuring .18 of an inch, or less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys.*

*Subd. 3. "Person" includes an individual, corporation, partnership, firm or association. As applied to partnerships or associations the word "person" includes the partners or members; as applied to corporations, it includes the officers, agents or employees who are responsible for the act referred to.*

*Subd. 4. "Transferor" means any person who sells, gives, furnishes, loans, assigns or transfers, whether or not for a consideration, a pistol or the frame or receiver of a pistol to another.*

*"Transferee" means a person to whom a pistol or the frame or receiver of a pistol is sold, given, furnished, loaned, assigned or transferred, whether or not for a consideration.*

*Subd. 5. "Transfer" means a sale, gift, loan assignment, or other*

*furnishing, whether or not for a consideration, of a pistol or the frame or receiver of a pistol to another.*

*The terms defined in this subdivision shall not apply to the following loans made for temporary use:*

*(a) Between relatives who reside with the owner of the pistol if the loan was intended to be for a period less than 14 days;*

*(b) Between an owner of a pistol and a prospective buyer if the loan to the prospective buyer does not exceed 24 hours;*

*(c) Between the owner of the pistol and a person for the purpose of repairing the pistol;*

*(d) Between teachers and students enrolled in a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;*

*(e) Between persons at a pistol or firearm collector's exhibition if the exchange was intended to be for a period of less than one hour;*

*(f) Between persons lawfully engaged in hunting or target shooting if the loan was intended to be for a period less than 12 hours;*

*(g) Between law enforcement officers who have the power to make arrests other than citizen arrests; or*

*(h) Between employees and between the employer and employees of a corporation when the employee is required to carry a pistol by reason of his employment and has applied for and received a permit to carry.*

*Subd. 6. "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, aggravated rape, rape, aggravated sodomy, felonious theft, aggravated arson, riot, burglary, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in Minnesota Statutes, Chapter 609.*

**Sec. 4. [CERTAIN PERSONS NOT TO HAVE PISTOLS.]**  
*Subdivision 1. The following persons shall not be entitled to carry, hold or possess a pistol:*

*(a) A person under the age of 18 years except that a person under 18 may carry, hold, possess or use a pistol (i) in the actual presence or under the direct supervision of his parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range approved by the chief of police*

or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;

(b) A person who has been convicted in this state or elsewhere of a crime of violence unless ten years have elapsed since the person has been restored his civil rights or the sentence has expired, whichever occurs first, and during that time he has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) A person who is or has ever been confined or committed in Minnesota or elsewhere as a "mentally ill," "mentally deficient" or "dangerous to the public" person as those terms are defined in Minnesota Statutes Section 253A.02, to a hospital, mental institution or sanitarium, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that he is no longer suffering from this disability;

(d) A person who has been convicted in Minnesota or elsewhere for the unlawful use, possession or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in Minnesota Statutes, Sections 152.01 and 152.02, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused a controlled substance or marijuana during the previous two years; or

(e) A person who has been confined or committed to a hospital, mental institution or sanitarium in Minnesota or elsewhere as an "inebriate person" as that term is defined in Minnesota Statutes, Section 253A.02, or for alcoholic problems, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused alcohol during the previous two years. A person who issues a certificate pursuant to this subdivision in good faith shall not be liable for damages in an action arising out of the issuance.

Subd. 2. A person who knowingly transfers a pistol to a person named in this section is guilty of a gross misdemeanor.

Subd. 3. A person named in this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor.

Sec. 5. [REPORT OF TRANSFER.] Subdivision 1. Every person who agrees to transfer a pistol shall within two days, except weekends and holidays, report in writing to the chief of police of an organized full-time police department of the municipality

where the agreement is made or to the county sheriff where there is no such local chief of police the following information:

- (a) Name, address and telephone number of the transferee;
- (b) Driver's license or other identification number of transferee;
- (c) Description of transferee, including sex, date of birth, height, weight, color of eyes and hair and other distinguishing characteristics, if any; and
- (d) Name, address and telephone number of the transferor. The report shall be signed by the transferor and transferee. The local police authority shall make report forms easily available throughout the community without charge.

**Subd. 2. [INVESTIGATION.]** The chief of police or sheriff shall check criminal histories, records and warrant information on each transferee through the Minnesota Crime Information System. The police authority within three days, except weekends and holidays, after receipt of a report of transfer shall notify the transferor in writing either that the authority has or has not determined the transferee is a person prohibited by section 4 from possessing a pistol. The notification shall specify the disqualification of the transferee.

**Subd. 3. [DELIVERY OF PISTOLS.]** No person shall deliver a pistol until receipt of notification that the chief of police or sheriff has not determined the transferee is a prohibited person or until seven days, except weekends and holidays, after the agreement to transfer is made, whichever occurs first. No person shall deliver a pistol until at least three days after an agreement to transfer, except weekends and holidays, and no person shall deliver a pistol after receipt of notification that the police authority has determined the transferee is prohibited by section 4 from possessing a pistol.

**Subd. 4. [IMMEDIATE TRANSFER.]** The local police authority in an individual case may permit an immediate transfer of a pistol without a report or notification.

**Subd. 5. [TRANSFER OF PISTOLS.]** A person who does any of the following is guilty of a misdemeanor:

- (a) Transfers a pistol to a person who does not either present evidence of his identity or is personally known to the transferor; or
- (b) Transfers a pistol which is not unloaded and securely wrapped.

**Subd. 6. [PENALTIES.]** A person who does any of the following is guilty of a gross misdemeanor;

- (1) Transfers a pistol in violation of subdivisions 1, 3 and 4;
- (2) Transfers a pistol to a person who has made a false statement to become a transferee of a pistol, knowing or having reason to know that the transferee has made the false statement;
- (3) Knowingly becomes a transferee of a pistol in violation of subdivisions 1, 3 and 4; or
- (4) Makes a false statement to become a transferee of a pistol, knowing or having reason to know the statement is false.

Sec. 6. [EXCEPTIONS.] *Section 5 shall not apply to the passing of a pistol upon the death of an owner to his heir or legatee. If the heir or legatee of the pistol does not qualify to possess the pistol or pistols pursuant to section 4, the pistol or pistols may be possessed by him for the purpose of sale for a period not exceeding 180 days, or for such further limited period as may be approved by the chief law enforcement officer of the municipality in which the heir or legatee resides or the county sheriff if there is no local chief of police where the heir or legatee resides. Section 5 shall not apply to receipt, possession or transfer of a pistol by a personal representative pursuant to this section.*

Sec. 7. [CARRYING WEAPONS WITHOUT PERMIT.] *Subdivision 1. [PENALTY.] A person, other than a law enforcement officer who has authority to make arrests other than citizens arrests, who carries, holds or possesses a pistol in a motor vehicle, snowmobile or boat, or on or about his clothes or person, or otherwise in his possession or control in a public place or public area without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor. A person who has been issued a permit and who engages in activities other than those for which the permit has been issued, is guilty of a misdemeanor.*

*Subd. 2. [WHERE APPLICATION MADE.] Applications for permits to carry shall be made to the chief of police of an organized full-time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant resides. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.*

*Subd. 3. [CONTENTS.] Applications for permits to carry shall set forth the name, residence, date of birth, height, weight, color of eyes and hair, sex and distinguishing physical characteristics, if any, of the applicant. The application shall be signed by the applicant.*

*Subd. 4. [INVESTIGATION.] The application authority shall check criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System.*

*Subd. 5. [GRANTING OF PERMITS.] No permit to carry shall be granted to a person unless the applicant:*

*(a) Is not a person prohibited by section 4 from possessing a pistol;*

*(b) Provides a firearms safety certificate recognized by the department of natural resources, evidence of successful completion of a test of ability to use a firearm supervised by the chief of police or sheriff or other satisfactory proof of ability to use a pistol safely; and*

*(c) Has an occupation or personal safety hazard requiring a permit to carry.*

*Subd. 6. [FAILURE TO GRANT PERMITS.] Failure of the chief police officer or the county sheriff to deny the application or issue a permit to carry a pistol within 21 days of the date of application shall be deemed to be a grant thereof. The local police au-*

thority shall provide an applicant with written notification of a denial and the specific reason for the denial. The permits and their renewal shall be granted free of charge. The permit shall specify the activities for which it shall be valid.

*Subd. 7. [RENEWAL.] Permits to carry a pistol issued pursuant to this section shall expire after two years and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained.*

*Subd. 8. [PERMIT TO CARRY VOIDED.] The permit to carry shall be void at the time that the holder becomes prohibited from possessing a pistol under section 4, in which event the holder shall return the permit within five days to the application authority. Failure of the holder to return the permit within the five days is a gross misdemeanor, unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.*

*Subd. 9. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A permit to carry is not required of a person:*

*(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;*

*(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;*

*(c) To carry a pistol between his dwelling house and his place of business;*

*(d) To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting other than protected wild animals or of target shooting in a safe area; or*

*(e) To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gunbox, or securely tied package and kept in some area not normally occupied by the driver or passengers. If a motor vehicle, snowmobile or boat does not have an enclosed area other than the driver or passenger area, a pistol may be carried in the driver or passenger area as long as the pistol is unloaded and contained in a closed and fastened case, gunbox, or securely tied package. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.*

*Subd. 10. [FALSE REPRESENTATIONS IN APPLICATIONS.] A person who gives or causes to be given any false information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a gross misdemeanor.*

*Sec. 8. [NO LIMIT ON NUMBER OF PISTOLS.] A person shall not be restricted as to the number of pistols he may acquire or carry.*

*Sec. 9. [NOT PUBLIC RECORDS.] Reports of transfer, applica-*

tions for permits to carry and permits to carry shall not be public records within the meaning of Minnesota Statutes, Section 15.17.

Sec. 10. [HEARING UPON DENIAL.] Any person aggrieved by notification that a police authority has determined a transferee is prohibited by section 4 from possessing a pistol or by denial of a permit to carry may appeal the denial to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo without a jury.

Sec. 11. [EXEMPTIONS; ANTIQUES AND ORNAMENTS.] Sections 4 to 7 shall not apply to antique pistols or replicas thereof which are incapable of being fired, which do not fire fixed ammunition, or for which ammunition is not commercially available, and which are possessed as curiosities or for their historical significance or value.

Sec. 12. [ALTERING SERIAL NUMBER OF PISTOL; SALE; PENALTY.] Subdivision 1. A person who intentionally alters, changes, removes, disfigures, obliterates, or defaces the name of the maker, model, manufacturer's serial number, or other mark of identification of a pistol is guilty of a gross misdemeanor.

Subd. 2. A person who possesses a pistol with a serial number which has been altered, changed, disfigured or defaced with intent to prevent identification or tracing of the pistol is guilty of a gross misdemeanor.

Sec. 13. [INFERIOR QUALITY PISTOLS.] Subdivision 1. An inferior quality pistol is a pistol manufactured or assembled after 1969 having a barrel, slide, frame or receiver which is die casting of zinc alloy or other nonhomogenous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit.

Subd. 2. Any person who knowingly transfers or becomes transferee of an inferior quality pistol and any person who manufactures or assembles an inferior quality pistol in whole or in part shall be guilty of a gross misdemeanor.

Sec. 14. [LOCAL REGULATION.] Sections 1 to 13 shall be construed to prohibit more restrictive municipal or county regulation of the transfer, carrying, or possession of pistols except in cities of the first class.

Sec. 15. Minnesota Statutes 1974, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein the defendant he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term of not less than three years one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any

*commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05 and , 609.12 and 609.135. The offenses for which mandatory minimum sentences shall be served as herein provided are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device.*

**Provided, however, the court may invoke the provisions of section 609.136, if the defendant has not previously been convicted of any crime or ordinance involving possession of a firearm, other than a game law violation, or use of a dangerous weapon, or the defendant has not previously been convicted of aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device.**

**Sec. 16. [EFFECTIVE DATE.] *This act is effective October 1, 1975.***

Further amend the title as follows:

Page 1, line 3, after "requiring" insert "reports of transfers and"

Page 1, line 4, strike "acquire and"

Page 1, line 6, after "penalties" insert "amending Minnesota Statutes, 1974, Section 609.11, Subdivision 1"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend H. F. No. 679, as amended by the Coleman amendment, as follows:

Strike everything after the enacting clause and insert:

**"Section 1. [CITATION.] Sections 1 to 18 may be cited as the Minnesota handgun regulation act.**

**Sec. 2. [PURPOSE; DECLARATION OF POLICY.] It is the purpose of Sections 1 to 18 to regulate the possession, sale, purchase and transfer of handguns. Nothing in Sections 1 to 18 shall be construed to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as handguns nor to place the cost of administration upon those citizens who wish to lawfully possess or carry handguns.**

**Sec. 3. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 18 the terms defined in this section have the meanings given them.**

**Subd. 2. "Handgun" includes a weapon originally designed to**

be fired by the use of a single hand and with an overall length less than 26 inches, or with a barrel or barrels less than 18 inches in length (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Handgun" does not include children's pop-guns or toys.

Subd. 3. "Commissioner" means the commissioner of public safety.

Subd. 4. "Transferor" means a person who sells, gives, furnishes, loans, assigns or transfers, whether or not for a consideration, a handgun or the frame or receiver of a handgun to another.

Subd. 5. "Transferee" means a person to whom a handgun or the frame or receiver of a handgun is sold, given, furnished, loaned, assigned or transferred, whether or not for a consideration.

Subd. 6. "Transfer" means a sale, gift, loan, assignment, or other furnishing, whether or not for a consideration, of a handgun or the frame or receiver of a handgun to another.

Sec. 4. [CERTAIN PERSONS NOT TO HAVE HANDGUNS.]  
Subdivision 1. No person who has been convicted of a gross misdemeanor or a felony within the preceding ten years or who has been adjudicated mentally ill, mentally deficient, or an inebriate person as provided in Minnesota Statutes, Chapter 253A and not restored to full legal capacity shall carry, hold, possess, or own a handgun.

Subd. 2. A person who knowingly or with reason to know transfers a handgun to a person named in this section is guilty of a gross misdemeanor.

Subd. 3. A person named in this section who carries, holds, possesses or becomes a transferee or owner of a handgun is guilty of a gross misdemeanor.

Sec. 5. [CARRYING HANDGUNS WITHOUT PERMIT PROHIBITED; PENALTY.] A person who carries, holds or possesses a handgun in a motor vehicle or snowmobile, or on or about his clothes or person, or otherwise has in his possession or control a handgun in a city or a town having the power of a statutory city without first obtaining a permit to carry the handgun is guilty of a gross misdemeanor. Failure to have the permit in possession when carrying a handgun is a misdemeanor.

Sec. 6. [EXCEPTIONS TO PERMIT REQUIREMENTS.] A permit as required by section 5 is not required of a person:

(a) To keep or carry a handgun about his place of business, dwelling house, premises or on land possessed by him;

(b) To transport a handgun from a place of purchase to his dwelling house or place of business, or from his dwelling house

or place of business to and from a place where repairing is done, to have the handgun repaired;

(c) To transport a handgun from his dwelling house to his place of business;

(d) To transport a handgun while traveling to or from hunting, fishing, a target range or an authorized place for the purpose of practice, match, target, trap or skeet shooting or shooting exhibitions.

A permit as required by section 5 is not required of a person who is a law enforcement officer with authority to make arrests other than citizens arrests.

Sec. 7. [TRANSPORTATION OF HANDGUNS; PENALTY FOR VIOLATION.] A handgun while being transported pursuant to section 6 shall be unloaded and contained in a closed and fastened case, gun box or securely tied package and, if transported in a motor vehicle, locked in the trunk of the vehicle, or, if the motor vehicle is not equipped with a trunk, in some other area of the vehicle not normally occupied by the driver or passengers. If the handgun is transported in a snowmobile or boat, it shall be unloaded. A violation of this section is a misdemeanor.

Sec. 8. [PERMIT APPLICATIONS.] Subdivision 1. An application for a permit to carry a handgun shall be made to the chief of police of the municipality in which the applicant resides if the municipality has an organized full-time police department or if the municipality has no organized full-time police department to the sheriff of the county in which the applicant resides. If the applicant is not a resident of the state of Minnesota he shall apply to the commissioner. Applications shall not be public records within the meaning of Minnesota Statutes, Section 15.17.

Subd. 2. Applications shall be in the form prescribed by the commissioner containing the name, residence, place of business, age, date of birth, occupation, sex and physical description including distinguishing physical characteristics, if any, of the applicant and whether or not the applicant is disqualified for a permit by section 4. The application shall be signed by the applicant under oath.

Subd. 3. The chief of police or sheriff shall obtain the fingerprints of the applicant and shall have them compared with available records of fingerprints.

Subd. 4. The permit shall be granted unless the applicant is not entitled to carry, hold, possess, or own a handgun as provided in section 4. Permits shall be granted or denied not less than 60 days from the date of receipt of the application. Failure of the chief of police or county sheriff to deny the application or issue a permit within 60 days of the date of application shall be deemed to be a grant thereof. The permits shall be issued free of charge.

Subd. 5. Permits issued pursuant to this section shall be valid

until the holder of the permit becomes disqualified under Section 4, Subdivision 1.

Subd. 6. A permit shall be void at the time that the holder becomes prohibited from possessing a handgun under section 4, in which event the holder shall return the permit within five days to the commissioner who shall then advise the office that granted the permit. Failure of the holder to return the permit to the commissioner within the five days is a gross misdemeanor.

Subd. 7. The permit shall be in the form prescribed by the commissioner and shall be issued in triplicate. The issuing officer shall forward the original copy to the commissioner, the second copy to the applicant and he shall retain the third copy.

Sec. 9. [TRANSFER OF HANDGUNS.] A person who transfers a handgun to a person who either does not present evidence of his identity or is not personally known to the transferor is guilty of a misdemeanor.

Sec. 10. [PERMIT VALID FOR ANY HANDGUN.] A person having a permit may carry any handgun in any city or town having the powers of a statutory city subject to any ordinances of said city or town.

Sec. 11. [FALSE REPRESENTATIONS IN APPLICATIONS OR IN PURCHASES.] A person who gives or causes to be given false information or signs a fictitious name or address in applying for a permit to carry a handgun is guilty of a gross misdemeanor.

Sec. 12. [REVOCATION.] A person may apply to the commissioner for the revocation of a permit issued pursuant to sections 1 to 18 to another person or the commissioner may revoke a permit on his own initiative if a permit holder becomes disqualified under section 4, subdivision 1. A permit shall be revoked by the commissioner after written notice to the holder, a hearing and a finding that the holder no longer qualifies.

Sec. 13. [HEARING UPON DENIAL.] A person aggrieved by the denial of a permit to carry a handgun may request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. The request for a hearing shall be made in writing within 30 days of the denial of the application. The applicant shall serve a copy of his request for a hearing upon the chief of police or sheriff to whom the application was made and upon the commissioner. The hearing shall be held within 30 days of the receipt of the application for the hearing.

Sec. 14. [ALTERING SERIAL NUMBER OF HANDGUN; SALE; PENALTY.] Subdivision 1. A person who intentionally alters, changes, removes, disfigures, obliterates, or defaces the name of the maker, model, manufacturer's serial number, or other mark of identification of a handgun is guilty of a gross misdemeanor.

Subd. 2. A person who possesses a handgun with a serial num-

ber which has been altered, changed, disfigured or defaced is guilty of a gross misdemeanor.

**Sec. 15. [FORFEITURE OF HANDGUNS.]** Handguns carried within a municipality without a permit except as provided in section 6, shall be confiscated and after conviction the handguns are declared to be nuisances and forfeited to the state. Forfeited handguns may be sold, destroyed or otherwise lawfully disposed of when they are no longer needed for evidentiary purposes and after they have been inventoried and their disposition witnessed and recorded by the head of the agency having possession or his representative designated for this purpose. If the handguns are found to be the property of an innocent owner prior to their disposition, they shall be returned to him when no longer needed for evidentiary purposes. A person aggrieved by the operation of this section may, no later than 30 days after the forfeiture of a handgun, request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. A copy of the request for hearing shall be served upon the law enforcement officer to whom the handgun was originally forfeited. He shall immediately notify the custodian of the handgun of the request for hearing. No handgun which is the subject of a hearing shall be disposed of until the proceedings are completed by final order of the commissioner or judicial order when the commissioner's order is appealed.

**Sec. 16. [CONVICTION OF ALIENS.]** Whenever a person not a citizen of the United States is convicted under a provision of sections 1 to 18, the clerk of the court in which the conviction is secured shall certify the fact of the conviction to the proper officer of the United States government having supervision of the deportation of aliens.

**Sec. 17. [LOCAL REGULATIONS.]** Sections 1 to 15 shall not be construed to prohibit more restrictive municipal or county regulation of handguns or to restrict existing police power in this regard.

**Sec. 18. [ADDITIONAL SENTENCE FOR ARMED CRIMINALS.]** Subdivision 1. Notwithstanding the provisions of any other law, a person who commits or attempts to commit a crime of violence or who is a fugitive from justice, when armed with or having in his possession any handgun, as defined in section 2, whether or not capable of being discharged, may, in addition to the punishment provided for the crime, be punished on a first conviction by imprisonment for not less than three nor more than ten years; upon a second conviction by imprisonment for not less than four nor more than 15 years; upon a third conviction by imprisonment for not less than five nor more than 20 years; and upon a fourth or subsequent conviction, by imprisonment for not less than ten years nor more than for life.

Subd. 2. For purposes of determining the number of convictions under this section, a prior conviction includes a conviction:

- (a) in this state;

(b) in another state for a crime which would have been a crime of violence if committed in this state; or

(c) in a federal court.

Sec. 19. [EFFECTIVE DATE.] This act is effective October 1, 1975."

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to crimes and criminals; regulating the transfer, possession and use of handguns; requiring permits to carry handguns; prohibiting the sale or transfer to or carrying by certain persons of handguns; prescribing penalties; increasing penalties for crimes of violence involving handguns."

Mr. Kirchner moved to amend the Jensen amendment to H. F. No. 679, as follows:

Section 6 of the Jensen amendment, after clause (a) insert

"(b) To keep or carry a handgun in a motor home, camper, house trailer, or mobile home;"

Reletter the remaining clauses in sequence

The motion prevailed. So the amendment to the Jensen amendment was adopted.

The question being taken on the adoption of the Jensen amendment to the Coleman amendment,

And the roll being called, there were yeas 18 and nays 42, as follows:

Those who voted in the affirmative were:

Bang	Hanson, R.	Kirchner	Nelson	Stassen
Borden	Jensen	Knutson	Patton	Ueland
Brataas	Josefson	Kowalczyk	Perpich, A. J.	
Dunn	Keefe, J.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Fitzsimons	McCutcheon	Olson, J. L.	Spear
Berg	Gearty	Merriam	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Milton	Perpich, G.	Stumpf
Blatz	Hughes	Moe	Purfeerst	Tennessen
Brown	Humphrey	North	Schaaf	Wegener
Chmielewski	Keefe, S.	Ogdahl	Schmitz	Willet
Coleman	Kleinbaum	Olhoft	Schrom	
Conzemius	Laufenburger	Olson, A. G.	Sillers	
Doty	Lewis	Olson, H. D.	Solon	

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Hansen, Mel moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 3 of the amendment, after Subd. 2, insert:

"Subd. 3. "Antique firearm" means any firearm, including any pistol, with a matchlock, flintlock, percussion cap, or similar type

of ignition system, manufactured before 1899, and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional centerfire ammunition, or uses conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.

Subd. 4. "Saturday Night Special Pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a frame, barrel, cylinder, slide or breechblock:

(a) of any material having a melting point (liquidus) of less than 1000 degrees Fahrenheit, or

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter."

Renumber the subdivisions in sequence

Sec. 11, second line, strike "pistols or replicas thereof" and insert "firearms"

Sec. 11, strike the third and fourth lines

Before Sec. 14, insert:

"Sec. 14. [SATURDAY NIGHT SPECIALS PROHIBITED.] Any dealer who transfers a Saturday Night Special Pistol, or any person who manufactures or assembles a Saturday Night Special Pistol in whole or in part, shall be guilty of a gross misdemeanor."

Renumber the sections in sequence.

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Hansen, Mel then moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 4, Subd. 3, after "in" insert "subdivision 1, clause (b) of"

Sec. 4, Subd. 3, strike "gross misdemeanor" and insert "felony. A person named in any other clause of subdivision 1 of this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor. A sentence imposed on a person convicted under subdivision 1, clause (b) shall not run concurrently with any other sentence."

Mr. McCutcheon requested division of the amendment as follows:

First portion:

Sec. 4, Subd. 3, after "in" insert "subdivision 1, clause (b) of"

Sec. 4, Subd. 3, strike "gross misdemeanor" and insert "felony."

*A person named in any other clause of subdivision 1 of this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor."*

Second portion:

Sec. 4, Subd. 3, after the period insert:

*"A sentence imposed on a person convicted under subdivision 1, clause (b) shall not run concurrently with any other sentence."*

The question being taken on the adoption of the first portion of the Hansen, Mel amendment to the Coleman amendment,

The motion prevailed. So the first portion of the amendment to the amendment was adopted.

The question being taken on the adoption of the second portion of the Hansen, Mel amendment to the Coleman amendment,

The motion did not prevail. So the second portion of the amendment to the amendment was not adopted.

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 15, 18th line of the section, after "person" insert "*on both the first and second offense*"

And after "eligible for" insert "*stay of imposition of sentence, stay of execution of sentence, nor for probation by the court, nor shall he be conditionally released by*"

The question being taken on the adoption of the Nelson amendment to the Coleman amendment,

Mr. Nelson moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Brown	Jensen	Kowalczyk	Patton
Berg	Dunn	Josefson	Larson	Renneke
Bernhagen	Fitzsimons	Keefe, J.	Merriam	Stassen
Borden	Frederick	Kirchner	Nelson	
Brataas	Hanson, R.	Knutson	Olson, H. D.	

Those who voted in the negative were:

Anderson	Humphrey	Moe	Perpich, G.	Stokowaki
Blatz	Keefe, S.	Ogdahl	Purfeerst	Stumpf
Chmielewski	Kleinbaum	Olhoff	Schaaf	Ueland
Coleman	Laufenburger	Olson, A. G.	Schmitz	Wegener
Conzemius	Lewis	Olson, J. L.	Schrom	Willet
Gearty	McCutcheon	O'Neill	Sillers	
Hughes	Milton	Perpich, A. J.	Solon	

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Keefe, J. moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 14 of the amendment, third and fourth lines, strike "except in cities of the first class"

The motion did not prevail. So the amendment to the Coleman amendment was not adopted.

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Before Sec. 16, insert:

"Sec. 16. *In those instances in which a prisoner had in his possession a firearm or used a dangerous weapon at the time of the offense for which he was imprisoned, the Minnesota corrections authority shall:*

(a) *Make parole proceeding records available for public inspection;*

(b) *Open parole proceedings to the public to receive and consider relevant evidence and testimony;*

(c) *Establish procedural rules for the public parole proceeding by rule in accordance with chapter 15;*

(d) *At least 30 days prior to a prisoner's appearance before the authority, notify and institute inquiries of (a) the chief law enforcement officers of the county and of the city, if any, where the prisoner resided prior to conviction if the prisoner resided in the state; and (b) the prosecutor of the county in which the prisoner was convicted; and (c) the judge who presided over the trial of the prisoner; and (d) the victim, if any, of the crime for which the prisoner was incarcerated. The notification shall specify the time and place of hearing and that the authority will receive and consider evidence and testimony relevant to the prisoner's potential release."*

Renumber the remaining section

The question being taken on the adoption of the Nelson amendment to the Coleman amendment,

And the roll being called, there were yeas 11 and nays 38, as follows:

Those who voted in the affirmative were:

Brataas	Keefe, J.	Kowalczyk	Nelson	Patton
Jensen	Knutson	McCutcheon	Olson, H. D.	Stassen
Josefson				

Those who voted in the negative were:

Anderson	Fitzsimons	Merriam	Perpich, A. J.	Spear
Blatz	Gearty	Milton	Perpich, G.	Stokowski
Borden	Hansen, Baldy	Moe	Pillsbury	Stumpf
Chenoweth	Hughes	North	Purfeerst	Ueland
Chmielewski	Keefe, S.	Ogdahl	Schaaf	Wegener
Coleman	Kleinbaum	Olhoft	Schmitz	Willet
Conzemius	Laufenburger	Olson, A. G.	Sillers	
Doty	Lewis	O'Neill	Solon	

The motion did not prevail. So the amendment to the amendment was not adopted.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Perpich, G.; Moe; Doty; Olson, J. L. and Renneke. The motion prevailed.

Mr. Willet moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Before Sec. 16, insert:

*"Sec. 16. This act shall apply only to the metropolitan area, as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2."*

Renumber the remaining section

The motion did not prevail. So the amendment to the Coleman amendment was not adopted.

H. F. No. 679 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 41, as follows:

Those who voted in the affirmative were:

Chenoweth	Hughes	McCutcheon	Ogdahl	Sillers
Conzemius	Humphrey	Merriam	Olson, A. G.	Spear
Davies	Keefe, S.	Milton	O'Neill	Stokowski
Gearty	Laufenburger	Moe	Pillsbury	Stumpf
Hansen, Mel	Lewis	North	Schaaf	Tennessee

Those who voted in the negative were:

Anderson	Brown	Jensen	Olson, H. D.	Solon
Arnold	Chmielewski	Josefson	Olson, J. L.	Stassen
Ashbach	Coleman	Kirchner	Patton	Ueland
Bang	Doty	Kleinbaum	Perpich, A. J.	Wegener
Berg	Dunn	Knutson	Perpich, G.	Willet
Bernhagen	Fitzsimons	Kowalczyk	Purfeerst	
Blatz	Frederick	Larson	Renneke	
Borden	Hansen, Baldy	Nelson	Schmitz	
Brataas	Hanson, R.	Olhoff	Schrom	

So the bill failed to pass.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 177 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 177

A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

May 14, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 177 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and that S. F. No. 177 be amended as follows:

Page 2, line 13, after "a" insert "*licensed medical*"

Page 2, line 14, after "*group of*" insert "*licensed medical*"

Page 2, line 15, before "*doctors*" insert "*licensed medical*"

Page 2, line 18, after "or" insert "*\$200,000 for two or more items of equipment; and*

*(2) is determined by the state board of health to be designed to circumvent the provisions of sections 145.71 to 145.83."*

Page 2, delete lines 19 and 20 and insert

"Sec. 3. Minnesota Statutes 1974, Section 145.72, Subdivision 5, is amended to read:

Subd. 5. "Area wide comprehensive health planning agency" means an agency established to meet the requirements of the Partnership for Health Act, P.L. 89-749, as amended, and designated as such by the Minnesota state planning agency, or a successor agency designated pursuant to the National Health Planning and Resources Development Act, P.L. 93-641; provided that in the metropolitan area the area wide comprehensive health planning agency shall be the metropolitan council, if it has appointed a health board to advise it meeting the requirements of section 145.74.

Sec. 4. Minnesota Statutes 1974, Section 145.74, is amended to read:

145.74 [HEALTH PLANNING AGENCIES; MEMBERSHIP REGULATIONS.] The state planning agency shall, subject to chapter 15, after consulting with the state board of health promulgate regulations concerning the membership of area wide comprehensive health planning agencies. The regulations shall include, but not be limited to, the following factors. The regulations shall:

(1) comply with the provisions of the Partnership for Health Act, P.L. 89-749, as amended, and with the National Health Planning and Resources Development Act, P.L. 93-641;

(2) provide that a majority of the membership be composed of consumers;

(3) provide for representation of providers of each of the following: hospital, nursing home and boarding care;

(4) provide for representation of licensed medical doctors and other health professionals;

(5) provide for a fixed term of membership; and

(6) provide that members of an area wide comprehensive health planning agency shall not select their successors.

No existing area wide comprehensive health planning agency shall exercise the functions provided in sections 145.71 to 145.83 until it is in compliance with regulations issued pursuant to this section.

If there is no area wide comprehensive health planning agency in a designated area of the state in compliance with sections 145.71 to 145.83, the Minnesota state planning agency shall perform the functions and duties of an area wide comprehensive health planning agency for that area."

Page 2, delete lines 24 to 32 and insert "agency shall conduct a comprehensive study in its jurisdiction to:

(a) determine the needs for health care services or facilities which are not met by existing services or facilities;

(b) identify health care services and facilities which are duplicative; and

(c) develop guidelines for the sharing of costly technical equipment and services by health care facilities.

The areawide comprehensive health planning agency shall annually review and amend the conclusions of the study."

Page 3, delete lines 1 to 7

Page 3, line 10, before "No" insert "Subdivision 1. Except as provided in subdivision 2,"

Page 4, after line 10, insert

"Subd. 2. A licensed medical doctor, a group of licensed medical doctors, or a professional corporation of licensed medical doctors proposing to purchase or acquire one or more items of diagnostic or therapeutic equipment which require capital expenditure in excess of \$100,000 for a single item or \$200,000 for two or more items shall, prior to purchasing or acquiring the equipment, notify the areawide comprehensive health planning agency and the state board of health of the proposed acquisition or purchase. The state board of health shall, within 60 days of receipt of the notice, determine whether or not the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83. A hearing shall be held if requested by the applicant or the areawide comprehensive health planning agency. The board of health shall notify the applicant and the areawide comprehensive health planning agency in writing of its determination. If the state board of health determines that the proposed acquisition or purchase is not designed to circumvent the provisions of sections 145.71 to 145.83, no certificate of need shall be required of the applicant. If the state board of health determines that the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83, the applicant must obtain a certificate of need."

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 5, delete "and" and insert a comma

Page 1, line 6, after "3" insert "and 5"

Page 1, line 6, before "145.76;" insert "145.74;"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Robert D. North, John Milton, Al Kowalczyk.

House Conferees: (Signed) Lyndon Carlson, J. R. Kaley, James Swanson.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 929 be taken from the table. The motion prevailed.

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 929, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Olson, A. G. moved that H. F. No. 133 be taken from the table. The motion prevailed.

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 133, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 7:45 o'clock p.m. The motion prevailed.

The hour of 7:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Coleman; Conzemius; Blatz; Olson, A. G. and Perpich, A. J. The motion prevailed.

#### MEMBERS EXCUSED

Mr. Solon was excused from this evening's Session at 10:00 o'clock p.m. Mr. Stassen was excused from this evening's Session. Mr. Nelson was excused from this evening's Session at 9:40 o'clock p.m. Mr. McCutcheon was excused from this evening's Session until 9:00 o'clock p.m.

## APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 929, pursuant to the request of the House:

Messrs. Olson, A. G.; Kowalczyk and Laufenburger.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1026 pursuant to the request of the Senate:

Messrs. Frederick; Bernhagen; Schrom; Olson, H. D. and Hansen, Baldy.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1526, pursuant to the request of the House:

Messrs. McCutcheon, Milton and O'Neill.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1428, pursuant to the request of the Senate:

Messrs. Stumpf, North and Knutson.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No 133, pursuant to the request of the House:

Messrs. Olson, A. G.; O'Neill; Perpich, A. J.; Kleinbaum and Bang.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 229, pursuant to the request of the House:

Messrs. Gearty, Kleinbaum, Bang, Conzemius, and Larson

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mr. Olhoft moved that the following members be excused for a Conference Committee on H. F. No. 235:

Messrs. Anderson, Hughes, Humphrey, O'Neill and Sillers. The motion prevailed.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1759:

Messrs. Willet, Chenoweth, Borden, Fitzsimons and Josefson. The motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1436, No. 94 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1436: A bill for an act relating to natural resources; authorizing the department of natural resources to make a grant to the city of Duluth for the construction of a dam at Hartley Pond on Fischer Creek.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olson, A. G.	Schmitz
Bang	Frederick	Laufenburger	Olson, H. D.	Solon
Berg	Gearty	Lewis	Olson, J. L.	Spear
Blatz	Hansen, Baldy	Merriam	Patton	Stassen
Brown	Hanson, R.	Milton	Perpich, A. J.	Stokowski
Conzemius	Keefe, S.	Moe	Perpich, G.	Stumpf
Davies	Kirchner	Nelson	Pillsbury	Tennessee
Doty	Kleinbaum	Olhoft	Renneke	Wegener

Mr. North voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1030, No. 96 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1030: A bill for an act relating to pollution control; authorizing a county solid waste grants-in-aid program; appropriating money; amending Minnesota Statutes 1974, Sections 116.06, Subdivision 1; and 400.03, Subdivision 1; and Chapter 116, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Patton	Stokowski
Ashbach	Gearty	Lewis	Perpich, A. J.	Stumpf
Bang	Hansen, Baldy	Milton	Perpich, G.	Tennessen
Berg	Hansen, Mel	Moe	Pillsbury	Ueland
Bernhagen	Hanson, R.	Nelson	Purfeerst	Wegener
Brown	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Olhoft	Schrom	
Davies	Kleinbaum	Olson, H. D.	Solon	
Doty	Larson	Olson, J. L.	Spear	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1074, No. 98 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1074: A bill for an act relating to public welfare; medical assistance for the needy; establishing a department lien on certain causes of action accruing to the needy; authorizing the assignment of insurance proceeds and the subrogation to the department of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; and 256B, by adding sections; Sections 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Milton	Patton	Spear
Bang	Hansen, Mel	Moe	Perpich, A. J.	Stokowski
Berg	Hanson, R.	Nelson	Perpich, G.	Stumpf
Bernhagen	Keefe, S.	North	Pillsbury	Tennessen
Brown	Kirchner	Ogdahl	Purfeerst	Ueland
Davies	Kleinbaum	Olhoft	Renneke	Wegener
Doty	Larson	Olson, A. G.	Schmitz	
Dunn	Laufenburger	Olson, H. D.	Schrom	
Gearty	Lewis	Olson, J. L.	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1415, No. 100 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1415: A bill for an act relating to public welfare; authorizing an experimental program for the cost of home care of mentally retarded children; amending Minnesota Statutes 1974, Section 252.27, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	North	Schmitz
Bang	Gearty	Larson	Olhoff	Schrom
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Spear
Brataas	Hanson, R.	McCutcheon	Patton	Stokowski
Brown	Keefe, J.	Merriam	Perpich, G.	Stumpf
Davies	Kirchner	Milton	Pillsbury	Tennessee
Doty	Kleinbaum	Moe	Purfeerst	Ueland
Dunn	Knutson	Nelson	Renneke	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 872, No. 95 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 872: A bill for an act relating to welfare; requiring the commissioner of public welfare to negotiate an agreement transferring the Lake Owasso Children's Home from the state to Ramsey county; appropriating money; repealing Minnesota Statutes 1974, Section 252.025, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Laufenburger	Olson, J. L.	Stassen
Ashbach	Gearty	Lewis	Patton	Stokowski
Bang	Hansen, Baldy	McCutcheon	Perpich, G.	Stumpf
Berg	Hansen, Mel	Merriam	Pillsbury	Tennessee
Bernhagen	Hanson, R.	Milton	Purfeerst	Ueland
Brataas	Keefe, J.	Moe	Renneke	Wegener
Brown	Kirchner	Nelson	Schmitz	
Davies	Kleinbaum	North	Schrom	
Doty	Knutson	Olhoff	Solon	
Dunn	Larson	Olson, H. D.	Spear	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 521, No. 105 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 521: A bill for an act relating to retirement; mandatory retirement for corrections department employees; amending Minnesota Statutes 1974, Section 43.051, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	North	Schmitz
Ashbach	Frederick	Kowalczyk	Olhoft	Schrom
Bang	Gearty	Laufenburger	Olson, H. D.	Solon
Berg	Hansen, Baldy	Lewis	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stokowski
Brataas	Hanson, R.	Merriam	Pillsbury	Stumpf
Brown	Keefe, J.	Milton	Purfeerst	Tennessee
Davies	Keefe, S.	Moe	Renneke	Ueland
Doty	Kleinbaum	Nelson	Schaaf	Wegener

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 231, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 231: A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes 1974, Section 168.021.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Olson, H. D.	Stokowski
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Stumpf
Bang	Gearty	Laufenburger	Perpich, G.	Tennessee
Berg	Hansen, Baldy	Lewis	Pillsbury	Ueland
Bernhagen	Hansen, Mel	Merriam	Purfeerst	Wegener
Brataas	Hanson, R.	Milton	Schmitz	
Brown	Keefe, S.	Nelson	Schrom	
Davies	Kirchner	North	Solon	
Doty	Kleinbaum	Olhoft	Spear	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1206, No. 108 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. 1206: A bill for an act relating to state parks; exempting

senior citizens from payment of certain fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Stokowaki
Ashbach	Frederick	Lewis	Olson, J. L.	Stumpf
Bang	Gearty	McCutcheon	Perpich, G.	Tennessen
Berg	Hansen, Baldy	Merriam	Pillsbury	Ueland
Bernhagen	Hanson, R.	Milton	Purfeerst	Wegener
Brataas	Keefe, S.	Moe	Schmitz	
Brown	Kirchner	Nelson	Schrom	
Davies	Kleinbaum	North	Solon	
Doty	Knutson	Olhoft	Spear	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 982, No. 110 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 982: A bill for an act relating to motor vehicles; authorizing the issuance of personalized license plates; prescribing additional charges therefor; amending Minnesota Statutes 1974, Section 168.12, by adding a subdivision.

Mr. Ashbach moved to amend the amendment placed on H. F. No. 982 by the Committee on Finance, adopted by the Senate May 14, 1975, as follows:

In the committee amendment to page 1, line 13, strike "\$75" and insert "\$50"

The motion prevailed. So the amendment to the amendment was adopted.

H. F. No. 982 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olhoft	Solon
Ashbach	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bang	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Berg	Hanson, R.	Laufenburger	Patton	Ueland
Bernhagen	Jensen	Lewis	Perpich, G.	Wegener
Brataas	Keefe, J.	Merriam	Pillsbury	
Brown	Keefe, S.	Moe	Purfeerst	
Davies	Kirchner	Nelson	Schmitz	
Doty	Kleinbaum	Ogdahl	Schrom	

Those who voted in the negative were:

Gearty	Milton	North	Stumpf	Tennessee
McCutcheon				

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 837, No. 111 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 837: A bill for an act providing for the identification of donors by the designation "donor" on the driver's license or non-qualification certificate; appropriating money; amending Minnesota Statutes 1974, Sections 171.07, by adding a subdivision; 171.12, by adding a subdivision; 525.924, by adding a subdivision; and 525.927, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Laufenburger	Olson, H. D.	Spear
Ashbach	Gearty	Lewis	Olson, J. L.	Stokowski
Bang	Hansen, Mel	McCutcheon	Patton	Stumpf
Berg	Hanson, R.	Merriam	Perpich, G.	Tennessee
Bernhagen	Keefe, J.	Milton	Pillsbury	Ueland
Brataas	Keefe, S.	Moe	Purfeerst	Wegener
Brown	Kirchner	Nelson	Renneke	
Davies	Kleinbaum	North	Schmitz	
Doty	Knutson	Ogdahl	Schrom	
Dunn	Kowalczyk	Olhoft	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1096, No. 114 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1096: A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olson, H. D.	Solon
Berg	Gearty	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Lewis	Patton	Stokowski
Brataas	Hansen, Mel	Merriam	Perpich, G.	Stumpf
Brown	Hanson, R.	Milton	Pillsbury	Ueland
Davies	Keefe, S.	Moe	Renneke	Wegener
Doty	Kirchner	Nelson	Schmitz	Willet
Dunn	Kleinbaum	North	Schrom	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 533, No. 112 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	North	Schrom
Bang	Gearty	Larson	Olhoff	Spear
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stumpf
Brataas	Hanson, R.	McCutcheon	Patton	Tennessee
Brown	Keefe, J.	Merriam	Perpich, G.	Ueland
Davies	Keefe, S.	Milton	Pillsbury	Wegener
Doty	Kirchner	Moe	Purfeerst	Willet
Dunn	Kleinbaum	Nelson	Schmitz	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1339, No. 118 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1339: A bill for an act relating to appropriations; appropriating funds for development of a comprehensive plan for the development of irrigation and specialty crops.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Spear
Ashbach	Frederick	Lewis	Olson, J. L.	Stokowski
Bang	Gearty	McCutcheon	Perpich, G.	Stumpf
Berg	Hansen, Baldy	Merriam	Pillsbury	Tennessee
Bernhagen	Hansen, Mel	Milton	Purfeerst	Wegener
Brataas	Hanson, R.	Moe	Renneke	
Brown	Keefe, S.	North	Schmitz	
Davies	Kleinbaum	Ogdahl	Schrom	
Doty	Knutson	Olhoft	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1299, No. 119 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1299: A bill for an act relating to education; fluctuating school enrollments; providing for study by an advisory commission; appropriating money; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Solon
Ashbach	Frederick	Lewis	Olson, J. L.	Spear
Bang	Gearty	McCutcheon	Patton	Stokowski
Bernhagen	Hanson, R.	Merriam	Perpich, G.	Stumpf
Brataas	Jensen	Milton	Purfeerst	Tennessee
Coleman	Keefe, S.	Moe	Renneke	Ueland
Davies	Kleinbaum	Ogdahl	Schmitz	
Doty	Knutson	Olhoft	Schrom	

Those who voted in the negative were:

Berg	Hansen, Mel	Kowalczyk	North	Pillsbury
Brown				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 250, No. 120 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 11, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Knutson	Olhoft	Schrom
Ashbach	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Bang	Hansen, Mel	Lewis	Olson, J. L.	Spear
Brown	Hanson, R.	McCutcheon	Perpich, G.	Stokowski
Coleman	Keefe, J.	Merriam	Pillsbury	Stumpf
Davies	Keefe, S.	Milton	Purfeerst	Ueland
Doty	Kirchner	Moe	Schaaf	Wegener
Dunn	Kleinbaum	Ogdahl	Schmitz	

Those who voted in the negative were:

Berg	Frederick	Kowalczyk	North	Renneke
Bernhagen	Jensen	Larson	Patton	Tennessee
Brataas				

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 48, No. 121 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 48: A bill for an act relating to public welfare; providing a coordinated approach to the supervision, protection and habilitation of mentally retarded persons; amending Minnesota Statutes 1974, Sections 253A.02, Subdivision 5, and by adding a subdivision; 253A.04, Subdivisions 1 and 2; 253A.07, Subdivisions 17, 19 and 21; 253A.15, Subdivision 1; 256.93, Subdivisions 1 and 2; 259.24, Subdivision 1; and 17.03; repealing Minnesota Statutes 1974, Sections 253A.07, Subdivision 18; 253A.13; and 256.07.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Olhoft	Schrom
Ashbach	Frederick	Kowalczyk	Olson, H. D.	Solon
Bang	Gearty	Larson	Olson, J. L.	Spear
Berg	Hansen, Mel	Laufenburger	Patton	Stokowski
Bernhagen	Hanson, R.	Lewis	Perpich, G.	Stumpf
Brataas	Jensen	Merriam	Pillsbury	Tennessee
Brown	Keefe, J.	Milton	Purfeerst	Ueland
Coleman	Keefe, S.	Moe	Renneke	Wegener
Davies	Kirchner	North	Schaaf	
Doty	Kleinbaum	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

**SUSPENSION OF RULES**

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1456, No. 74 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 1456: A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

Mr. Hughes moved to amend H. F. No. 1456, as amended pursuant to Rule 49, adopted by the Senate May 13, 1975, as follows:

Page 5, after line 25, insert:

“Sec. 8. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02064] [RAMSEY COUNTY.] *Subdivision 1. [ADULT DETENTION CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,900,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.*

*Subd. 2. [JUVENILE CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of a juvenile center.*

*Subd. 3. [FULL FAITH AND CREDIT; NO ELECTION.] The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.*

*Subd. 4. [INTEREST ON BOND PROCEEDS.] Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.*

Sec. 2. [EFFECTIVE DATE.] *This section shall take effect upon its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021.*"

Renumber the remaining section

Amend the title as follows:

Page 1, line 7, after "trustees;" insert "authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center;"

Page 1, line 10, after the semicolon, insert "and Laws 1974, Chapter 435, by adding a section,"

The motion prevailed. So the amendment was adopted.

H. F. No. 1456 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, S.	North	Renneke
Bang	Frederick	Kirchner	Ogdahl	Schaaf
Berg	Gearty	Kleinbaum	Olhoff	Schmitz
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Schrom
Brown	Hansen, Mel	Larson	Olson, J. L.	Solon
Coleman	Hanson, R.	Lewis	Patton	Stokowski
Conzemius	Hughes	McCutcheon	Perpich, G.	Tennessee
Davies	Jensen	Milton	Pillsbury	Ueland
Doty	Keefe, J.	Moe	Purfeerst	Wegener

Messrs. Spear and Stumpf voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 429, No. 101 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 429: A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Olhoft	Schaaf
Ashbach	Doty	Keefe, S.	Olson, H. D.	Schmitz
Bang	Dunn	Kirchner	Olson, J. L.	Spear
Berg	Frederick	Kleinbaum	Patton	Stokowski
Bernhagen	Gearty	Knutson	Perpich, G.	Stumpf
Brataas	Hansen, Mel	Merriam	Pillsbury	Tennessee
Brown	Hanson, R.	Moe	Purfeerst	Ueland
Conzemius	Hughes	North	Renneke	Wegener

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1315, No. 47 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 1315: A bill for an act relating to the city of Red Wing; retirement and survivors benefits payable by the Red Wing firemen's relief association.

Mr. Perpich, G. moved to amend H. F. No. 1315 as follows:

Page 1, line 10, after "by" insert "sections 1 to 4 of"

Page 2, line 8, after "by" insert "sections 1 to 4 of"

Pages 1 and 2, underline the language in sections 1 to 4

Page 2, after line 11, insert:

"Sec. 5. Laws 1935, Chapter 192, Section 1, as amended by Laws 1951, Chapter 48, Section 1, Laws 1955, Chapter 294, Section 1, Laws 1959, Chapter 208, Section 1, Laws 1967, Chapter 816, Section 1, Laws 1969, Chapter 686, Section 1, and Laws 1971, Chapter 614, Section 1, is amended to read:

Section 1. [HIBBING, CITY OF; FIREMEN'S RELIEF ASSOCIATION.] Subdivision 1. [SERVICE PENSIONS.] The Hibbing firemen's relief association shall pay to each of its members who has retired after 20 years or more of active service as a member of the fire department of the ~~village~~ city of Hibbing and who has attained the age of 55 years a monthly service pension for the remainder of his life equal to one-half of his average monthly earnings as a member of the fire department during his last six months of service; provided that the amount of any service pension payable to a retired member shall be increased from time to time by one-half of the amount of any salary increase granted subsequent to passage of this act to an active member of the fire department of a rank equivalent to the rank held by the retired member at the time of his retirement. The monthly payments may be increased by adding thereto an amount not to exceed \$10 per month for each year of active service over 20 years of service before retirement, not to exceed five years for the purpose of pension computation.

*The service pension of an already retired member, from and after January 1, 1975, shall be not less than \$300 per month and shall be increased from time to time after the effective date of this act by the same amount and in the same manner as if the member had retired after the effective date of Laws 1971, Chapter 614.*

Subd. 2. [DEPENDENCY PENSIONS.] When a pensioned and retired or active member of the association dies leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service pensioner, was legally married to the member at least three years before his retirement from the fire department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within nine months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, not to exceed the sum of \$150 per month, as the bylaws of the association provide, for her natural life which amount may be applicable to widows already receiving pension payments before the effective date of the most recent amendment hereto which affects the amount if the bylaws should so provide; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage;

(b) To the child or children, if their mother be living, a pension of not to exceed \$25 per month for each child up to the time each child reaches the age of 18 years; provided, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of \$180 per month;

(c) A child or children of a deceased member receiving a pension or pensions hereunder shall, after the death of their mother, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of 18 years; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of \$180 per month.

Subd. 3. [DISABILITY PENSIONS.] A member of the association who is totally disabled by injury or sickness while an active member of the fire department of the village city but is ineligible for a service pension under subdivision 1 shall be paid a monthly disability pension for the duration of his disability in such amount as would be payable for the same disability under the provisions of Minnesota Statutes, Chapter 176, if within the scope of those provisions.

Subd. 4. [APPLICABILITY OF AMENDMENTS.] No amendment to Laws 1935, Chapter 192, Section 1, which affects the amount of any pension or other benefit authorized or required to be paid by the association or which provides for the payment

of a kind of pension or other benefit not previously authorized or required to be paid by the association shall apply to any member or dependent of a member who qualifies to receive such pension or other benefit by reason of death, retirement, or disability which occurs before the effective date of the amendment unless another provision of this section provides to the contrary. In the absence of such a provision to the contrary, such person shall continue to receive pensions or other benefits in accordance with the law as it exists before the amendment takes effect.

**Subd. 5.** All payments of pensions made to members who have retired prior to the enactment of Laws 1966, Chapter 204, not in excess of amounts therein authorized, are hereby validated and legalized.

**Sec. 6.** *From and after January 1, 1976, neither the city of Hibbing nor the firemen's relief association in the city of Hibbing shall qualify for state fire aid pursuant to Minnesota Statutes, Chapter 69, nor shall the commissioner of insurance certify such association to the county auditor as provided in Minnesota Statutes, Section 69.021, unless the provisions of Laws 1971, Chapter 614, Section 2, are complied with. Such compliance shall be determined by the commissioner of insurance, and the association shall include the information needed for such determination with its annual financial report required by Minnesota Statutes, Section 69.051."*

Page 2, lines 12 to 14, underline the language

Page 2, line 12, after "5." insert "Sections 1 to 4 of"

Page 2, line 12, strike "is" and insert "are"

Page 2, line 14, after the period insert "*Sections 5 and 6 of this act shall be effective upon its approval by the governing body of the city of Hibbing and upon compliance with section 645.021.*"

Renumber the remaining section

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to firemen's relief; pensions; retirement and survivors benefits payable by the firemen's relief associations of the cities of Red Wing and Hibbing; amending Laws 1935, Chapter 192, Section 1, as amended."

The motion prevailed. So the amendment was adopted.

**H. F. No. 1315:** A bill for an act relating to the city of Red Wing; retirement and survivors benefits payable by the Red Wing firemen's relief association.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Knutson	Olson, J. L.	Stokowski
Ashbach	Dunn	Larson	Patton	Stumpf
Bang	Gearty	Laufenburger	Perpich, G.	Tennessee
Berg	Hansen, Baldy	Lewis	Pillsbury	Ueland
Bernhagen	Hansen, Mel	Milton	Renneke	Wegener
Brataas	Keefe, J.	Moe	Schaaf	
Brown	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Olhoff	Schrom	
Davies	Kleinbaum	Olson, H. D.	Spear	

So the bill, as amended, passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that S. F. No. 553, No. 23 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

S. F. No. 553: A bill for an act relating to the jurisdiction of the Minnesota corrections authority; abolishing the classification of youthful offender; amending Minnesota Statutes 1974, Sections 241.045, Subdivision 6; 242.02; 242.09; 242.12; 242.16; 242.17; 242.18; 242.19; 242.22; 242.26; 242.31; 242.34; and 242.37; repealing Minnesota Statutes 1974, Sections 242.03; 242.10; 242.13; 242.20; 242.23; 242.24; 242.27; 242.28; 242.29; 242.30; 242.33; 242.35; 242.36; and 242.38.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Laufenburger	Olson, J. L.	Stokowski
Bang	Gearty	Lewis	Patton	Stumpf
Bernhagen	Hansen, Baldy	McCutcheon	Perpich, G.	Tennessee
Brataas	Keefe, J.	Milton	Pillsbury	Ueland
Brown	Keefe, S.	Moe	Renneke	Wegener
Davies	Kleinbaum	North	Schaaf	
Doty	Knutson	Olhoff	Schmitz	
Dunn	Larson	Olson, H. D.	Spear	

Messrs. Hansen, Mel and Schrom voted in the negative.

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 638, No. 53 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Schmitz
Bang	Hansen, Baldy	Lewis	Olson, J. L.	Schrom
Brataas	Hansen, Mel	Merriam	Patton	Spear
Brown	Keefe, J.	Milton	Perpich, G.	Stokowski
Davies	Keefe, S.	Moe	Pillsbury	Stumpf
Doty	Kleinbaum	North	Purfeerst	Tennessee
Dunn	Knutson	Ogdahl	Renneke	Ueland
Frederick	Larson	Olhoff	Schaaf	Wegener

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Arnold moved that S. F. No. 1466 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. 1466**

A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

May 15, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1466, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that the bill be amended as follows:

Page 1, line 14, strike "as" and insert "or to a club"

Page 1, line 15, strike "defined in section 340.07, subdivision 14"

Page 2, after line 22, insert:

*"No license may be issued by the county board of any county pursuant to this section to any person who directly or indirectly has been issued an intoxicating liquor license by the county board or by the governing body of any city located within the county. Nothing in this paragraph shall be construed to prohibit the re-issuance of*

*any intoxicating liquor license already issued pursuant to law as of the effective date of this act.*

Sec. 2. *This act shall be effective the day following final enactment."*

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Norbert Arnold, Sam G. Solon, Otto T. Bang, Jr.

House Conferees: (Signed) Norman Prah, Irvin N. Anderson, Joseph Begich.

### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 339, No. 52 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 339: A bill for an act relating to butter substitutes; identification of oleomargarine served in public places; amending Minnesota Statutes 1974, Section 33.111.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Larson	Olhoft	Schmitz
Bang	Frederick	Laufenburger	Olson, H. D.,	Schrom
Berg	Gearty	Lewis	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Merriam	Patton	Stokowski
Brataas	Keefe, J.	Milton	Pillsbury	Stumpf
Brown	Keefe, S.	Moe	Purfeerst	Tennessee
Davies	Kleinbaum	North	Renneke	Ueland
Doty	Knutson	Ogdahl	Schaaf	Wegener

Messrs. Hansen, Baldy and Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1007, No. 71 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 1007: A bill for an act relating to employment; excluding conservation officers from the operation of the fair labor standards act; repealing certain job application requirements;

amending Minnesota Statutes 1974, Section 177.23, Subdivision 7; repealing Minnesota Statutes 1974, Section 43.16.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 27 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Keefe, S.	Milton	Pillsbury	Tennessee
Brataas	Kleinbaum	Moe	Schaaf	Ueland
Brown	Knutson	North	Schmitz	Wegener
Davies	Kowalczyk	Ogdahl	Spear	
Doty	Lewis	Olson, H. D.	Stokowski	
Gearty	Merriam	Perpich, G.	Stumpf	

Those who voted in the negative were:

Bang	Dunn	Hansen, Mel	Olhoff	Renneke
Berg	Frederick	Jensen	Patton	Schrom
Bernhagen	Hansen, Baldy	Laufenburger	Purfeerst	

So the bill failed to pass.

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1247, No. 72 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 1247: A bill for an act relating to crimes; prohibiting endurance contests without rest periods; amending Minnesota Statutes 1974, Section 624.66, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Schmitz
Bang	Hansen, Mel	Lewis	Patton	Spear
Bernhagen	Jensen	Merriam	Perpich, A. J.	Stokowski
Brataas	Keefe, J.	Milton	Perpich, G.	Stumpf
Davies	Keefe, S.	Nelson	Pillsbury	Tennessee
Doty	Kleinbaum	North	Purfeerst	Ueland
Dunn	Knutson	Ogdahl	Renneke	Wegener
Frederick	Kowalczyk	Olhoff	Schaaf	

Messrs. Brown and Schrom voted in the negative.

So the bill passed and its title was agreed to:

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far sus-

pending that H. F. No. 1180, No. 81 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 1180: A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch no. 27; setting limits for the expenditure of money for the improvement thereof; authorizing the issuance of bonds and levying of special assessments for the payment thereof.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Merriam	Perpich, A. J.	Stokowski
Bang	Hansen, Mel	Milton	Perpich, G.	Stumpf
Berg	Jensen	Moe	Pillsbury	Tennessen
Bernhagen	Keefe, S.	Nelson	Purfeerst	Ueland
Brataas	Kleinbaum	North	Renneke	Wegener
Brown	Knutson	Ogdahl	Schaaf	
Davies	Kowalczyk	Olhoft	Schmitz	
Doty	Laufenburger	Olson, H. D.	Schrom	
Dunn	Lewis	Patton	Spear	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House, First Reading of House Bills, Reports of Committees and Second Reading of Senate and House Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

There has been appointed as such committee on the part of the House:

Hanson, Casserly and Sieloff.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 15, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

There has been appointed as such committee on the part of the House:

Meier, McEachern and Carlson, A.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 15, 1975

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 1554

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 15, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. No. 710, 1241 and 1769

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 15, 1975

#### FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 710: A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and

economic development to publicize the set-asides and assist small businesses; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

Referred to the Committee on Rules and Administration.

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

Referred to the Committee on Rules and Administration.

#### REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 919: A bill for an act relating to the environment; directing creation of an environmental permits coordinating unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 17, strike "once in"

Page 6, line 18, strike "the Minnesota Register and"

Page 7, line 7, after "interest" insert "and are not required by any other law or rule"

Page 8, line 10, strike the comma

Page 8, line 11, after "council" insert a comma

Page 8, line 11, strike "; however," and insert a period

Page 11, line 20, strike "expeditiously" and insert "expeditiously"

Page 12, line 8, strike "in the manner"

Page 12, line 9, strike "provided by Minnesota Statutes, Chapter 15."

Page 14, line 17, strike "\$245,000" and insert \$185,000"

Page 14, line 20, strike \$120,000" and insert "\$60,000"

Page 14, line 21, strike "\$10,000" and insert "\$5,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1217: A bill for an act relating to education; children attending nonpublic schools; providing auxiliary services, textbooks, instructional materials and equipment; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 9, after "the" insert "state"

Page 3, line 32, before "Each" insert "The state board of education shall promulgate rules under the provisions of Minnesota Statutes, Chapter 15, requiring that in"

Page 4, line 2, strike "commissioner of education, directly or through the"

Page 4, line 3, strike the comma

Page 4, line 16, strike "or the state"

Page 4, line 26, after the period insert "The commissioner shall allot to the school districts or intermediary service areas"

Page 4, line 28, after "school" insert ", which"

Page 5, line 1, before "Each" insert "The state board of education shall promulgate rules under the provisions of Minnesota Statutes, Chapter 15, requiring that in"

Page 5, line 3, strike "commissioner of education, directly or through the"

Page 5, line 4, strike the comma

Page 5, line 11, after "and" insert "January 1 of"

Page 5, line 16, strike "or the state"

Page 5, line 20, after the period insert "The commissioner shall allot to the school districts or intermediary service areas"

Page 5, line 22, after "school" insert ", which"

Page 6, line 3, after "school" insert "whenever possible"

Page 6, line 12, strike "kindergarten" and insert "9"

Page 6, line 12, strike "8" and insert "12"

Page 6, line 13, strike "grades 9" and insert "kindergarten"

Page 6, line 13, strike "12" and insert "grade 8,"

Page 6, after line 14, insert:

"Sec. 6. In every event the commissioner shall make such payments to school districts or intermediary service areas pursuant to this act as are needed to meet contractual obligations incurred for the provision of benefits to nonpublic school students pursuant to section 3, 4 or 5 of this act."

Renumber succeeding sections accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1043: A bill for an act relating to taxation; providing for redemption of forfeited property under certain conditions.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. For the purposes of this act, unless the language or context clearly indicates that a different meaning is intended, the following terms and phrases shall be given the meanings ascribed to them.

Subd. 2. "Person" includes individuals, fiduciaries, estates, trusts, partnerships, corporations, or associations.

Subd. 3. "Delinquent taxes" means special assessments, required to be paid to the county treasurer pursuant to Minnesota Statutes, Chapter 276, and which are unpaid on the first Monday in January of the year next following the year in which the taxes are due and payable.

Subd. 4. "Special assessments" means local assessments made or levied by any city, town, or other political subdivision of the state, hereinafter called special assessment district, for local improvements pursuant to Minnesota Statutes, Chapters 429 to 435, and subsequently certified to the county treasurer by the appropriate authority against any specific district or parcel of land.

Subd. 5. "Special state redemption account property" means the combined property owned or controlled by any corporation, located in a special assessment district of the state where special assessments levied by the special assessment district against the property equal or exceed \$1,000,000, and represent at least 50 percent of the total special assessments due and owing to the special assessment district, as of the effective date of this act, without regard to whether the levies are required to be satisfied by a single payment or by a series of payments over a designated period of time, and there are delinquent taxes against the property.

Sec. 2. The county auditor, upon a petition of the appropriate authority of a special assessment district wherein is located special state redemption account property which has forfeited to the state shall prepare notices directed to the commissioner of finance and to the person or persons under whose name or control such property is assessed, specifying each separately assessed parcel, the amount of delinquent taxes on each such parcel, the amount required to redeem the same and stating that the redemption period will expire at the expiration of a period of two years beginning with the date of the notice. No petition by the appropriate local authority may be presented to the county auditor prior to the second Monday in May of the year in which the county treasurer is required to return the tax lists in his hands to the county auditor pursuant to Minnesota Statutes, Section 279.02. The auditor shall deliver the notice directed to the person or persons under whose name or control the property is assessed to such appropriate local authority, who shall deliver it to the sheriff or other competent law enforcement official of the county for service. Within 10 days after its receipt by him, the sheriff or such other designated official shall serve such notice upon the persons to whom it is directed, if they be found in his county, in the manner prescribed for serving a summons in a civil action; if not so found, then upon the person in possession of the land, and making return thereof to the auditor. In the case of such land held in the name of a corporation, the notice may be served upon an officer of such corporation or upon the secretary of state if an officer cannot be located, or if such corporation is a foreign corporation, under Minnesota Statutes, Chapter 303. In the case of land held in joint tenancy, the notice shall be served upon each joint tenant. If one or more of the persons to whom the notice is directed cannot be found in the county and there is no one in possession of the land, the return of the sheriff or other designated official shall so specify and shall be prima facie evidence of such facts, service shall be made upon those persons that can be found and by three weeks published notice. Proof of publication shall be filed with the auditor.

When the records in the office of the register of deeds show that any lot or tract of land is encumbered by an unsatisfied mortgage or other lien, and show the post office address of the mortgagee or lienee, or if the same has been assigned, the post office address of the assignee, the appropriate local authorities which requested the petition shall serve a copy of such notice upon such mortgagee, lienee, or assignee by registered mail addressed to such mortgagee,

lienee, or assignee as disclosed by the records in the office of the register of deeds within 60 days after the date of the notice.

Such notice shall be sufficient if substantially in the form as set forth in section 281.23, subdivision 2. As soon as practicable after notice has been prepared by the county auditor, he shall cause to be published for three successive weeks in the official newspaper of the county a notice in substantially the form provided by section 281.23, subdivision 3. Proof of publication shall be substantially in the manner prescribed by section 281.23, subdivision 4, and the cost of giving such notice shall be paid by the county.

The period of redemption herein specified shall be absolute and final, notwithstanding the provisions of any law of this state to the contrary, and such land thereafter may be sold only in accordance with the provisions of chapter 282, relating to tax forfeited land sales.

Sec. 3. Each separately assessed parcel constituting a part of the accelerated redemption period property may be redeemed separately and independently of any other parcel and shall not require the redemption of any other parcel. Any parcel on which the taxes are delinquent pursuant to section 1, subdivision 3, and which delinquent taxes have been paid prior to May 12, 1975, shall not be subject to the provisions of this act.

Sec. 4. Upon certification by the county auditor that the provisions of section 2 have been complied with, the auditor may apply to the commissioner of finance for payment from the special state redemption account of an amount equal to the special assessments on special state redemption fund property which have been levied but are unpaid for the previous taxable year. If the commissioner is satisfied that the provisions of section 2 have been complied with and that the application for payment is correct, he shall pay to the county auditor the amount requested.

Sec. 5. Except as otherwise expressly provided in this act, the provisions of Minnesota Statutes 1974 relating to delinquent real estate taxes, tax judgment sales, redemption, and tax-forfeited land sales shall apply to special state redemption account property. However, upon the sale or redemption of any special state redemption account property, a sum sufficient to repay the special state redemption account the amount paid to the county auditor, together with ten percent interest per year on that amount, shall be paid to the commissioner of finance within 30 days of the sale or redemption and credited to the special state redemption account to any other apportionment of the proceeds as may otherwise be provided by law.

Sec. 6. There is hereby created the special state redemption account.

Sec. 7. There is hereby appropriated for the biennium ending June 30, 1977, from the general fund of the state treasury to the special state redemption account \$825,000 to make the payments provided for in section 4.

Sec. 8. This act shall be effective the day following its final enactment."

Further amend the title as follows:

Page 1, line 3, after "conditions" insert "; creating a special state redemption account; appropriating money"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 704: A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; authorizing the director to add to and promote the operation; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 12, and by adding subdivisions; 85A.03, Subdivisions 4, 4a, and by adding a subdivision; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 11, is amended by adding a section to read:

[11.28] [MINNESOTA ZOOLOGICAL GARDEN OPERATING RECEIPTS INVESTMENT ACCOUNT.] *Subdivision 1. The Minnesota zoological garden operating receipts investment account shall be administered by the state board of investment. The assets of the account shall be invested in those securities authorized in section 11.10, subdivision 1.*

*Subd. 2. When the Minnesota zoological garden board certifies that any funds so invested are needed for current purposes, the state board of investment shall order the sale or conversion into cash of investments to the amount so certified, and transfer the funds to the Minnesota zoological garden general account.*

*Subd. 3. All interest and profit accruing from the investments shall be credited to, and be a part of, the Minnesota zoological garden general account, and any loss incurred in the principal of the investment shall be borne by the Minnesota zoological garden general account.*

Sec. 2. Minnesota Statutes 1974, Section 85A.02, Subdivision 2, is amended to read:

Subd. 2. The board shall acquire, construct, equip, operate and maintain the Minnesota zoological garden at a site to be selected by the board but which must be located within the area comprised

of the counties of Anoka, Carver, in Dakota ; Hennepin, Ramsey, Scott and Washington county legally described in section 12 . Prior to selection of the site the board shall prepare a comprehensive plan for site location and development which shall be submitted to the metropolitan council for consideration under provisions in section 173B.05, subdivision 6. Any of the above named counties may acquire by gift, purchase, or condemnation a site for the Minnesota zoological garden if the site has been designated by the board as the site for the Minnesota zoological garden, after review by the appropriate legislative committee, and shall convey, without consideration any such site to the state of Minnesota for zoological garden purposes. The zoological garden shall consist of adequate facilities and structures for the collection, habitation, preservation, care, exhibition, examination or study of wild and domestic animals, including, but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks. The board may provide such lands, buildings and equipment as it deems necessary for parking, transportation, entertainment, education or instruction of the public in connection with such zoological garden.

Sec. 3. Minnesota Statutes 1974, Section 85A.02, is amended by adding subdivisions to read:

*Subd. 13. The board may acquire by gift, purchase, or condemnation any real estate, not previously acquired and conveyed to the state by the county of Dakota, necessary to complete the zoo site as described in section 12 or to meet United States department of agriculture certification requirements. Funds from the Minnesota zoological garden building account may be expended for the acquisitions.*

*Subd. 14. The board may sell or exchange animals determined by it to be superfluous to zoo operations, subject to all state and federal regulations.*

*Subd. 15. The board may provide for promotional and advertising programs which may be developed and implemented either by zoological garden personnel or by contract with outside personnel and which shall be paid for out of funds other than bond revenues.*

Sec. 4. Minnesota Statutes 1974, Section 85A.03, Subdivision 4, is amended to read:

Subd. 4. As directed by the board, the director may :

(a) Establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility ; .

(b) Provide for the purchase, reproduction, and sale of gifts, souvenirs, publications, informational materials, food and beverages, and grant concessions for the sale of such items. Revenues received from the sale of gifts, souvenirs, publications, informational materials, food and beverages shall be deposited to the credit of the Minnesota zoological garden general account. The purchase of materials and commodities for resale and the granting of any concession relative to food, beverages, and transit shall not be

subject to the competitive bidding procedures of sections 16.06, 16.07, and 16.28 but shall remain subject to all other provisions of chapter 16. In other areas of concessions the commissioner of administration may determine that it is not feasible and not in the public interest to award a contract for the operation of such concession to the highest responsible bidder.

Sec. 5. Minnesota Statutes 1974, Section 85A.03, Subdivision 4a, is amended to read:

Subd. 4a. In the *purchasing of such materials and commodities and the granting of such concessions*, a contract for such *purchases or concessions* shall be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the zoological board shall, by written published notice, request quotations for the *service or materials for resale* to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of chapter 16.

Sec. 6. Minnesota Statutes 1974, Section 85A.04, Subdivision 1, is amended to read:

85A.04 [ZOOLOGICAL GARDEN ACCOUNTS IN THE GENERAL FUND.] Subdivision 1. [MINNESOTA ZOOLOGICAL GARDEN GENERAL ACCOUNT.] A Minnesota zoological garden general account is created in the general fund. All receipts from the operation of the Minnesota zoological garden shall be deposited to the credit of such account and are hereby appropriated annually to the state zoological board to carry out the terms and provisions of this chapter. Money in this account may be expended for operation, capital improvements, and equipment of the Minnesota zoological garden, *including lease rentals* and for acquisition of wild and domestic animals therefor and for payment of the principal of and interest on Minnesota state zoological garden bonds. ~~From and after the completion of the Minnesota zoological garden and related facilities, the balance, if any, on hand in this account on November 1 in each year, in excess of the amount determined by the board to be needed for the maintenance of an adequate working capital and for compliance with the terms of any gifts of money then in the account, shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.05, subdivision 4.~~

Sec. 7. Minnesota Statutes 1974, Section 85A.04, is amended by adding a subdivision to read:

Subd. 1a. [MINNESOTA ZOOLOGICAL GARDEN OPERATING RECEIPTS INVESTMENT ACCOUNT.] A *Minnesota zoological garden operating receipts investment account* is created. *As determined by the board, funds credited to the Minnesota zoological garden general account over and above those currently needed may be transferred to the operating receipts investment*

*account to be invested by the state board of investment, pursuant to section 1, and are appropriated annually for the investment. When it appears to the board that funds so transferred are needed for current purposes, the board shall so certify to the state board of investment, and the funds will be transferred back into the zoological garden general account.*

Sec. 8. Minnesota Statutes 1974, Section 85A.04, is amended by adding a subdivision to read:

*Subd. 1b. [TRANSFER OF EXCESS FUNDS TO MINNESOTA ZOOLOGICAL GARDEN BOND ACCOUNT.] After the completion of the Minnesota zoological garden and related facilities, the balance, if any, on hand on November 1 in each year, in both the Minnesota zoological garden general account and operating receipts investment account in excess of the amount determined by the board to be needed for the maintenance of adequate working capital and for compliance with the terms of any gifts of money then in the account, shall be transferred to the state zoological garden bond account in the state bond fund, to the extent that the transfer is necessary to meet the requirements of section 85A.05, subdivision 4. The portion of the funds to be retained in the zoological garden accounts in the general fund and determined by the board not to be needed for current purposes may remain invested in the operating receipts investment account.*

Sec. 9. Minnesota Statutes 1974, Section 85A.04, Subdivision 2, is amended to read:

*Subd. 2. [MINNESOTA ZOOLOGICAL GARDEN BUILDING ACCOUNT.] A Minnesota zoological garden building account is also created in the general fund, for the purpose of providing money to the state zoological board for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; including but not limited to interest to accrue during the period of the construction thereof on money borrowed by the state for such construction. On November 1 in each year prior to the completion of the Minnesota zoological garden and related facilities the balance, if any, on hand in this account in excess of the amount determined by the board to be needed for the payment of claims then due and payable, encumbrances, and projected expenditures for necessary expenses of such completion shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.05, subdivision 4. Proceeds of state bonds and income from investment of that money credited to this fund are appropriated for land acquisition, animal acquisition, construction, and other permanent improvement and shall be available until the purposes for which the appropriation was made have been accomplished or abandoned, and none of such money shall be canceled. Income from investment of such money shall be credited to this account in each fiscal year. When the purpose of any such appropriation has been accomplished or abandoned, the state zoological board shall so certify to the commissioner of finance. Thereupon the unexpended*

balance of such appropriation, unless transferred under authority of the appropriation act to another purpose therein designated, shall be transferred and credited to the state bond fund. Amounts so transferred and credited are appropriated for the purpose of reducing the amount of tax otherwise required to be levied for the state bond fund by Article IX, Section 6, Subdivision 4 of the Constitution, or for reimbursing the bond fund for amounts previously transferred to the state zoological garden bond account so as to eliminate any prior deficiency covered by the state bond fund, the general fund in the state treasury, or through a tax levy.

Sec. 10. Minnesota Statutes 1974, Section 85A.05, Subdivision 4, is amended to read:

Subd. 4. [MINNESOTA STATE ZOOLOGICAL GARDEN BOND ACCOUNT IN THE STATE BOND FUND.] The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state zoological garden bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota zoological garden bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year. The amounts directed by section 85A.04, subdivisions 1 *b* and 2 to be transferred annually to this bond account are appropriated thereto, and the legislature may also appropriate to the bond account any other money in the state treasury not otherwise appropriated. On November 1 of each year there shall be transferred to the bond account all of the money then available under any such appropriation or such lesser sum as will be sufficient, with all money previously transferred to the account and all income from the investment of such money, to pay all principal and interest then and theretofore due and all principal and interest to become due to and including July 1 in the second ensuing year on Minnesota zoological garden bonds. All money so transferred and all income from the investment thereof shall be available for the payment of such bonds and interest thereon, and so much thereof as may be necessary is appropriated for such payments. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Sec. 11. Minnesota Statutes 1974, Section 85A.05, Subdivision 6, is amended to read:

Subd. 6. [BOND AUTHORIZATION AND APPROPRIATIONS.] For the purpose of providing money for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden in accordance with the comprehensive plan of the state zoological board adopted in accordance with section 85A.02, subdivision 2, the commissioner of finance is directed to sell and issue Minnesota zoological garden bonds in the amount of \$23,025,000 in the manner and upon the conditions provided in subdivisions 1 to 5. The commissioner of finance may sell or issue an additional \$2,350,000 of bonds, but no part thereof shall be expended unless equally matched by other than

state appropriations. *Any gifts, grants, or contributions accepted pursuant to section 85A.02, subdivision 5, other than contribution of lands by governmental entities, for the establishment or operation of the Minnesota zoological garden, whether in cash or in kind, shall be considered as matching funds. Non-cash items shall be tangible, real or personal property and shall be attributed as matching funds according to their fair market value at the time of receipt.* The bonds may include a sum representing interest to accrue on the bonds from and after its date of issue through the anticipated period of construction and development of the zoological garden, which sum is needed for the payment and security of the interest payments during that period, but in no event shall the bonds exceed the maximum amount stated above. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 5 and in Article IX, Section 6, Subdivision 4 of the Constitution, except that none of the bonds of any series issued pursuant to this authorization shall mature earlier than one year after the date of completion of the Minnesota zoological garden and related facilities as estimated by the state zoological board at the time of the issuance of such series. The proceeds of the bonds, except premium and accrued interest, are appropriated to the Minnesota zoological garden building account in the general fund, for expenditure by the state zoological board for the purpose for which the bonds are authorized in accordance with the provisions of section 85A.04, subdivision 2. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal on the bonds, there is also appropriated annually to the Minnesota state zoological bond account in the state bond fund from the general fund a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the bond account, to pay all principal and interest due and to become due on the bonds to and including July 1 in the second ensuing year. The money received and on hand pursuant to this annual appropriation is available in the state bond fund prior to the levy of the tax in any year required by the Constitution and by subdivision 5 and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 12. *The site of the Minnesota zoological garden is legally described as follows:*

*The Northwest Quarter of Section 14, Township 115, Range 20, together with Government Lot 2, Section 11, Township 115, Range 20, together with the north one-half of the Southwest Quarter of Section 14, Township 115, Range 20, together with that part of Government Lot 1, Section 10, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the Northeast Quarter of section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the north one-half of the Southeast Quarter of Section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, all in Dakota County, Minnesota and containing 478.5 acres, more or less.*

Sec. 13. *This act takes effect the day following its final enactment."*

Amend the title by striking it and inserting

“A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; defining the zoological garden site; authorizing the board to add to and promote the operation; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining “matching funds”; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 2, and by adding subdivisions; 85A.03, Subdivisions 4 and 4a; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1314: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2, 14 and 15; 462A.07, by adding a subdivision; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 9, strike “Laws 1974, Chapter 441” and insert “*this chapter*”

Page 6, line 16, strike “462A.21, subdivision 4d” and insert “7 of *this act*”

Page 7, line 14, strike “\$45,000,000” and insert “\$35,000,000”

Page 8, line 2, strike “462A.21, subdivision 4d” and insert “7 of *this act*”

Page 8, strike lines 15 and 16

Page 8, line 17, strike “(e)” and insert “(d)”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 1550: A bill for an act relating to public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, line 12, strike "all"

Page 5, line 28, after "246.54." insert "*The cost of care liability of relatives for any payments made under this section shall be the same as for persons in state institutions as provided in sections 246.50 to 246.55.*"

Page 5, line 22, strike "commission" and insert "commissioner"

Page 5, line 32, after "made." insert "*Payments authorized under this section shall be made to the extent of appropriations available.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1474: A bill for an act relating to appropriations; appropriating money to the department of education for the operation of the environmental learning center at Isabella.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, strike "\$100,000" and insert "\$50,000"

Page 1, line 10, strike "July 1, 1977" and insert "June 30, 1976"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 783: A bill for an act relating to agriculture; providing for a state farm census; appropriating money; amending Minnesota Statutes 1974, Section 17.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, strike "\$29,800" and insert "\$50,000"

Page 2, line 8, strike "fiscal" and insert "first"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 407: A bill for an act relating to education; providing for kindergarten and pilot second level preschool assessment programs; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 17, after the dollar sign insert "300,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1411: A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 275: A bill for an act relating to commerce; creating a commission on small business; describing its duties; appropriating funds for its operation.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "commission" and insert "advisory task force"

Page 1, line 8, strike "commission" and insert "task force"

Page 1, line 10, after "any" insert "sole proprietorship, partnership, or corporation, with gross receipts of less than \$4,000,000 in the preceding calendar year."

Page 1, line 10, strike "owner-operated enterprise,"

Page 1, strike line 11

Page 1, line 12, strike "commission" and insert "task force"

Page 1, line 20, strike "commission" and insert "task force"

Page 2, line 5, strike "commission" and insert "task force"

Page 2, line 7, strike "commission" and insert "task force"

Page 2, line 11, after "replaced" insert " for the remainder of the unexpired term"

Page 2, after line 11 insert:

"Subd. 6. Members appointed by the governor may be removed at any time by the governor (1) for cause after notice and hearing or (2) after missing three consecutive-scheduled meetings. The chairman shall notify the governor of a member missing the three meetings.

The secretary shall inform a member in writing after the second consecutive missed meeting and before the next meeting that he may be removed if he misses the next meeting."

Page 2, line 12, strike "commission" and insert "task force"

Page 2, line 14, strike "\$50" and insert "\$25"

Page 2, line 15, strike "commission" and insert "task force"

Page 2, line 15, strike "actual and necessary"

Page 2, line 16, strike everything after "expenses"

Page 2, line 17, strike "to rates prevailing" and insert "in the same manner and amount as"

Page 2, line 18, strike "commission" and insert "task force"

Page 2, line 26, strike "commission" and insert "task force"

Page 2, line 31, strike "commission" and insert "task force"

Page 3, line 6, strike "commission" and insert "task force"

Page 3, line 12, strike "1975-1977" and insert "ending June 30, 1977"

Amend the title as follows:

Page 1, line 2, strike "a commission" and insert "an advisory task force"

Page 1, line 4, strike "funds" and insert "money"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 22: A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 19, strike "an" and insert "that"

Page 4, line 19, after "ECSU" insert "whose boundaries coincide with those of development region 11"

Page 4, line 20, strike "appoint" and insert "form"

Page 4, line 21, strike "to elect the members"

Page 4, line 22, strike "of the ECSU board of directors"

Page 4, line 22, after the period insert "The care, management, and control of that ECSU shall be vested in the representative assembly if one is formed. The representative assembly shall elect

an executive committee of not less than 6 nor more than 15 members to terms as provided in clause (b) to have those powers and to carry out those duties delegated to it by the representative assembly. In the election of its executive committee,"

Page 4, line 23, strike "may" and insert "shall"

Page 4, line 25, after the period insert "The provisions of clauses (d), (e), (f) and (g) of this subdivision shall apply to the executive committee of this ECSU."

Page 6, line 18, strike "by" and insert "of"

Page 10, line 1, after "private" insert a comma

Page 10, line 8, after "ECSU" strike the comma

Page 10, strike lines 14 through 19

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 486: A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; appropriating money; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6; and Chapter 169, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, after "county" insert "up to"

Page 2, line 9, strike "in an"

Page 2, line 10, strike "amount equal" and insert "up"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1638: A bill for an act relating to education; higher education coordinating commission; work-study program for post-secondary students; defining eligibility and setting guidelines for payments; amending Minnesota Statutes 1974, Sections 136A.231; 136A.232; and 136A.233.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 90: A bill for an act relating to corrections; providing for participation in educational programs in the community by selected inmates of state correctional institutions; providing for the payment of room and board charges by inmates; amending Minnesota Statutes 1974, Section 241.26, Subdivisions 1, 5, and 7.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1281: A bill for an act relating to public health; establishing a dental health education program to be administered by the board of health; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, strike "each of eight school districts"

Page 2, line 5, strike "representing the eight" and insert "four"

Page 2, line 27, strike "each year of"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 942: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

Reports the same back with the recommendation that the bill be amended as follows:

Page 11, line 31, strike "four" and insert "six"

Page 11, line 31, strike "two" and insert "three"

Page 11, line 32, strike "two" and insert "three"

Page 15, line 21, strike "\$20,000" and insert "\$25,000 for the biennium ending June 30, 1977,"

Page 15, after line 27, insert a section to read:

*"Sec. 10. This act is effective the day following final enactment."*

And when so amended the bill do pass. Amendments adopted. Report adopted.

#### **SECOND READING OF SENATE BILLS**

S. F. Nos. 919, 1217, 1314, 1550, 1474, 783, 407, 1411, 275, 22, 486, 90, 1281 and 942 were read the second time.

#### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1043, 704 and 1638 were read the second time.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Davies moved that the Senate do now adjourn until 9:00 o'clock a.m., Friday, May 16, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

**FIFTY-FIFTH DAY**

St. Paul, Minnesota, Friday, May 16, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

**CALL OF THE SENATE**

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Jensen	North	Schrom
Ashbach	Fitzsimons	Keefe, S.	Ogdahl	Stokowski
Borden	Gearty	Kleinbaum	Olhoff	Stumpf
Brown	Hansen, Baldy	Laufenburger	Olson, A. G.	Tennessee
Chenoweth	Hansen, Mel	Lewis	Olson, J. L.	Willet
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	
Coleman	Hughes	Milton	Perpich, G.	
Conzemius	Humphrey	Moe	Schmitz	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoff	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

May 15, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved,

signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 72, An act relating to elections; permitting the use of a petition in lieu of filing fees; amending Laws 1975, Chapter 5, Section 15, by adding a subdivision.

S. F. No. 426, An act relating to foods; requiring eating places that serve meat containing meat substitutes for consumption to indicate the same on its menu or bill of fare; prescribing penalties.

S. F. No. 523, An act relating to the joint exercise of powers between governmental units; providing for the inclusion of instrumentalities of governmental units; providing for the negotiation of the costs of services or functions as part of the agreement.

S. F. No. 571, An act relating to Wright county; requiring, with certain exceptions, the approval of the county board before any lands within the county are acquired for park purposes.

S. F. No. 637, An act relating to county courts; establishing the manner of disposition of fines, fees and other moneys.

S. F. No. 665, An act relating to the town of Taylor; restoring state payments lost because of failure of county auditor to forward report.

S. F. No. 765, An act relating to insurance; defining certain unfair discriminatory practices.

S. F. No. 876, An act relating to Lincoln county; ratifying certain salary increases voted to the Lincoln county board of commissioners.

S. F. No. 923, An act relating to insurance; increasing the amount of admitted assets that may be invested in certificates of deposit.

S. F. No. 935, An act relating to conciliation courts in St. Louis county; providing that the conciliation courts of St. Louis county may conduct personal receiverships.

S. F. No. 1057, An act relating to unemployment compensation; defining the term employment; excluding certain legislative employees from coverage.

S. F. No. 1101, An act relating to acquisition of land for natural resources purposes; specifying procedure to be followed.

S. F. No. 1131, An act relating to insurance; authorizing domestic stock insurance companies to declare and pay dividends quarterly.

S. F. No. 1183, An act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state.

S. F. No. 1391, An act relating to water and related land resources management.

S. F. No. 1442, An act relating to real estate; changing certain procedure involving mortgage discharges and release attachment.

S. F. No. 1451, An act relating to the counties of Pennington and Marshall and their respective interests in a certain nursing home; providing for the withdrawal of the interest of Marshall County therein.

Sincerely,  
Wendell R. Anderson, Governor

May 15, 1975

The Honorable Alec Olson  
President of the Senate  
Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 93, An act relating to juvenile court; providing for payment of the costs of foster care for delinquent children.

S. F. No. 307, An act relating to the practice of podiatry; allowing the board of podiatry examiners and registration to create certain registration standards by rule and regulation.

S. F. No. 605, An act relating to licensing boards and agencies; redefining health related licensing board and non-health related licensing board; providing certain uniform provisions and requirements.

Sincerely,

Wendell R. Anderson, Governor

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	11	100	May 14	May 14
	278	101	May 14	May 14
	584	102	May 14	May 14
287		103	May 14	May 14
311		104	May 14	May 14
421		105	May 14	May 14
451		106	May 14	May 14
452		107	May 14	May 14
590		108	May 14	May 14
778		109	May 14	May 14
845		110	May 14	May 14
871		111	May 14	May 14

1038	112	May 14	May 14
1088	113	May 14	May 14
1210	114	May 14	May 14
1441	115	May 14	May 14
1443	116	May 14	May 14

Sincerely,  
Joan Anderson Growe  
Secretary of State

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Coleman; Conzemius; Blatz; Olson, A. G. and Perpich, A. J. The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. O'Neill, McCutcheon and Borden introduced—

S. F. No. 1759: A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

Referred to the Committee on Labor and Commerce.

Messrs. Davies, O'Neill and Borden introduced—

S. F. No. 1760: A bill for an act relating to real estate; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1974, Sections 334.01, Subdivision 1; 334.02; 334.03; 507.08; 507.32; 513.01; 541.01; 582.01; 582.03; repealing Minnesota Statutes 1974, Sections 386.01; 386.03; 386.04; 386.30; 386.39; 507.021; 507.07; 507.09; 507.10; 507.13; 507.14; 507.16; 507.24; 507.26; 507.27; 507.28; 507.29; 507.34; 507.36; 513.04; 513.05; 514.01 to 514.17; 541.02; 541.023; 541.03; 548.09; 548.11; 557.02; 557.021; 557.022; 557.023; 559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapters 515 and 580.

Referred to the Committee on Judiciary.

Messrs. Arnold, Laufenburger and Hanson, R. introduced—

S. F. No. 1761: A bill for an act relating to workmen's compensation insurance; renaming the Minnesota workmen's compensation rating bureau and removing certain of its functions; creating a rate control and risk investigation bureau in the insurance division of the department of commerce; prescribing its duties; amending Minnesota Statutes 1974, Sections 79.01, by adding subdivisions; 79.10; 79.11; 79.12; 79.13; 79.14; 79.15;

79.16; 79.17; 79.23; 79.24; 79.25; 79.27; 79.28; 79.29; 79.30; 79.31; 79.32; and chapter 79 by adding a section.

Referred to the Committee on Labor and Commerce.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 911, and repassed said bill in accordance with the report of the committee, so adopted.

H. F. No. 911: A bill for an act relating to crime; prohibiting removing, altering or obliterating identifying marks on property; providing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 2.

House File No. 911 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 15, 1975

Mr. Davies moved that H. F. No. 911 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1241, 1769, 710, 943 and 787 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1241	1393				
1769	1715				
710	677				
943	1187				
787	798				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1241 be amended as follows:

Page 2, line 8, delete "within the metropolitan area defined in"

Page 2, delete lines 9 to 12

Page 2, line 13, delete "parks and open space commission."

Page 2, line 16, delete "and betterment"

Page 2, lines 16 and 17, delete "and local government units"

Page 2, line 24, delete "and betterment"

Page 3, line 18, after "85.32;" insert "and"

Page 3, line 23, delete "; and" and insert a period

Page 3, delete lines 24 to 30

Renumber the remaining subdivisions

Page 4, line 19, delete "and betterment"

Page 7, delete lines 30 to 32

Page 8, delete lines 1 to 4

Page 8, line 14, delete ", provided" and insert a semicolon

Page 8, delete lines 15 to 19

Page 8, delete lines 31 and 32

Page 9, delete lines 1 to 32

Page 10, delete lines 1 to 7

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, lines 5 and 6, delete "and betterment"

Page 1, line 7, delete "for which the"

Page 1, delete lines 8 to 11

Page 1, line 12, delete "council for this purpose"

Page 1, line 13, delete "requiring the approval"

Page 1, delete lines 14 and 15

Page 1, line 16, delete "proposes to acquire;"

And when so amended, H. F. No. 1241 will be identical to S. F. No. 1393 and further recommends that H. F. No. 1241 be given its second reading and substituted for S. F. No. 1393 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1769 be amended as follows:

Page 6, line 4, delete "cent" and insert "dollar"

Page 6, lines 4 and 5, delete "journeyman skilled trade classes"

Page 8, line 22, after the period insert "*Faculty employees in the community college system shall also receive the percentage adjustments prescribed by this subdivision.*"

Page 10, line 1, delete "and section 8"

Page 12, line 7, after "percent" insert "*, except for community college faculty employees who shall receive 25 percent,*"

Page 12, line 11, before "of" insert "*, except for community college faculty employees who shall receive 30 percent,*"

Page 12, lines 14 and 15, delete "*and community college system*"

Page 20, delete lines 6 to 32

Page 21, delete lines 1 to 10

Page 26, line 32, delete the underscored language

Page 27, delete line 1

Page 27, line 4, after "43.23." insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Page 27, delete lines 8 to 32

Page 28, delete lines 1 to 4

Page 28, lines 12 and 13, delete the underscored language

Page 28, line 17, after "agency." insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Page 29, lines 17 to 20, delete the underscored language

Page 29, lines 24 and 25, strike "*within the department and class*"

Page 36, delete lines 29 to 32

Delete pages 37 to 44 and insert

"*Sec. 23. This act is effective July 1, 1975.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, delete "*providing salaries for department*"

Page 1, line 6, delete "*heads and certain judicial positions;*"

Page 1, line 7, delete "*15A.081,*"

Page 1, line 8, delete "*Subdivision 1; 15A.083;*"

Page 1, delete lines 9 and 10, and insert "*43.12,*"

Page 1, line 12, delete "*1, 2, and 3*" and insert "*1 and 2*"

Page 1, line 14, delete "*Subdivisions 1 and*" and insert "*Subdivision*"

Page 1, line 17, delete "*; repealing Minnesota Statutes*" and insert a period

Page 1, delete lines 18 and 19

And when so amended, H. F. No. 1769 will be identical to S. F. No. 1715 and further recommends that H. F. No. 1769 be given its

second reading and substituted for S. F. No. 1715 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 710 be amended as follows:

Page 3, line 5, after "commerce" insert a comma

Page 4, line 23, delete "Minnesota Statutes,"

Page 6, line 1, delete "Minnesota Statutes," and after "3.195" delete the comma

Page 7, line 1, delete "Minnesota Statutes," and after "3.195" delete the comma

And when so amended, H. F. No. 710 will be identical to S. F. No. 677 and further recommends that H. F. No. 710 be given its second reading and substituted for S. F. No. 677 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 943 be amended as follows:

Page 1, after line 17 insert:

"Section 1. Minnesota Statutes 1974, Section 238.01, is amended to read:

238.01 [DECLARATION OF LEGISLATIVE FINDINGS AND INTENT.] Upon investigation of the public interest associated with cable communications, the legislature of the state of Minnesota has determined that while cable communications serve in part as an extension of interstate broadcasting, that their operations also involve public rights-of-way, municipal franchising, and vital business and community service, which are of state concern; that while said operations must be subject to state oversight, they also must be protected from undue restraint and regulation so as to assure development of cable systems with optimum technology and maximum penetration in this state as rapidly as economically and technically feasible; that the municipalities and the state would benefit from valuable educational and public services through cable communications systems; that the cable communications industry must provide the opportunity for minority participation and benefit which its diversity promises; that the public and the business community would benefit if served by cable channels sufficient to meet the needs of producers and distributors of program and other communication content services; that the cable communications industry is in a period of rapid growth and corporate consolidation and should proceed in accord with regional and statewide service objectives *and plans*; that these objectives should encourage area-wide service where consistent with the public interest and discourage concentration of control and ownership when not in the public interest; and that many municipalities lack the necessary resources and expertise to plan for and secure these benefits and to protect subscribers and other parties to the public interest in franchise negotiations.

There is, therefore, a need for a state agency to develop a state cable communications policy; to promote the rapid development of the cable communications industry responsive to community and public interest and consonant with policies, regulations and statutes of the federal government; to assure that cable communications companies provide adequate, economical and efficient service to their subscribers, the municipalities within which they are franchised and other parties to the public interest; to encourage the endeavors of public and private institutions, municipalities, associations and organizations in developing programming for public interest; and to provide minorities with the fullest opportunity to make effective use of the medium.

It is the intent of the legislature in the provisions of Laws 1973, Chapter 568 to vest authority in a commission to oversee development of the cable communications industry in Minnesota in accordance with the statewide service plan; to review the suitability to practices for franchising cable communications companies to protect the public interest; to set standards for cable communications systems and franchise practices; to assure channel availability for municipal services, educational television, program diversity, local expression and other program and communications content services; to assure that municipal franchising results in communication across metropolitan areas and in neighborhood communities in larger municipalities; to provide consultant services to community organizations and municipalities in franchise negotiations; and, to stimulate the development of diverse instructional, educational, community interest and public affairs programming with full access thereto by cable communications companies, educational broadcasters and public and private institutions operating closed circuit television systems and instructional television fixed services."

Page 1, line 28, restore the stricken language

Page 2, line 1, restore the stricken "of Administration"

Page 2, line 2, after the stricken "1973" insert "*until July 1, 1977*" and restore the stricken period

Page 2, after line 5 insert

"Sec. 4. Minnesota Statutes 1974, Section 238.05, Subdivision 1, is amended to read:

238.05 [DUTIES OF THE COMMISSION.] Subdivision 1. ~~The commission shall develop and maintain a statewide plan for development of cable communications services, setting forth the objectives which the commission deems to be of regional and state concern. The commission, by January 1, 1977, shall adopt, after appropriate study and such public hearings as may be necessary, a comprehensive plan for the development of cable communications services in the state. The plan shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly development and utilization of cable communication systems, public and private, of the state. The plan shall recognize and encompass the social and economic needs of~~

*the state and those future developments which will have an impact on the state, including but not limited to such matters as health, education, law enforcement, transportation and governmental information. The commission shall continually assess the state of technology, encourage such research as may be necessary toward that end, and update from time to time its comprehensive plan to reflect changing needs, revising its standards, terms or conditions accordingly."*

Page 2, line 16, restore the stricken language

Page 2, line 17, restore the stricken "priorities" and before the semicolon insert "*the municipality has developed to review franchise applications*"

Page 3, line 1, restore the stricken language "(c) prescribe a list of" and after the stricken "inclusion" insert "*topics to be addressed*" and restore the stricken "in"

Page 3, line 2, restore the stricken language

Page 3, line 3, restore the stricken language and delete the new language

Page 3, line 4, strike "twin cities" and after "area" insert "*as defined in Minnesota Statutes 1974, Section 473B.011, Subdivision 2,*"

Page 3, line 5, after "public" insert "*or private*"

Page 3, line 6, after "interconnection" insert "*and compatibility*"

Page 3, line 9, delete "(d)" and insert "(e)" in both places it appears

Page 3, line 10, delete "*, provided,*"

Page 3, lines 11 to 14, delete all the new language

Page 3, line 31, after "from" insert "*a municipality or*"

Page 3, line 32, strike "consultation with" and insert "*a maximum 90 day period of review and comment by*"

Page 4, line 2, before the period insert "*and if the affected planning commission is the metropolitan council, after a period of review and comment by the metropolitan council not to exceed 90 days*"

Page 4, line 8, delete "*the rulemaking provisions of*"

Page 4, line 29, delete "*the rulemaking provisions of*"

Page 6, line 4, strike "ten" and insert "15"

Page 6, after line 4 insert

"Sec. 15. Minnesota Statutes 1974, Section 238.09, Subdivision 7, is amended to read:

Subd. 7. Any renewal of a certificate of confirmation shall be

for a period of five ten years. A renewal of certificate of confirmation may be issued prior to the expiration of any existing certificate."

Page 6, line 14, delete the second "any" and insert "a"

Page 6, delete line 16

Page 6, line 17, delete "whichever condition occurs, a" and insert "every"

Page 6, line 18, delete "a" and insert "every"

Page 6, line 19, after "subsequent" insert "cable communications"

Page 6, line 20, after "rules" insert "and regulations" and delete the colon and insert "either upon"

Page 6, lines 21 and 22, delete "; the granting of a new franchise;"

Page 6, line 22, after "or" insert "upon"

Page 6, line 23, delete the comma after "5"

Page 6, line 24, delete "of this section"

Page 6, line 25, after "municipality" insert ", whichever condition first occurs"

Page 7, after line 2, insert

"Sec. 19. Minnesota Statutes 1974, Section 238.15, is amended to read:

**238.15 [FINANCIAL INTEREST OF MEMBERS AND EMPLOYEES.]** No member of the commission and no employee of the commission or person appointed pursuant to section 238.04, subdivision 7 shall be employed by, or shall knowingly have any financial interest in any cable communications company holding a franchise in the state, their or its subsidiaries, major equipment or programming suppliers, or in any broadcasting company holding an operating license issued by the federal communications commission; their or its subsidiaries, major equipment or programming suppliers. Members of any elected body granting franchises and employees of any franchising body who would be directly involved in the granting or administration of franchises for cable communications and who are employed by or who knowingly have any financial interest in any cable communications company holding a franchise in the state, bidding on such franchise, or the cable communications company granted the franchise, or their subsidiaries, major equipment or program suppliers shall abstain from participation in the franchising of a cable communications companies company or the administration of such franchise."

Page 7, line 3, delete "Sections" and insert "Section"

Page 7, line 4, delete "238.05, Subdivisions 8 and 16; and"

Page 7, line 5, delete "are" and insert "is"

Page 7, delete lines 6 to 32

Page 8, delete lines 1 to 10

Renumber the sections in sequence

Further amend the title as follows:

Line 1, delete "making" and insert "extending the residence of"

Line 2, delete "a permanent part of" and insert "in"

Lines 7 and 8, delete "permitting counties to establish translator systems;"

Line 9, after "Sections" insert "238.01;"

Line 10, after "Subdivisions" insert "1,"

Line 13, delete "3 and" and after "6" insert "and 7"

Line 14, delete "375.164" and insert "238.15"

Lines 15 and 16, delete "Sections 238.05, Subdivisions 8 and 16; and" and insert "Section"

And when so amended, H. F. No. 943 will be identical to S. F. No. 1187 and further recommends that H. F. No. 943 be given its second reading and substituted for S. F. No. 1187 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 787 be amended as follows:

Page 2, delete lines 17 and 18 and insert "*systems, legislative staff and the*"

Page 5, line 5, after "is" insert "*annually*"

Page 5, line 7, delete "*sum of \$1,200,000*" and insert "*amounts necessary*"

Page 5, line 8, delete "*Any unexpended*"

Page 5, delete line 9

Page 5, line 10, delete "*shall be available for the second year of the biennium.*"

Page 5, line 14, after "*annually.*" insert "*All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.*"

Page 6, line 23, restore the stricken language and delete the under-scored language

Page 6, line 30, restore the stricken language and delete the under-scored language

Page 9, lines 10 and 11, strike "without regard to the number of students previously enrolled"

Page 9, line 19, delete "and"

Page 9, line 20, delete "osteopathic" and after "and" insert "\$120,000 per year"

Page 9, line 20, before "loans" insert "new"

Page 9, line 21, strike ", for up to"

Page 9, strike lines 22 and 23

Page 9, line 24, strike "biennium"

Page 10, lines 10 to 13, delete the underscored language

Page 10, line 26, strike "three years" and insert "*a period of eighteen months for each initial or renewal period of the loan*"

Page 11, line 2, strike "\$6,000" and insert "\$4,000"

Page 11, line 5, strike "\$24,000" and insert "\$16,000"

And when so amended, H. F. No. 787 will be identical to S. F. No. 798 and further recommends that H. F. No. 787 be given its second reading and substituted for S. F. No. 798 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1241, 1769, 710, 943 and 787 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Lewis moved that S. F. No. 242 be taken from the table. The motion prevailed.

#### CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate concur in the amendments by the House to S. F. No. 242 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 242: A bill for an act relating to corrections; defining powers and duties of the commissioner of corrections; authorizing the appointment of an employee of the department of corrections to serve as a voting member of the Minnesota Corrections Authority on a temporary basis; authorizing the purchase of parole and probation services from public and private agencies; expanding provisions for the establishment of private industry on grounds of correctional institutions; providing for the employment of inmates at certain wages; providing for the designation of community corrections planning counties; providing employment for state correctional officers; expanding the composition of corrections advisory boards; permitting prospective payment of subsidies; changing the subsidy formula; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 5a, and by adding a subdivision; 241.045, Sub-

division 7; 243.09, Subdivisions 1 and 3; 243.88, Subdivisions 1 and 2; 401.02, by adding a subdivision; 401.04; 401.08; 401.10; 401.11; 401.14; 401.15, Subdivision 1; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 6, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
Bang	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brataas	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Stumpf
Chenoweth	Humphrey	Merriam	Perpich, G.	Tennessee
Chmielewski	Keefe, J.	Milton	Pillsbury	Ueland
Davies	Keefe, S.	Moe	Purfeerst	Wegener
Doty	Kirchner	Nelson	Renneke	Willet
Dunn	Kleinbaum	North	Schmitz	

Those who voted in the negative were:

Frederick	Jensen	Josefson	Olson, J. L.	Schrom
Hansen, Baldy				

So the bill, as amended, was repassed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 784, No. 53 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 784: A bill for an act relating to nursing; providing for continuing education; amending Minnesota Statutes 1974, Sections 148.191, Subdivision 2; and 148.231.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 11, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Pillsbury	Stumpf
Ashbach	Hansen, Mel	Lewis	Purfeerst	Tennessee
Bernhagen	Hanson, R.	McCutcheon	Renneke	Ueland
Borden	Hughes	Merriam	Schaaf	Wegener
Brataas	Humphrey	Milton	Schmitz	
Brown	Josefson	Nelson	Sillers	
Chenoweth	Keefe, J.	North	Solon	
Davies	Kleinbaum	Ogdahl	Spear	
Doty	Knutson	O'Neill	Stassen	
Frederick	Kowalczyk	Perpich, G.	Stokowski	

Those who voted in the negative were:

Bang	Dunn	Hansen, Baldy	Larson	Schrom
Berg	Fitzsimons	Jensen	Olson, J. L.	Willet
Chmielewski				

So the bill passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 210, No. 91 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 210: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

Mr. Lewis moved to amend H. F. No. 210 as follows:

Page 2, line 4, strike "age"

Page 4, line 24, after "shall" insert "the"

The motion prevailed. So the amendment was adopted.

H. F. No. 210 was read the third time, as amended and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olhoft	Solon
Arnold	Fitzsimons	Kirchner	Olson, H. D.	Spear
Ashbach	Frederick	Kleinbaum	Olson, J. L.	Stassen
Bang	Gearty	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Baldy	Larson	Perpich, G.	Stumpf
Bernhagen	Hansen, Mel	Laufenburger	Pillsbury	Tennessee
Borden	Hanson, R.	Lewis	Purfeerst	Ueland
Brataas	Hughes	Merriam	Renneke	Wegener
Chenoweth	Humphrey	Milton	Schaaf	Willet
Chmielewski	Jensen	Nelson	Schmitz	
Davies	Josefson	North	Schrom	
Doty	Keefe, J.	Ogdahl	Sillers	

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1759:

Messrs. Willet, Borden, Chenoweth, Fitzsimons and Josefson. The motion prevailed.

#### SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that S. F. No. 243, No. 86 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

S. F. No. 243: A bill for an act relating to corrections; providing for the retention of funds received for use of facilities and provision of services to juvenile courts; amending Minnesota Statutes 1974, Section 241.01, Subdivision 7; and 260.161, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kirchner	O'Neill	Solon
Bang	Hansen, Baldy	Kleinbaum	Patton	Spear
Berg	Hansen, Mel	Kowalczyk	Perpich, G.	Stassen
Bernhagen	Hanson, R.	Laufenburger	Pillsbury	Stokowski
Brown	Hughes	Lewis	Purfeerst	Stumpf
Chmielewski	Humphrey	Merriam	Renneke	Tennessee
Davies	Jensen	Milton	Schaaf	Ueland
Doty	Josefson	North	Schmitz	Wegener
Dunn	Keefe, J.	Ogdahl	Schrom	
Fitzsimons	Keefe, S.	Olson, H. D.	Sillers	

So the bill passed and its title was agreed to.

**SUSPENSION OF RULES**

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 483, No. 94 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 483: A bill for an act relating to livestock; registration and publication of livestock brands or marks; amending Minnesota Statutes 1974, Sections 35.824; 35.826; 35.827; 35.828; 35.829; and 35.830; repealing Minnesota Statutes 1974, Section 35.823.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	O'Neill	Solon
Bang	Gearty	Knutson	Patton	Spear
Berg	Hansen, Baldy	Kowalczyk	Perpich, G.	Stassen
Bernhagen	Hansen, Mel	Lewis	Pillsbury	Stokowski
Brataas	Hanson, R.	Merriam	Purfeerst	Stumpf
Brown	Hughes	Milton	Renneke	Tennessee
Chmielewski	Jensen	Moe	Schaaf	Ueland
Davies	Keefe, J.	Nelson	Schmitz	Wegener

So the bill passed and its title was agreed to.

**SUSPENSION OF RULES**

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1722, No. 4 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 1722: A bill for an act relating to taxation; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XIV, Section 5, of the Minnesota Constitution; allocating a portion of the apportionment to the county state-aid highway fund for use on town road bridge structures on a matching basis; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1.

Mr. Purfeerst moved to amend H. F. No. 1722, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [SUPPLEMENTAL PUBLIC TRANSIT AID PROGRAM.] *There is appropriated to the state planning agency from the general fund the sum of \$8,000,000 for the purpose of carrying out the supplemental public transit aid program provided for in Laws 1974, Chapter 534, Section 4. Six million dollars of the appropriated funds shall be used by the metropolitan transit commission established by Minnesota Statutes, Chapter 473A, for operating assistance. An eligible recipient shall treat any financial assistance received from any agency of the federal government for the operation of a public transit system as revenue for the purposes of determining its total operating deficit. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 2. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.] *There is hereby appropriated to the state planning agency from the general fund the sum of \$1,000,000 for the purpose of carrying out the public transit demonstration program provided for in Laws 1974, Chapter 534, Section 5. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 3. [ADMINISTRATION.] *There is hereby appropriated to the state planning agency the sum of \$85,000 from the general fund for the purposes of administering the supplemental public transit aid program and the public transit demonstration program as provided in Laws 1974, Chapter 534, Sections 1 to 7. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 4. *During the second year of the biennium, funds remaining unobligated under the supplemental public transit aid program and the public transit demonstration program described in sections 1 and 2 of this act, may be allocated by the commissioner of administration for either of the purposes described in sections 1 and 2.*

Sec. 5. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of seven nine cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 6. [EFFECTIVE DATE.] *Sections 1 to 4 of this act are effective July 1, 1975. Section 5 of this act is effective June 1, 1975. The increase in gasoline tax imposed by section 5 applies to all gasoline and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975.*"

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to transportation; providing for public transportation improvements and public transit demonstration projects; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Section 296.02, Subdivision 1."

The motion prevailed. So the amendment was adopted.

#### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Josefson	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schmitz
Ashbach	Fitzsimons	Kirchner	North	Sillers
Berg	Frederick	Kleinbaum	Ogdahl	Spear
Bernhagen	Gearty	Kowalczyk	Olhoft	Stassen
Borden	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Brataas	Hansen, Mel	Laufenburger	O'Neill	Stumpf
Brown	Hanson, R.	Lewis	Patton	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Merriam	Pillsbury	Wegener
Davies	Jensen	Milton	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Frederick moved to amend H. F. No. 1722 as follows:

Strike the Purfeerst amendment in its entirety and insert:

"Section 1. [ADDITIONAL EXCISE TAX IMPOSED.] *There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1, on all gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.*

Sec. 2. [EFFECTIVE DATE.] *Collection of the tax imposed by section 1 shall commence on July 1, 1975.*

**Sec. 3. [ADDITIONAL EXCISE TAX IMPOSED.]** *There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivisions 1, 296.025, Subdivision 1, and section 1 of this act on all gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.*

**Sec. 4. [EFFECTIVE DATE.]** *Collection of the tax imposed by section 3 shall commence on January 1, 1977.*

**Sec. 5. [SOURCE OF NEW REVENUE FOR HIGHWAY CONSTRUCTION.]** *Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Section 297B.09 fifty percent of the proceeds of the excise tax imposed on motor vehicles by Minnesota Statutes, Section 297B.02 are hereby appropriated annually as follows:*

- (1) 62 percent to the trunk highway fund;*
- (2) 29 percent to the county state aid highway fund;*
- (3) 9 percent to the municipal state aid street fund.*

**Sec. 6.** *Section 5 is effective for revenues collected on and after July 1, 1975.*

**Sec. 7.** *There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$9,000,000. The payment of this appropriation shall be made prior to June 30, 1975.*

**Sec. 8.** *There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000.00 for the purposes specified in Laws 1974, Chapter 534. No money appropriated by this section shall be expended in the area of the state under the jurisdiction of the metropolitan council. The payment of this appropriation shall be made prior to June 30, 1975.*

**Sec. 9.** *There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$20,000,000. The appropriation shall be used to finance pilot mass transit projects developed by the metropolitan transit commission subject to the review and approval of the metropolitan council. The appropriation shall be paid only upon the order of the Governor who shall prior to issuing such an order consult with and receive the written approval of a majority of the members of the legislative advisory committee meeting as a committee subject to the provisions of Minnesota Statutes 1974, Section 471.705.*

**Sec. 10.** *Minnesota Statutes 1974, Section 162.08, Subdivision 3, is amended to read:*

**Subd. 3. [AID TO TOWNS AND UNORGANIZED TERRITORY.]** *Any Notwithstanding subdivision 1, each county having within its boundaries organized town governments except those counties in which less than 25 percent of the land area is composed of towns or unorganized territory may shall, by resolution, allocate to the towns and unorganized territory within its boundaries so*

much *one-fiftieth* of the money apportioned to it under the provisions of sections 162.01 to 162.19, that it deems necessary to aid the ~~townships~~ towns or unorganized territory in the construction or maintenance of town roads. The resolution shall set forth the amount of money or the percentage of its apportionment that the county has allocated to the towns or unorganized territory. A certified copy of the resolution shall be forwarded to the commissioner on or before the second Tuesday of January of each year. Upon receipt of such resolution and as soon as he has determined the amount of money to be apportioned to the county, the commissioner shall certify to the state auditor the amount of money, as set forth in the resolution, that is to be paid out of the county's apportionment for distribution to the towns or unorganized territory. The state auditor shall thereupon issue a warrant in that amount payable to the county treasurer, and . The proceeds thereof shall be distributed by the county to the towns and to a special account each county having unorganized territory shall establish solely for funds distributed to the county pursuant to this section for construction and maintenance of roads in unorganized territory. All money so allocated and distributed shall be used by the towns solely for the construction of town roads under the supervision of organized towns or for roads in unorganized territory that are not a part of the county state-aid highway system. Each county board so allocating such funds may In determining the amount to be allocated to the towns and the unorganized territory road account the board shall devise a formula taking into account each town's levy for road and bridge purposes, its the mileage of town roads and , roads in unorganized territory not a part of the county state-aid highway system, population outside the corporate limits of all villages within the township, of towns or unorganized territory and such other factors as the county board shall deem advisable as a means of dividing the allocation among the several towns in order that such division among the towns be as equitable as possible , except the levy for road and bridge purposes in order that an equitable distribution may be made. No part of the money allocated for expenditure solely within cities, villages and boroughs having a population of less than 5,000 shall be allocated or distributed to the towns. The commissioner of highways shall maintain a permanent record of the allocations of county state-aid highway funds to the townships in each county. In making the annual apportionments of county state-aid highway funds, he shall reduce the money needs of said counties in the amounts necessary to equalize their status with these counties not making such township allotments.

Sec. 11. *Except as provided in sections 2, 4 and 6, the provisions of this act are effective the day following final enactment."*

Further, amend the title amendment by striking it in its entirety and inserting:

"A bill for an act relating to the organization and operation of state government; taxation for highways and bridges; appropriating money for highways, bridges and mass transit; amending Minnesota Statutes 1974, Section 162.01, Subdivision 3."

The question being taken on the adoption of the Frederick amendment,

And the roll being called, there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Josefson	Nelson	Renneke
Bang	Dunn	Keefe, J.	Ogdahl	Sillers
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Frederick	Knutson	O'Neill	Ueland
Blatz	Hansen, Mel	Larson	Patton	
Brataas	Hanson, R.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, H. D.	Spear
Arnold	Gearty	Lewis	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Merriam	Perpich, G.	Stumpf
Chenoweth	Hughes	Milton	Purfeerst	Tennessee
Chmielewski	Humphrey	Moe	Schaaf	Wegener
Coleman	Jensen	North	Schmitz	Willet
Conzemius	Keefe, S.	Olhoft	Schrom	
Davies	Kleinbaum	Olson, A. G.	Solon	

The motion did not prevail. So the amendment was not adopted.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Moe; Doty; Perpich, G.; Renneke and Olson, J. L. The motion prevailed.

Mr. Hansen, Mel moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After Section 5, insert:

"Sec. 6. Minnesota Statutes 1974, Section 473A.111, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 AM and 3:30 PM, and from 6:30 PM until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission, and *at specific hours and at a reduced fare as established by the commissioner*, to all those persons under the age of 18.

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies."

Renumber the sections in sequence

Amend the title amendment as follows:

Fourth line of the title amendment, after the semicolon, insert "providing for a reduced transit fare at specific hours for persons under 18;"

Fifth line, strike "Section" and insert "Sections"

Fifth line, before the period, insert "; and 473A.111, Subdivision 4"

The question being taken on the adoption of the amendment,

Mr. Hansen, Mel moved that those not voting be excused from voting. The motion did not prevail.

Mr. Chenoweth moved that those not voting be excused from voting. The motion did not prevail.

Mr. Schaaf moved that those not voting be excused from voting. The motion did not prevail.

Mr. Milton moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Hanson, R.	Nelson	Schrom
Bang	Dunn	Jensen	Ogdahl	Sillers
Berg	Fitzsimons	Josefson	Olson, J. L.	Stassen
Bernhagen	Frederick	Knutson	O'Neill	Tennessee
Blatz	Gearty	Kowalczyk	Patton	Ueland
Brataas	Hansen, Baldy	Larson	Pillsbury	
Brown	Hansen, Mel	McCutcheon	Renneke	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Solon
Arnold	Hughes	Lewis	Olson, H. D.	Spear
Borden	Humphrey	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Keefe, J.	Milton	Perpich, G.	Stumpf
Coleman	Keefe, S.	Moe	Purfeerst	Wegener
Conzenius	Kirchner	North	Schaaf	Willet
Davies	Kleinbaum	Olhoff	Schmitz	

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Schaaf moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After section 5, insert:

"Sec. 6. The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted, the Article shall read:

#### ARTICLE XIV PUBLIC HIGHWAY SYSTEM

Section 1. The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law

may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 through 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article *up to an amount derived as a result of tax rates in effect on November 2, 1976.* The ~~net proceeds of the taxes~~ *highway user tax distribution fund* shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5 of this article and other law*. The law may exempt from taxation any motor vehicle by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5 of this article and other law*.

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid~~

shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.

Sec. 5. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:

“Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds?”

Yes \_\_\_\_\_

No \_\_\_\_\_ ” ”

Renumber the remaining sections

Amend the title amendment as follows:

Fourth line of the title amendment, after the semicolon, insert “proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds;”

The question being taken on the adoption of the Schaaf amendment to the Purfeerst amendment,

And the roll being called, there were yeas 15 and nays 41 as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Milton	O'Neill	Stassen
Gearty	Keefe, S.	North	Purfeerst	Stokowski
Hughes	Merriam	Ogdahl	Schaaf	Stumpf

Those who voted in the negative were:

Arnold	Chmielewski	Josefson	Olson, J. L.	Solon
Ashbach	Davies	Keefe, J.	Patton	Spear
Bang	Doty	Kowalczyk	Perpich, A. J.	Tennessee
Berg	Dunn	Larson	Perpich, G.	Ueland
Bernhagen	Fitzsimons	Laufenburger	Pillsbury	Willet
Blatz	Hansen, Baldy	Moe	Renneke	
Borden	Hansen, Mel	Olhoft	Schmitz	
Brataas	Hanson, R.	Olson, A. G.	Schrom	
Brown	Jensen	Olson, H. D.	Sillers	

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Chmielewski moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After section 5, insert:

"Sec. 6. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

- (1) ~~70~~ 60 percent to the trunk highway fund;
- (2) ~~24~~ 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;
- (3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 7. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

*Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turnback account. "*

Amend the title amendment as follows:

Fourth line, after the semicolon, insert "reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses;"

Fifth line strike "Section" and insert "Sections 161.081; 161.082, by adding a subdivision; and"

The motion prevailed. So the amendment to the amendment was adopted.

Mr. Schaaf moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

Strike Sections 1 to 4 of the amendment and insert:

"Sec. 4. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program ~~in areas other than the metropolitan transit area~~ and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds *nor be less than one half* of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. *Grants to the metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$3,190,000.*

(d) Determine the operating deficit of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 5. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units ~~in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A.~~ Applications for financial assistance shall be made through the regional development commissions or the metropolitan council.

Sec. 6. *Beginning with the levy in 1975 payable in 1976, the levy for the metropolitan transit commission for the purposes of Laws 1975, Chapter 13, Section 71, Subdivision 1, Paragraph (a), shall be limited to an amount not to exceed 1.44 mills times the assessed value of all taxable property within the metropolitan transit taxing district.*

Sec. 7. [APPROPRIATION.] *Subdivision 1. There is hereby appropriated from the general fund the sum of \$29,000,000 to the state planning agency for the purposes of carrying out the provisions of section 4 of this act.*

*Subd. 2. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of section 5.*

*Subd. 3. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 7. [REPEALER.] *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed."*

Renumber the sections in sequence

Further amend the title amendment by striking it in its entirety and inserting:

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects; setting tax levies authorized for the metropolitan transit commission; appropriating money; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4, and 5, Subdivision 3; and Minnesota Statutes 1974, Section 296.02, Subdivision 1; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

The question being taken on the adoption of the Schaaf amendment to the Purfeerst amendment,

And the roll being called, there were yeas 19 and nays 35, as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Merriam	O'Neill	Stokowski
Davies	Keefe, S.	Milton	Schaaf	Stumpf
Gearty	Kleinbaum	North	Spear	Wegener
Hughes	Lewis	Ogdahl	Stassen	

Those who voted in the negative were:

Anderson	Brown	Hanson, R.	Moe	Pillsbury
Bang	Chmielewski	Jensen	Olhoft	Purfeerst
Berg	Doty	Josefson	Olson, H. D.	Schmitz
Bernhagen	Dunn	Knutson	Olson, J. L.	Schrom
Blatz	Fitzsimons	Kowalczyk	Patton	Solon
Borden	Frederick	Larson	Perpich, A. J.	Ueland
Brataas	Hansen, Baldy	Laufenburger	Perpich, G.	Willet

The motion did not prevail. So the amendment to the amendment was not adopted.

Mr. Stassen moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After Section 4, insert the following:

"Sec. 5. *Subdivision 1. Notwithstanding any law to the contrary, any person engaged in transportation for hire of tangible personal property by motor vehicle, limited to (1) a person possessing a certificate or permit authorizing for hire transportation of property from the interstate commerce commission or the Minnesota public service commission; or (2) any person transporting commodities defined as*

*“exempt” in for hire transportation; or (3) any person who pursuant to a contract with a person described in Clauses (1) or (2) above transports tangible personal property is entitled to a refund of any excise tax in excess of seven cents per gallon on gasoline or special fuels that he has paid on such gasoline and special fuels actually consumed in for hire transportation of tangible personal property, pursuant to Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1. Applications for refunds and refunds therefor as provided in this section shall be governed by the applicable provisions of Minnesota Statutes, Section 296.18, Subdivision 1.*

*Subd. 2. There is appropriated to the persons entitled to such refund under this section, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make the refund and payment.”*

Renumber the sections in sequence

Amend the title amendment as follows:

Fourth line, after the semicolon, insert “providing a refund of excise tax in certain cases for persons engaged in transportation for hire; appropriating money;”

The question being taken on the adoption of the Stassen amendment to the Purfeerst amendment,

And the roll being called, there were yeas 8 and nays 45, as follows:

Those who voted in the affirmative were:

Brataas Frederick	Josefson Knutson	Larson O'Neill	Stassen	Ueland
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Those who voted in the negative were:

Anderson	Coleman	Humphrey	Moe	Purfeerst
Arnold	Davies	Jensen	Nelson	Schaaf
Bang	Doty	Keefe, J.	North	Schrom
Berg	Dunn	Keefe, S.	Olson, A. G.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, H. D.	Spear
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Hanson, R.	Merriam	Perpich, G.	Wegener
Chmielewski	Hughes	Milton	Pillsbury	Willet

The motion did not prevail. So the amendment to the amendment was not adopted.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 1:20 o'clock p.m. The motion prevailed.

The hour of 1:20 o'clock p.m. having arrived, the President called the Senate to order.

The question recurred on H. F. No. 1722.

H. F. No. 1722 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Schaaf moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

Arnold	Hanson, R.	Larson	Olson, J. L.	Solon
Berg	Hughes	Laufenburger	Patton	Tennessen
Borden	Jensen	Merriam	Perpich, A. J.	Ueland
Chmielewski	Josefson	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	Olhoft	Purfeerst	
Conzernius	Kirchner	Olson, A. G.	Schmitz	
Fitzsimons	Kleinbaum	Olson, H. D.	Schrom	

Those who voted in the negative were:

Anderson	Chenoweth	Hansen, Mel	Milton	Schaaf
Ashbach	Davies	Humphrey	Nelson	Sillers
Bang	Doty	Keefe, J.	North	Spear
Bernhagen	Dunn	Knutson	Ogdahl	Stassen
Blatz	Frederick	Kowalczyk	O'Neill	Stokowski
Brataas	Gearty	Lewis	Pillsbury	Stumpf
Brown	Hansen, Baldy	McCutcheon	Renneke	Willet

So the bill failed to pass.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 2:30 o'clock p.m. The motion prevailed.

The hour of 2:30 o'clock p.m. having arrived, the President called the Senate to order.

#### MEMBERS EXCUSED

Mr. Stassen was excused from today's Session at 3:00 o'clock p.m.

#### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Doty	Humphrey	Merriam	Schaaf
Arnold	Dunn	Keefe, S.	Milton	Schmitz
Ashbach	Frederick	Kleinbaum	Moe	Spear
Borden	Gearty	Larson	Olhoft	Stassen
Chmielewski	Hansen, Mel	Laufenburger	Patton	Stumpf
Coleman	Hanson, R.	Lewis	Perpich, G.	Tennessen
Davies	Hughes	McCutcheon	Pillsbury	Wegener

The Sergeant-at-Arms was instructed to bring in the absent members.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of House Bills.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 914 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
914	1217				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 914 be amended as follows:

Page 3, line 2, delete "gifted,"

Page 3, line 2, delete "and exceptional"

Page 5, line 28, after "school" insert a comma

Page 6, line 3, after "date" insert "by"

Page 6, line 23, delete "any" and insert "every"

Page 6, line 27, delete "sections" and insert "section"

Page 6, after line 28, insert

"Sec. 7. The provisions of this act shall be severable, and if any provision thereof, or the application of any such provision under any circumstances is held invalid, it shall not affect any other provision of this act or the application of any provision thereof under different circumstances."

Renumber the sections in sequence

And when so amended, H. F. No. 914 will be identical to S. F. No. 1217 and further recommends that H. F. No. 914 be given its second reading and substituted for S. F. No. 1217 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendment adopted. Report adopted.

## SECOND READING OF HOUSE BILLS

H. F. No. 914 was read the second time.

## MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that S. F. No. 1466 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Arnold moved that the recommendations and Conference Committee Report as printed in the Journal May 15, 1975, on S. F. No. 1466 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

So the recommendations and Conference Committee Report were adopted.

S. F. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 36 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, J. L.	Spear
Arnold	Gearty	Kowalczyk	Perpich, A. J.	Tennessee
Berg	Hanson, R.	Lewis	Perpich, G.	Wegener
Bernhagen	Hughes	Merriam	Pillsbury	Willet
Borden	Humphrey	Milton	Schaaf	
Brown	Jensen	Moe	Schmitz	
Chmielewski	Keefe, J.	North	Schrom	
Coleman	Keefe, S.	Olson, A. G.	Sillers	

Messrs. Doty and Stumpf voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 916, No. 92 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 916: A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025; Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Fitzsimons	Jensen	Knutson
Arnold	Brown	Gearty	Josefson	Kowalczyk
Berg	Chenoweth	Hansen, Baldy	Keefe, J.	Larson
Bernhagen	Chmielewski	Hanson, R.	Keefe, S.	Lewis
Blatz	Doty	Hughes	Kirchner	McCutcheon
Borden	Dunn	Humphrey	Kleinbaum	Merriam

Milton	Olson, J. L.	Pillsbury	Schrom	Stokowski
North	Patton	Renneke	Sillers	Stumpf
Olson, A. G.	Perpich, A. J.	Schaaf	Spear	Willet
Olson, H. D.	Perpich G.	Schmitz	Stassen	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1379, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1379: A bill for an act relating to economic development; participation in federal programs by the area redevelopment agency; authorizing the state agency to make certain loans and guarantees and to expend funds for certain purposes; authorizing community development corporation projects; appropriating money; amending Minnesota Statutes 1974, Section 472.13, by adding a subdivision.

Mr. Perpich, A. J. moved to amend S. F. No. 1379 as follows:

Page 2, line 18, strike "\$50,000" and insert "\$20,000"

The motion prevailed. So the amendment was adopted.

S. F. No. 1379 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 48 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	North	Schmitz
Bang	Frederick	Kirchner	Olhoff	Schrom
Berg	Gearty	Kleinbaum	Olson, A. G.	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Spear
Blatz	Hanson, R.	Kowalczyk	O'Neill	Stassen
Brown	Hughes	Larson	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Lewis	Perpich, G.	Stumpf
Chmielewski	Jensen	Merriam	Pillsbury	Willet
Doty	Josefson	Milton	Renneke	
Dunn	Keefe, J.	Moe	Schaaf	

Messrs. Coleman and McCutcheon voted in the negative.

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1474, No. 119 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1474: A bill for an act relating to appropriations; appropriating money to the department of education for the operation of the environmental learning center at Isabella.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olson, A. G.	Schaaf
Arnold	Frederick	Knutson	Olson, J. L.	Schmitz
Berg	Gearty	Lewis	O'Neill	Sillers
Bernhagen	Hansen, Baldy	McCutcheon	Patton	Solon
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Spear
Brown	Hughes	Milton	Perpich, G.	Stassen
Chmielewski	Humphrey	Moe	Pillsbury	Stumpf
Doty	Jensen	Nelson	Purfeerst	Wegener
Dunn	Kirchner	Olhoft	Renneke	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1035, No. 97 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1035: A bill for an act relating to railroad safety; appropriating money to the department of public service for the purpose of enforcing certain railroad track safety standards.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Spear
Arnold	Gearty	Kowalczyk	O'Neill	Stokowski
Bang	Hansen, Baldy	Laufenburger	Patton	Stumpf
Berg	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Bernhagen	Hughes	Merriam	Perpich, G.	Wegener
Blatz	Humphrey	Milton	Pillsbury	Willet
Brown	Jensen	Moe	Purfeerst	
Chmielewski	Keefe, J.	Nelson	Schaaf	
Doty	Kirchner	North	Schmitz	
Dunn	Kleinbaum	Olhoft	Sillers	

Messrs. Frederick; Josefson; Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

Mr. Hansen, Baldy moved that S. F. No. 1437 be stricken from General Orders and re-referred to the Committee on Rules and Administration. The motion prevailed.

## SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 783, No. 120 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 783: A bill for an act relating to agriculture; providing for a state farm census; appropriating money; amending Minnesota Statutes 1974, Section 17.03, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoft	Schrom
Arnold	Dunn	Kleinbaum	Olson, A. G.	Sillers
Bang	Gearty	Knutson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Larson	O'Neill	Stokowski
Bernhagen	Hanson, R.	Laufenburger	Patton	Stumpf
Blatz	Hughes	Lewis	Perpich, A. J.	Ueland
Brataas	Humphrey	Merriam	Perpich, G.	Wegener
Brown	Jensen	Milton	Pillsbury	Willet
Chenoweth	Josefson	Moe	Renneke	
Chmielewski	Keefe, J.	Nelson	Schaaf	
Coleman	Keefe, S.	North	Schmitz	

So the bill passed and its title was agreed to.

## SUSPENSION OF RULES

Mr. Anderson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1241 and that the rules of the Senate be so far suspended as to give H. F. No. 1241, now on General Orders, its third reading and and place it on its final passage. The motion prevailed.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

Mr. Dunn moved to amend H. F. No. 1241, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [APPROPRIATION FOR LAND ACQUISITION.]  
*Subdivision 1. There is appropriated from the general fund in the state treasury to the commissioner of natural resources, except as otherwise indicated, the sums of money set forth in this section, for the acquisition of outdoor recreation lands and other purposes as more specifically described in subdivisions 2 to 11, to be available for the biennium ending June 30, 1977.*

All acquisition shall be in accordance with the policies established in the outdoor recreation act of 1975, if enacted. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

[TOTAL APPROPRIATED: \$24,132,060]

Subd. 2. State parks and recreation areas, as listed and described in sections 85.012 and 85.013 \$ 9,000,000

First priority for acquisition shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

Subd. 3. State trails, as listed and described in section 85.015 1,750,000

Subd. 4. State scientific and natural areas, acquired pursuant to section 84.033 1,000,000

Subd. 5. State forests, as listed and described in section 85.021 2,000,000

Priority shall first be given to acquiring the remaining lands in Sand Dunes state forest and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.

Subd. 6. Fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. 1,000,000

Subd. 7. State wildlife management areas, acquired pursuant to section 97.48, subdivision 13; and 97.481 5,000,000

Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or the market value of comparable property in the vicinity of the property to be acquired has

*risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.*

*None of this appropriation shall be encumbered or expended for the purchase of wildlife management areas until 60 days after the commissioner of natural resources has submitted to the legislature in the manner provided in section 3.195 a long-range plan of acquisition of wildlife management areas. The plan shall list each parcel proposed for acquisition, showing its general location, its approximate acreage, and the estimated cost of acquisition. The list shall be ranked in order of priority and shall be divided into parcels that are (1) critical, (2) highly desirable but not critical, and (3) those eventually to be acquired. The division shall be made so that approximately one-third of the total estimated cost of acquisition is allocated to each category.*

*This appropriation shall be available to acquire only those parcels included in the "critical" category.*

*Subd. 8. Wetlands outside of designated wildlife management areas*

1,250,000

*This appropriation is available primarily for the acquisition of conservation restrictions, perpetual easements, and long-term leases. No more than half may be spent for acquisition of fee title. First priority shall be given to acquisition of wetland areas for which an application for a permit to drain pursuant to section 105.42 has been denied.*

*Subd. 9. Wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32*

500,000

*Subd. 10. State historic sites, as listed and described in sections 138.53 to 138.585*

500,000

*This appropriation is to the Minnesota historical society.*

*Subd. 11. Preparation of recommendations for reclassification of units of the outdoor recreation system and preparing master plans for authorized units as required by the outdoor recreation act of 1975, if enacted*

- a. By the commissioner of natural resources*  
*State parks, recreation areas, monuments, and waysides*  
*Wildlife management areas*

1,019,560  
 962,500

- b. By the Minnesota historical society*  
*State historic sites*

150,000

*These appropriations are to the Minnesota resources commission.*

*Subd. 12. Of the amounts appropriated by this act, not more than \$3,000,000 may be expended by the commissioners of administration and natural resources for professional services.*

Sec. 2. Minnesota Statutes 1974, Section 297.02, Subdivision 1, is amended to read:

297.02. [TAX ON CIGARETTES.] Subdivision 1. [RATES.] A tax is hereby imposed upon the sale of cigarettes in this state or having cigarettes in possession in this state with intent to sell and upon any person engaged in business as a distributor thereof, at the following rates, subject to the discount provided in section 297.03:

(1) On cigarettes weighing not more than three pounds per thousand, nine 10.5 mills on each such cigarette;

(2) On cigarettes weighing more than three pounds per thousand, 18 21 mills on each such cigarette.

Sec. 3. *This act is effective July 1, 1975.*"

Strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and other outdoor recreation lands and for other purposes; increasing the tax on cigarettes; amending Minnesota Statutes 1974, Section 297.02, Subdivision 1."

The question being taken on the adoption of the amendment,

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	O'Neill	Ueland
Bernhagen	Frederick	Kowalczyk	Patton	
Blatz	Hanson, R.	Larson	Pillsbury	
Brataas	Josefson	Nelson	Renneke	
Brown	Keefe, J.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Schrom
Arnold	Gearty	Lewis	Olson, H. D.	Solon
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Spear
Chenoweth	Hughes	Merriam	Perpich, G.	Stokowski
Chmielewski	Humphrey	Milton	Purfeerst	Stumpf
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Conzemius	Kleinbaum	Olhoft	Schmitz	Willet

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1241 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhott	Spear
Arnold	Gearty	Lewis	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	McCutcheon	Olson, H. D.	Stumpf
Chenoweth	Hughes	Merriam	Olson, J. L.	Tennessee
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Keefe, S.	Moe	Schmitz	Willet
Conzemius	Kleinbaum	North	Schrom	
Davies	Larson	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Brown	Jensen	Nelson	Renneke
Bang	Dunn	Josefson	O'Neill	Sillers
Berg	Fitzsimons	Keefe, J.	Patton	Stassen
Bernhagen	Frederick	Kirchner	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Knutson	Perpich, G.	
Brataas	Hanson, R.	Kowalczyk	Pillsbury	

So the bill failed to pass.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Coleman; Conzemius; Blatz; Olson, A. G. and Perpich, A. J. The motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 398, No. 81 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Mr. Kirchner moved to amend H. F. No. 398 as follows:

Page 3, line 4, after "fund" insert "*to be used as matching funds with the recently released federal moneys appropriated to implement the Federal Water Pollution Control Act, as amended, for*"

Page 3, line 4, strike "through"

Page 3, strike line 8

Page 3, line 9, strike "fund for this purpose,"

Page 3, line 12, strike "\$142,000,000" and insert "\$96,000,000"

Page 3, line 24, after the period insert "*All moneys appropriated and credited to the Minnesota state water pollution control fund after June 30, 1977, shall be from the general fund.*"

Sec. 3. Minnesota Statutes 1974, Section 116.18 is amended by adding a subdivision to read:

*"Subd. 7. [APPROPRIATION FROM GENERAL FUND; REIMBURSEMENT.] The sum of \$46,000,000, or so much thereof as may be necessary, is appropriated from the general fund to the Minnesota state water pollution control fund, for the purpose of providing money appropriated in subdivision 1 for expenditure from that fund for the purpose therein stated, provided that no amount shall be credited at any time to the water pollution control fund, pursuant to this appropriation, which would cause the balance then on hand in the fund to exceed the aggregate amount of grants approved and not theretofore disbursed by the pollution control agency, as certified by its director."*

Amend the title on line 5 after "4" by inserting ", and by adding a subdivision"

Pursuant to Rule 21, Mr. Stokowski moved that the following members be excused for a Conference Committee on S. F. No. 469:

Messrs. Chenoweth, Ogdahl and Stokowski. The motion prevailed.

The question being taken on the adoption of the Kirchner amendment to H. F. No. 398,

Mr. Kirchner moved that those not voting be excused from voting. The motion did not prevail.

Mr. North moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Jensen	Nelson	Renneke
Bang	Dunn	Josefson	Ogdahl	Sillers
Berg	Fitzsimons	Keefe, J.	Olson, J. L.	Stassen
Bernhagen	Frederick	Kirchner	O'Neill	Ueland
Blatz	Hansen, Baldy	Knutson	Patton	
Brataas	Hansen, Mel	Kowalczyk	Perpich, G.	
Brown	Hanson, R.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Solon
Arnold	Gearty	McCutcheon	Olson, H. D.	Spear
Borden	Hughes	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Milton	Purfeerst	Stumpf
Chmielewski	Keefe, S.	Moe	Schaaf	Wegener
Coleman	Kleinbaum	North	Schmitz	Willet
Conzemius	Laufenburger	Olhoft	Schrom	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 398 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Patton moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 32 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, H. D.	Spear
Arnold	Hughes	McCutcheon	Perpich, A. J.	Stumpf
Borden	Humphrey	Merriam	Purfeerst	Wegener
Chmielewski	Keefe, J.	Moe	Schaaf	Willet
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Olhoft	Schrom	
Doty	Laufenburger	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Davies	Jensen	Ogdahl	Sillers
Bang	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Kirchner	O'Neill	Ueland
Bernhagen	Frederick	Knutson	Patton	
Blatz	Hansen, Baldy	Kowalczyk	Perpich, G.	
Brataas	Hansen, Mel	Larson	Pillsbury	
Brown	Hanson, R.	Nelson	Renneke	

So the bill failed to pass.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1456:

H. F. No. 1456: A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Dieterich, Hanson and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1456 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 16, 1975

Mr. Hughes moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1456, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 460, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 460: A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

Senate File No. 460 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 16, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1428: A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

There has been appointed as such committee on the part of the House:

Farcy, Moe and Hanson.

Senate File No. 1428 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 16, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations;

exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

There has been appointed as such committee on the part of the House:

Mann; Biersdorf; Stanton; Anderson, G. and Menning.

Senate File No. 1026 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 16, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1313.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 16, 1975

#### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H. F. No. 1313: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; declaring legislative policy and intent; appropriating money; amending Minnesota Statutes 1974, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

Referred to the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Frederick moved that S. F. No. 1446 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1446

A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

May 15, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1446 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

We request adoption of this report and repassage of the bill.  
Senate Conferees: (Signed) Mel Frederick, Nancy Brataas, H. H. Humphrey III.

House Conferees: (Signed) Donald Friedrich, Richard Lemke, Neil Dieterich.

Mr. Perpich, G. moved that S. F. No. 66 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 66

A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

May 14, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 66 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment and that S. F. No. 66 be further amended as follows:

Page 1, lines 11 to 13, delete the underscored language

Page 1, line 13, reinstate "licensed hunters who"

Page 1, line 13, after "who" insert "are"

Page 1, line 15, delete "*persons*"

Page 1, line 16, before the semicolon insert "*because of a permanent disability*"

Further amend the title as follows:

Page 1, line 2, delete "authorizing certain"

Page 1, delete line 3

Page 1, line 4, delete "unloaded firearms;"

We request adoption of this report and repassage of the bill.  
Senate Conferees: (Signed) George F. Perpich, Roger D. Moe, John M. Patton.

House Conferees: (Signed) Bob McEachern, Joseph R. Begich, John S. Biersdorf.

Mr. Wegener moved that S. F. No. 211 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. NO. 211**

A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

May 16, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 211 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 211 be further amended as follows:

Pages 3 and 4, strike all of Section 3

Page 15, line 10, strike "15" and insert "14"

Page 15, line 19, strike "17" and insert "16"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, strike "123.56,"

Page 1, line 5, strike "Subdivision 9;"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Myrton O. Wegener, Alec G. Olson.

House Conferees: (Signed) Claudia Meier, Bob McEachern.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

**MEMBERS EXCUSED**

Messrs. Chmielewski and Keefe, J. were excused from this evening's Session. Messrs. Pillsbury and Nelson were excused from the early part of this evening's Session.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Chmielewski	Josefson	Olson, J. L.	Schrom
Arnold	Coleman	Kirchner	Patton	Spear
Ashbach	Davies	Kowalczyk	Perpich, A. J.	Stassen
Berg	Gearty	Laufenburger	Perpich, G.	Stumpf
Bernhagen	Hansen, Baldy	Lewis	Pillsbury	Tennessee
Blatz	Hansen, Mel	Merriam	Purfeerst	Wegener
Borden	Hanson, R.	Moe	Renneke	
Brown	Hughes	North	Schmitz	

The Sergeant-at-Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Moe; Doty; Perpich, G.; Renneke and Olson, J. L. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Perpich, A. J.; Coleman; Conzemius; Blatz and Olson, A. G. The motion prevailed.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H. F. No. 1759:

Messrs. Willet, Borden, Chenoweth, Fitzsimons and Josefson. The motion prevailed.

### RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 2, No. 87 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2: A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, J. L.	Spear
Ashbach	Gearty	Kowalczyk	Patton	Stassen
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stumpf
Brataas	Hanson, R.	Merriam	Pillsbury	Tennessee
Brown	Humphrey	Milton	Purfeerst	Wegener
Coleman	Jensen	Moe	Renneke	
Conzemius	Keefe, S.	Olhoff	Schmitz	
Davies	Kirchner	Olson, A. G.	Sillers	
Doty	Kleinbaum	Olson, H. D.	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1199, No. 88 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees, native Americans, and underserved groups; creating an alcohol and drug abuse evaluation consortium, and prescribing its duties; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, Subdivision 1, and by adding subdivisions; and Chapter 254A, by adding sections.

Mr. Moe moved to amend H. F. No. 1199, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Page 3, line 6, strike "*or*" and insert "*of*"

Page 5, line 21, after the comma insert "*and*"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 1199, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Page 2, line 28, before "*The*" insert "*Subdivision 1.*"

Page 2, line 31, strike "*and aftercare*"

Page 2, line 32, after "*education,*" insert "*after care,*"

Page 3, line 7, after "*and the*" insert "*Native American Advisory Council, and the*"

Page 3, after line 8, insert:

*"Subd. 2. For purposes of the consultation and review required by subdivision 1, the commissioner shall designate the Native American Council to:*

*(a) Assist in the formulation of policies and guidelines in the implementation of the commissioner's responsibilities under subdivision 1 of this section;*

*(b) Advise the commissioner on policies, goals, and the operation*

of alcohol and drug abuse programs and services for Native Americans in the state; and

(c) Make recommendations to the commissioner regarding contracts and agreements entered into under the provisions of subdivision 1 of this section."

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1199 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44, and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olhoft	Sillers
Bang	Gearty	Kleinbaum	Olson, H. D.	Solon
Berg	Hansen, Baldy	Knutson	Patton	Spear
Bernhagen	Hansen, Mel	Larson	Pillsbury	Stassen
Brataas	Hanson, R.	McCutcheon	Purfeerst	Stokowski
Brown	Hughes	Merriam	Renneke	Stumpf
Davies	Humphrey	Milton	Schaaf	Tennessee
Doty	Jensen	Moe	Schmitz	Wegener
Dunn	Keefe, S.	North	Schrom	

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1530, No. 93 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1530: A bill for an act relating to wild animals; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on all license fees including surcharges; authorizing the commissioner of natural resources to issue regulations regulating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2, 3 and 5.

Mr. Bernhagen moved to amend S. F. No. 1530 as follows:

Page 4, line 3, reinstate "be entitled to"

Page 4, line 4, strike "collect" and insert "retain"

Page 4, line 14, strike "In addition to the basic"

Page 4, line 15, strike "license fee"

Page 4, line 15, reinstate "be entitled to"

Page 4, line 17, strike "collect" and insert "retain"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 16 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Olson, J. L.	Renneke
Bang	Frederick	Knutson	O'Neill	Sillers
Berg	Hansen, Baldy	Larson	Patton	Ueland
Bernhagen				

Those who voted in the negative were:

Anderson	Humphrey	Merriam	Olson, H. D.	Spear
Davies	Keefe, S.	Milton	Perpich, G.	Stokowski
Gearty	Kleinbaum	Moe	Schmitz	Stumpf
Hanson, R.	Laufenburger	North	Schrom	Tennessee
Hughes	McCutcheon	Olhoff	Solon	Wegener

The motion did not prevail. So the amendment was not adopted.

S. F. No. 1530 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kleinbaum	Olhoff	Schrom
Ashbach	Hansen, Mel	Knutson	Olson, H. D.	Solon
Bang	Hanson, R.	Kowalczyk	Olson, J. L.	Spear
Borden	Hughes	Larson	O'Neill	Stokowski
Brataas	Humphrey	Laufenburger	Patton	Stumpf
Davies	Jensen	Milton	Purfeerst	Tennessee
Dunn	Keefe, S.	Moe	Renneke	Wegener
Gearty	Kirchner	North	Schmitz	

Those who voted in the negative were:

Berg	Brown	Frederick	Merriam	Sillers
Bernhagen	Doty	McCutcheon	Pillsbury	Ueland

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 685, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 685: A bill for an act relating to daytime activities centers; providing for the transportation of handicapped persons to licensed daytime activity centers attended by these persons; amending Minnesota Statutes 1974, Sections 123.39, by adding a subdivision; 252.24, Subdivision 4; and 252.26.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kirchner	Olson, H. D.	Sillers
Arnold	Gearty	Kleinbaum	Olson, J. L.	Solon
Ashbach	Hansen, Baldy	Knutson	O'Neill	Spear
Bang	Hansen, Mel	McCutcheon	Patton	Stassen
Bernhagen	Hanson, R.	Merriam	Pillsbury	Stokowski
Brataas	Hughes	Milton	Purfeerst	Stumpf
Davies	Humphrey	Moe	Renneke	Tennessee
Doty	Jensen	North	Schmitz	Ueland
Dunn	Keefe, S.	Olhoft	Schrom	Wegener

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 806, No. 96 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 806: A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

Was read the third time and placed on its final pasage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olson, J. L.	Sillers
Arnold	Frederick	Kirchner	O'Neill	Solon
Bang	Gearty	Kleinbaum	Patton	Spear
Berg	Hansen, Baldy	Laufenburger	Pillsbury	Stumpf
Bernhagen	Hansen, Mel	Merriam	Purfeerst	Tennessee
Brataas	Hanson, R.	Moe	Renneke	Ueland
Brown	Hughes	North	Schaaf	Wegener
Doty	Humphrey	Olhoft	Schmitz	
Dunn	Jensen	Olson, H. D.	Schrom	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1281, No. 128 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1281: A bill for an act relating to public health; establishing a dental health education program to be administered by the board of health; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	O'Neill	Sillers
Arnold	Gearty	Kleinbaum	Patton	Solon
Bernhagen	Hansen, Baldy	Laufenburger	Pillsbury	Spear
Brataas	Hansen, Mel	Merriam	Purfeerst	Stumpf
Brown	Hanson, R.	North	Renneke	Tennessee
Davies	Hughes	Olhoft	Schaaf	Wegener
Doty	Humphrey	Olson, H. D.	Schmitz	
Dunn	Jensen	Olson, J. L.	Schrom	

So the bill passed and its title was agreed to.

### RECONSIDERATION

Mr. Schaaf moved that the vote whereby H. F. No. 1722 failed to pass the Senate on May 16, 1975, be now reconsidered. The motion prevailed.

H. F. No. 1722: A bill for an act relating to taxation; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XIV, Section 5, of the Minnesota Constitution; allocating a portion of the apportionment to the county state-aid highway fund for use on town road bridge structures on a matching basis; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1.

Mr. Laufenburger moved to amend the Purfeerst amendment to H. F. No. 1722 adopted by the Senate on May 16, 1975 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in areas other than the metropolitan transit area and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to

eligible recipients shall not exceed two-thirds of the total operating deficit of the public transit system involved be based upon the proportion of the operating expenses of the recipient to the total operating expenses of all eligible recipients in the state. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. Grants to the metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$3,190,000.

(d) Determine the operating deficit expenses of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, expenses the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 2. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A. Applications for financial assistance shall be made through the regional development commissions or the metropolitan council.

Sec. 3. Beginning with the levy in 1975 payable in 1976, the levy for the metropolitan transit commission for the purposes of Laws 1975, Chapter 13, Section 71, Subdivision 1, Paragraph (a), shall be limited to an amount not to exceed 2.33 mills times the assessed value of all taxable property within the metropolitan transit taxing district.

Sec. 4. [APPROPRIATION.] Subdivision 1. There is hereby appropriated from the general fund the sum of \$19,000,000 to the state planning agency for the purposes of carrying out the provisions of section 1 of this act.

Subd. 2. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of section 2.

Subd. 3. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 5. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

- (1) ~~70~~ 60 percent to the trunk highway fund;
- (2) ~~24~~ 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;
- (3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 6. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

*Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turnback account.*

Sec. 7. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~seven~~ nine cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 8. The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted, the Article shall read:

#### ARTICLE XIV PUBLIC HIGHWAY SYSTEM

Section 1. The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 through 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article *up to an amount derived as a result of tax rates in effect on November 2, 1976*. The ~~net proceeds of the taxes~~ *highway user tax distribution fund* shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5*. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5*.

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.~~

Sec. 9. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:

"Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds?"

Yes \_\_\_\_\_

No \_\_\_\_\_" "

Sec. 10. *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed.*

Sec. 11. [EFFECTIVE DATE.] *Sections 1 to 4 of this act are effective July 1, 1975. Section 7 of this act is effective June 1, 1975. The increase in gasoline tax imposed by section 7 applies to all gasoline and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975."*

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects, reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses; increasing the excise tax on gasoline and fuels; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in highway user taxes to be deposited in the state treasury without limitation; removing certain restrictions on highway bonds; appropriating money; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4; and 5, Subdivision 3; Minnesota Statutes 1974, Sections 161.081, 161.082, 296.02, Subdivision 1; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

The motion prevailed. So amendment was adopted.

Mr. Frederick moved to amend H. F. No. 1722, as amended, as follows:

Strike all of pages 4, 5 and 6

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects; reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses; increasing the excise tax on gasoline and fuels; appropriating money; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4; 5, Subdivision 3; and Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1."

The question being taken on the adoption of the amendment,

Mr. Laufenburger moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 24, and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Hanson, R.	Larson	Renneke
Bang	Brown	Jensen	Nelson	Sillers
Berg	Dunn	Josefson	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Knutson	Patton	Ueland
Blatz	Frederick	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Hughes	Merriam	O'Neill	Spear
Chenoweth	Humphrey	Milton	Perpich, A. J.	Stokowski
Coleman	Keefe, S.	Moe	Perpich, G.	Stumpf
Conzemius	Kirchner	North	Purfeerst	Tennessee
Doty	Kleinbaum	Ogdahl	Schaaf	Wegener
Gearty	Laufenburger	Olhoff	Schmitz	
Hansen, Baldy	Lewis	Olson, A. G.	Schrom	
Hansen, Mel	McCutcheon	Olson, H. D.	Solon	

The motion did not prevail. So the amendment was not adopted.

Mr. Frederick then moved to amend H. F. No. 1722, as amended, as follows:

Strike everything after the enacting clause and insert:

“Section 1. [ADDITIONAL EXCISE TAX IMPOSED.] There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1, on all gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.

Sec. 2. [EFFECTIVE DATE.] Collection of the tax imposed by section 1 shall commence on July 1, 1975.

Sec. 3. [ADDITIONAL EXCISE TAX IMPOSED.] There is hereby imposed an excise tax on one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, 296.025, Subdivision 1, and section 1 of this act on all gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.

Sec. 4. [EFFECTIVE DATE.] Collection of the tax imposed by section 3 shall commence on January 1, 1977.

Sec. 5. [SOURCE OF NEW REVENUE FOR HIGHWAY CONSTRUCTION.] Subdivision 1. There is hereby appropriated

from the general fund \$20,000,000 per year to the highway user tax distribution fund. Funds appropriated under the provisions of this section shall be distributed annually as follows:

- (1) 62 percent to the trunk highway fund;
- (2) 29 percent to the county state aid highway fund;
- (3) 9 percent to the municipal state aid street fund.

Sec. 6. There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$19,000,000. The payment of this appropriation shall be made prior to June 30, 1975.

Sec. 7. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.] There is hereby appropriated to the state planning agency from the general fund the sum of \$1,000,000 for the purpose of carrying out the public transit demonstration program provided for in Laws 1974, Chapter 534, Section 5. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 8. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes specified in Laws 1974, Chapter 534. No money appropriated by this section shall be expended in the area of the state under the jurisdiction of the metropolitan council. The payment of this appropriation shall be made prior to June 30, 1975.

Sec. 9. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5 of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

- (1) 70 60 percent to the trunk highway fund;
- (2) 24 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;
- (3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 10. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

*Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turnback account.*

Sec. 11. Except as provided in sections 2, 4 and 6, the provisions of this act are effective the day following final enactment."

Further, amend the title by striking it in its entirety and insert the following:

"A bill for an act relating to the organization and operation of state government; taxation for highways and bridges, appropriating money for highways, bridges and mass transit; amending Minnesota Statutes 1974, Sections 161.081; and 161.082, by adding a subdivision."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Ogdahl	Sillers
Bang	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Kirchner	O'Neill	Ueland
Bernhagen	Frederick	Knutson	Patton	
Blatz	Hansen, Mel	Larson	Pillsbury	
Brataas	Hanson, R.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stokowski
Arnold	Hughes	Merriam	Perpich, G.	Stumpf
Chenoweth	Humphrey	Milton	Purfeerst	Tennessee
Conzemius	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kleinbaum	North	Schmitz	
Doty	Laufenburger	Olhoft	Solon	
Gearty	Lewis	Olson, H. D.	Spear	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1722 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Laufenburger moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 46 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Olson, J. L.	Spear
Arnold	Hanson, R.	Lewis	Patton	Stassen
Borden	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Brataas	Humphrey	Merriam	Perpich, G.	Stumpf
Chenoweth	Jensen	Milton	Purfeerst	Tennessee
Chmielewski	Josefson	Moe	Renneke	Wegener
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Ogdahl	Schmitz	
Davies	Kleinbaum	Olson, A. G.	Schrom	
Doty	Larson	Olson, H. D.	Solon	

Those who voted in the negative were:

Ashbach	Brown	Hansen, Baldy	Nelson	Ueland
Bang	Dunn	Hansen, Mel	O'Neill	Willet
Bernhagen	Fitzsimons	Knutson	Pillsbury	
Blatz	Frederick	Kowalczyk	Sillers	

So the bill, as amended, passed and its title was agreed to.

## RECONSIDERATION

Mr. Coleman moved that the vote whereby H. F. No. 679 failed to pass the Senate on May 15, 1975, be now reconsidered. The motion prevailed.

H. F. No. 679: A bill for an act relating to crimes; regulating the transfer, possession, and use of pistols; requiring licenses to sell pistols; requiring permits to acquire and carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols: prescribing penalties; amending Minnesota Statutes 1974, Section 609.11, Subdivision 1.

Mr. Coleman moved to amend H. F. No. 679, as amended by Rule 49, as follows:

Strike everything after the enacting clause and insert:

*"Section 1. [DECLARATION OF POLICY.] It is not the intent of the legislature to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as pistols, or to place costs of administration upon those citizens who wish to possess or carry pistols lawfully, or to confiscate or otherwise restrict the use of pistols by law-abiding citizens.*

*Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 7, the terms defined in this section shall have the meanings given them.*

*Subd. 2. "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Pistol" does not include a device firing or ejecting a shot measuring .18 of an inch, or less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys.*

*Subd. 3. "Antique firearm" means any firearm including any pistol, with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured before 1899 and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional centerfire ammunition, or uses conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.*

*Subd. 4. "Saturday Night Special Pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a frame, barrel, cylinder, slide or breechblock:*

*(a) of any material having a melting point (liquidus) of less than 1000 degrees Fahrenheit, or*

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter.

Subd. 5. "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, aggravated rape, rape, aggravated sodomy, felonious theft, aggravated arson, riot, burglary, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in Minnesota Statutes, Chapter 609.

Sec. 3. [CERTAIN PERSONS NOT TO HAVE PISTOLS.] Subdivision 1. The following persons shall not be entitled to possess a pistol:

(a) A person under the age of 18 years except that a person under 18 may carry or possess a pistol (i) in the actual presence or under the direct supervision of his parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;

(b) A person who has been convicted in this state or elsewhere of a crime of violence unless ten years have elapsed since the person has been restored his civil rights or the sentence has expired, whichever occurs first, and during that time he has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) A person who is or has ever been confined or committed in Minnesota or elsewhere as a "mentally ill," "mentally deficient" or "dangerous to the public" person as those terms are defined in Minnesota Statutes, Section 253A.02, to a hospital, mental institution or sanitarium, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that he is no longer suffering from this disability;

(d) A person who has been convicted in Minnesota or elsewhere for the unlawful use, possession or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or a person who is or

has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in Minnesota Statutes, Sections 152.01 and 152.02, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused a controlled substance or marijuana during the previous two years; or

(e) A person who has been confined or committed to a hospital, mental institution or sanitarium in Minnesota or elsewhere as an "inebriate person" as that term is defined in Minnesota Statutes, Section 253A.02, or for alcoholic problems, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused alcohol during the previous two years. A person who issues a certificate pursuant to this subdivision in good faith shall not be liable for damages in an action arising out of the issuance.

Subd. 2. A person named in subdivision 1, clause (b) of this section who possesses a pistol is guilty of a felony. A person named in any other clause of subdivision 1 of this section who possesses a pistol is guilty of a gross misdemeanor.

Sec. 4. [CARRYING OF WEAPONS WITHOUT PERMIT.] Subdivision 1. [PENALTY.] A person, other than a law enforcement officer who has authority to make arrests other than citizens arrests, who carries, holds or possesses a pistol in a motor vehicle, snowmobile or boat, or on or about his clothes or person, or otherwise in his possession or control in a public place or public area without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor. A person who has been issued a permit and who engages in activities other than those for which the permit has been issued, is guilty of a misdemeanor.

Subd. 2. [WHERE APPLICATION MADE.] Applications for permits to carry shall be made to the chief of police of an organized full-time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant resides. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.

Subd. 3. [CONTENTS.] Applications for permits to carry shall set forth the name, residence, date of birth, height, weight, color of eyes and hair, sex and distinguishing physical characteristics, if any, of the applicant. The application shall be signed by the applicant.

Subd. 4. [INVESTIGATION.] The application authority shall check criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System.

Subd. 5. [GRANTING OF PERMITS.] No permit to carry shall be granted to a person unless the applicant:

(a) Is not a person prohibited by section 3 from possessing a pistol;

(b) Provides a firearms safety certificate recognized by the department of natural resources, evidence of successful completion of a test of ability to use a firearm supervised by the chief of police or sheriff or other satisfactory proof of ability to use a pistol safely; and

(c) Has an occupation or personal safety hazard requiring a permit to carry.

**Subd. 6. [FAILURE TO GRANT PERMITS.]** Failure of the chief police officer or the county sheriff to deny the application or issue a permit to carry a pistol within 21 days of the date of application shall be deemed to be a grant thereof. The local police authority shall provide an applicant with written notification of a denial and the specific reason for the denial. The permits and their renewal shall be granted free of charge. The permit shall specify the activities for which it shall be valid.

**Subd. 7. [RENEWAL.]** Permits to carry a pistol issued pursuant to this section shall expire after one year and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained.

**Subd. 8. [PERMIT TO CARRY VOIDED.]** The permit to carry shall be void at the time that the holder becomes prohibited from possessing a pistol under section 3, in which event the holder shall return the permit within five days to the application authority. Failure of the holder to return the permit within the five days is a gross misdemeanor, unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.

**Subd. 9. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.]** A permit to carry is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;

(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;

(c) To carry a pistol between his dwelling house and his place of business;

(d) To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting other than protected wild animals or of target shooting in a safe area; or

(e) To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gunbox, or securely tied package and kept in some area not normally occupied by the driver or passengers. If a motor vehicle, snowmobile or boat does not have an enclosed area other than the driver or passenger area, a pistol may be carried

*in the driver or passenger area as long as the pistol is unloaded and contained in a closed and fastened case, gunbox, or securely tied package. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.*

*Subd. 10. [FALSE REPRESENTATIONS.] A person who gives or causes to be given any false information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a gross misdemeanor.*

*Subd. 11. [NO LIMIT ON NUMBER OF PISTOLS.] A person shall not be restricted as to the number of pistols he may carry.*

*Subd. 12. [HEARING UPON DENIAL.] Any person aggrieved by denial of a permit to carry may appeal the denial to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo without a jury.*

*Sec. 5. [EXEMPTIONS; ANTIQUES AND ORNAMENTS.] Sections 3 and 4 shall not apply to antique firearms which are carried or possessed as curiosities or for their historical significance or value.*

*Sec. 6. [SATURDAY NIGHT SPECIALS PROHIBITED.] Any federally licensed firearms dealer who sells a Saturday Night Special Pistol, or any person who manufactures or assembles a Saturday Night Special Pistol in whole or in part, shall be guilty of a gross misdemeanor.*

*Sec. 7. [LOCAL REGULATION.] Sections 1 to 6 shall be construed to supersede municipal or county regulation of the carrying or possessing of pistols and the regulation of Saturday Night Special Pistols except more restrictive regulation in cities of the first class.*

*Sec. 8. Minnesota Statutes 1974, Section 609.11, Subdivision 1, is amended to read:*

*609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein ~~the defendant~~ he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term of not less than ~~three years~~ *one year plus one day*, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have*

served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05 and , 609.12 and 609.135. The offenses for which mandatory minimum sentences shall be served as herein provided are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device.

Provided, however, the court may invoke the provisions of section 609.135, if the defendant has not previously been convicted of any crime or ordinance involving possession of a firearm, other than a game law violation, or use of a dangerous weapon, or the defendant has not previously been convicted of aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device."

Further amend the title as follows:

Strike the title in its entirety and insert:

"A bill for an act relating to crimes; regulating the possession and carrying of pistols; requiring permits to carry pistols; providing penalties; amending Minnesota Statutes 1974, Section 609.11, Subdivision 1."

The motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 16, 1975, as follows:

Sec. 4. Subd. 9, Clause (e) of the amendment, line 3, strike "*and kept in some area*" and insert a period

Sec. 4. Subd. 9, Clause (e) strike line 4 through the period

Sec. 4. Subd. 9, Clause (e) line 6, strike "*other than the driver or passenger area*"

The motion prevailed. So the amendment to the Coleman amendment was adopted.

H. F. No. 679 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Laufenburger	Ogdahl	Sillers
Brataas	Hansen, Mel	Lewis	Olhoff	Spear
Chenoweth	Hughes	McCutcheon	Olson, A. G.	Stassen
Coleman	Humphrey	Merriam	O'Neill	Stokowski
Conzemius	Keefe, J.	Milton	Pillsbury	Stumpf
Davies	Keefe, S.	Moe	Purfeerst	Tennessee
Doty	Kirchner	North	Schaaf	

Those who voted in the negative were:

Anderson	Brown	Josefson	Olson, J. L.	Solon
Arnold	Dunn	Kleinbaum	Patton	Ueland
Ashbach	Fitzsimons	Knutson	Perpich, A. J.	Wegener
Berg	Frederick	Kowalczyk	Perpich, G.	Willet
Bernhagen	Hansen, Baldy	Larson	Renneke	
Blatz	Hanson, R.	Nelson	Schmitz	
Borden	Jensen	Olson, H. D.	Schrom	

So the bill, as amended, passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages from the House, First Reading of House Bills, Reports of Committees and Second Reading of Senate and House Bills.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1308: A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

Senate File No. 1308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

Mr. Olson, H. D. moved that the Senate do not concur in the amendments by the House to S. F. No. 1308 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 511:

H. F. No. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Brinkman, Heinitz, George, Suss and McCauley have been appointed as such committee on the part of the House.

House File No. 511 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 16, 1975

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 511, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 867.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 533:

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

St. Onge, Samuelson and Anderson, I. have been appointed as such committee on the part of the House.

House File No. 533 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 16, 1975

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 533, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 638:

H. F. No. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sieben, H.; Biersdorf and Reding have been appointed as such committee on the part of the House.

House File No. 638 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A Burdick, Chief Clerk, House of Representatives  
Transmitted May 16, 1975

Mr. Stokowski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 638, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the

following House Files, herewith transmitted: H. F. No. 175, 382, 1137, 1014, 1293 and 1810.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 16, 1975

### FIRST READING OF HOUSE BILLS

The following House bills were read the first time and referred to the committees indicated:

H. F. No. 175: A bill for an act relating to commerce; creating an advisory task force on small business; describing its duties; appropriating funds for its operation.

Referred to the Committee on Rules and Administration.

H. F. No. 382: A bill for an act relating to aeronautics; joint operations; authorizing agreements for joint operations between the state and the Dominion of Canada or its governmental subdivisions subject to the approval of the United States; amending Minnesota Statutes 1974, Sections 360.021, Subdivision 3; and 360.042, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 1293: A bill for an act relating to educational television; providing grants for instructional television stations serving Minnesota; providing for local supervision of grant expenditures.

Referred to the Committee on Rules and Administration.

H. F. No. 1137: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.-21, by adding subdivisions; and 462A.22, Subdivision 9.

Referred to the Committee on Rules and Administration.

H. F. No. 1014: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by

adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

Referred to the Committee on Rules and Administration.

H. F. No. 1810: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota for the construction or alteration of school buildings related to desegregation and for the acquisition and preparation of land for the expansion of metropolitan community college; creating the vocational-technical building fund and authorizing the issuance of state bonds to provide money for appropriation therefrom for grants to school districts for the acquisition and betterment of public land, buildings, and capital improvements needed for the area vocational-technical education program; appropriating money from the general fund for payment of the bonds; providing for the acquisition of certain property by St. Cloud state college; appropriating money.

Mr. Tennesen moved that H. F. No. 1810 be laid on the table. The motion prevailed.

#### REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 1253: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "\$12,500,000" and insert "\$12,880,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 100: A bill for an act relating to cities and towns; providing for negotiation of contracts between cities, towns, and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, after line 7, insert a section to read:

"Sec. 3. [APPROPRIATION.] There is appropriated to the

commissioner of administration the sum of \$25,000 for the biennium ending June 30, 1977, to carry out the provisions of this act for purposes of planning only.”

Amend the title as follows:

Page 1, line 6, after “property” insert “; and appropriating money”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 525: A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. [DEPARTMENT OF TRANSPORTATION; POLICY.] *In order to provide a transportation system, which includes aeronautics, highways, ports, public transit, railroads and pipelines, a department of transportation is created. The department shall be the principal agency of the state for development, implementation, administration, consolidation, and coordination of state transportation policies, plans and programs.*

Sec. 2. [COMMISSIONER OF TRANSPORTATION; POWERS; DUTIES.] *Subdivision 1. [APPOINTMENT.] The department is under the supervision and control of the commissioner of transportation, who shall be appointed by the governor with the advice and consent of the senate, for a four year term which shall coincide with the term of the governor and until his successor is appointed and qualified.*

*Subd. 2. [UNCLASSIFIED POSITIONS.] The commissioner may establish four positions in the unclassified service. Such positions shall be limited to the deputy and assistant commissioner or director levels.*

*Subd. 3. [DEPARTMENTAL ORGANIZATION.] The commissioner shall organize the department, giving full consideration to all modes of transportation, and employ employees as he deems necessary to discharge the functions of the department.*

*Subd. 4. [APPEARANCES IN PUBLIC TRANSPORTATION MATTERS.] The commissioner may appear as a party on behalf of the public in any proceeding or matter before the public service commission, the interstate commerce commission, the civil aeronautics board or any other agency or instrumentality of government*

*which regulates public services and rates to be charged concerning transportation and other matters related to the powers and responsibilities of the commissioner as defined in this act.*

*Subd. 5. [COOPERATION.] To facilitate the development of a unified and coordinated intrastate and interstate transportation system:*

*(a) The commissioner shall maintain close liaison, coordination and cooperation with the private sectors of transportation, the upper great lakes seaway development commission corporation, and any multi-state organization involved in transportation issues affecting the state;*

*(b) The commissioner shall participate in the planning, regulation and development of the port authorities of the state; and*

*(c) The commissioner or his designee shall be a nonvoting, ex officio member of the metropolitan airports commission, as organized and established under Laws 1975, Chapter 13, Sections 94 to 125.*

**Sec. 3. [DEPARTMENT OF TRANSPORTATION; DUTIES.]**  
*Subdivision 1. [DUTIES.] The commissioner shall:*

*(a) In cooperation with the metropolitan council, regional development commissions and local units of government, develop, revise and monitor a state comprehensive multi-modal transportation plan giving full consideration to all relevant factors including existing and planned transportation systems, transportation safety, existing and planned land use, transportation funding and the social, economic and environmental effects of these factors;*

*(b) Develop statewide transportation priorities;*

*(c) Program authorized capital improvement and other authorized transportation expenditures, based upon priorities established in subdivision 1 (b);*

*(d) Construct and maintain transportation facilities as authorized;*

*(e) Cooperate with, and may provide technical and financial assistance to, the metropolitan council and regional development commissions in the regional transportation planning process in accordance with mutually agreed upon terms and conditions;*

*(f) Provide planning and technical assistance upon the request of any political subdivision or other governmental agency in accordance with mutually agreed upon terms and conditions; and*

*(g) Report to the governor and the legislature on January 1, 1977, with recommendations concerning the advisability of a state financial aid program designed to preserve railroad service. If a state financial aid program is recommended, an implementation process shall be included.*

*Subd. 2. [REGIONAL TRANSPORTATION PLANNING.] The metropolitan council, pursuant to Laws 1975, Chapter 13, Section 9, and the regional development commissions shall develop*

*regional long-range comprehensive transportation policy plans in cooperation with the commissioner and local units of government.*

**Subd. 3. [ECONOMIC, SOCIAL, AND ENVIRONMENTAL EFFECTS.]** *The department shall, in the performance of its responsibilities, consider the social, economic and environmental effects resulting from existing and proposed transportation facilities and make continuing efforts to mitigate any adverse effects. The commissioner shall utilize a systematic, interdisciplinary approach which shall insure the integrated use of the natural, social and physical sciences and the environmental design arts in plans and decisions which may affect the environment.*

**Subd. 4. [ENERGY CONSERVATION.]** *The commissioner, in cooperation with the energy agency, shall evaluate all modes of transportation in terms of their levels of energy consumption. The results of this evaluation shall receive appropriate consideration in the design and implementation of transportation plans and priorities.*

**Subd. 5. [SALARIES AND EXPENSES.]** *The department shall pay salaries and expenses of the department relating to highway purposes from moneys available in the trunk highway fund. The funds provided in Minnesota Statutes, Sections 360.011 to 360.076 and 360.301 to 360.91 shall be expended by the commissioner of transportation in accordance with the purposes prescribed in those sections. The funds appropriated pursuant to the authority of any constitutional article shall be expended in conformity with the purposes and uses authorized thereby.*

**Sec. 4. [FEDERAL ASSISTANCE; APPLICATION; DISBURSEMENT.]** **Subdivision 1. [APPROVAL OF APPLICATION.]** *A regional development commission, metropolitan council, public transit commission, airport commission, port authority or other political subdivision of the state submitting an application for financial assistance for transportation planning, capital expenditures or operations to any federal transportation agency, shall first submit the application to the commissioner for review and comment, to assure conformity with the transportation priorities pursuant to section 3, subdivision 1.*

**Subd. 2. [DESIGNATED AGENT.]** *A regional development commission, metropolitan council, public transit commission, airport commission, port authority, or any other political subdivision of the state may designate the commissioner as its agent to receive and disburse the funds as described in subdivision 1 by entering into an agreement with the commissioner prescribing the terms and conditions of the receipt and expenditure of the funds in accordance with federal laws and regulations and applicable state laws.*

**Subd. 3.** *The provisions of this section shall not be construed as altering or amending in any way the provisions of Minnesota Statutes, Sections 360.016, 360.0161 or 161.36.*

**Sec. 5. [POLLUTION CONTROL AGENCY; REGULATIONS AND STANDARDS.]** **Subdivision 1. [NOTIFICATION BY POLLUTION CONTROL AGENCY.]** *The director of the pollution control agency shall inform the commissioner of all activities*

*of the pollution control agency which relate to the adoption, revision or repeal of any standards or rules concerning transportation, pursuant to Minnesota Statutes, Section 116.07. Upon notification the commissioner shall participate in those activities. Participation may include, but is not limited to, access to all pertinent information collected or compiled by the pollution control agency and the provision to the director of the pollution control agency of information and expert opinions concerning the ability of affected modes of transportation to accomplish the desired objectives and the impact that alternative methods of attaining those objectives would have on present or planned transportation systems in the state.*

*Subd. 2. [COMMISSIONER TO SUBMIT REVIEW OF PROPOSED RULES.] Prior to public hearings on any rule concerning transportation proposed by the pollution control agency, the commissioner shall submit a written review of those rules, including an analysis of their impact upon the state's transportation systems, and may propose alternative regulations or standards. This report shall be made part of the record of the hearing.*

*Subd. 3. [REPORT BY POLLUTION CONTROL AGENCY.] Upon the adoption, revision or repeal of a rule concerning transportation the director of the pollution control agency shall publish a written report of the manner in which the adopted rule reflects consideration of the factors required by Minnesota Statutes, Section 116.07, Subdivision 6, and the specific issues raised in the commissioner's report.*

*Sec. 6. [TRANSFER OF POWERS.] Subdivision 1. [DEPARTMENT OF HIGHWAYS.] All powers, duties and functions now vested in or imposed upon the commissioner of highways or the department of highways by Minnesota Statutes, Chapters 160, 161, 162, 163, 164, 165, 167, 169, 173, and Laws 1975, Chapter 13, Sections 52 to 75 and any other laws relating to the duties and powers of the commissioner of highways are transferred to, vested in, and imposed upon the commissioner of transportation. The position of the commissioner of highways and the department of highways as heretofore constituted are abolished.*

*Subd. 2. [DEPARTMENT OF AERONAUTICS.] All powers, duties, and functions now vested in or imposed upon the commissioner of aeronautics or the department of aeronautics by Minnesota Statutes, Sections 360.011 to 360.076 and 360.301 to 360.73 and 360.81 to 360.91 and any other laws relating to the duties and powers of the commissioner of aeronautics are transferred to, vested in, and imposed upon the commissioner of transportation. The position of the commissioner of aeronautics and the department of aeronautics as heretofore constituted are abolished.*

*Subd. 3. [DEPARTMENT OF PUBLIC SERVICE.] All powers, duties and functions now vested in or imposed upon the department of public service, the public service commission or the director of the department of public service by Minnesota Statutes, Sections 216A.10 to 216A.13 are transferred to, vested in, and imposed upon the commissioner of transportation.*

*Subd. 4. [STATE PUBLIC TRANSIT FINANCIAL ASSIST-*

ANCE.] All duties and responsibilities assigned to the state planning agency under Laws 1974, Chapter 534, are transferred to the department of transportation.

**Subd. 5. [TRANSFER APPROVAL OF COMMISSIONER OF ADMINISTRATION.]** Any and all transfers of departments of public service personnel, records and funds to the department of transportation, pursuant to the provisions of this act, shall be subject to the approval of the commissioner of administration.

**Subd. 6. [EFFECT OF TRANSFERS TO THE DEPARTMENT OF TRANSPORTATION.]** (a) The department of transportation shall be deemed a continuation of the former department or agency as to matters within the jurisdiction of the former department or agency, which are assigned or transferred to the department by this act, with the same force and effect as though the functions, powers and duties had not been assigned or transferred, and shall not be held to constitute a new authority for the purpose of succession to all rights, powers, duties and obligations of the former department or agency, as constituted at the time of the assignment or transfer.

(b) Any proceeding, court action, prosecution, or other business or matter undertaken or commenced prior to, and pending at the time of, the passage of this act by a department or agency, whose functions, powers and duties are transferred to the department of transportation by this act, may be conducted and completed by the department of transportation in the same manner, under the same terms and conditions, and with the same effect as though it were undertaken or commenced and conducted or completed by the former department or agency prior to the transfer.

(c) Except as otherwise provided in this act, the head of a department or agency whose functions, powers and duties are transferred to the department of transportation by this act shall transfer all contracts, books, maps, plans, papers, records, and property of every description within his jurisdiction or control to the commissioner of transportation. The commissioner shall receive from the public service department all documents, records and papers necessary to perform his duties. The interdepartmental task force of transportation shall also be governed by this provision.

(d) All unexpended funds appropriated to any department, or agency for the purposes of any of its functions, powers, or duties which are transferred by this act to the department of transportation are hereby transferred to the department of transportation. When the functions, powers and duties that are affected by this act are the responsibility of the department of transportation and another department or agency, the commissioner of administration shall allocate any unexpended appropriation to the department or agency between the department of transportation and the other departments or agencies affected.

(e) Except as otherwise provided in this act, all persons employed in the classified service by a department or agency to perform any of the functions, powers or duties, which are transferred by this act to the department of transportation, are transferred to the de-

*partment. The positions of all persons who are employed in the unclassified service by a department or agency to perform any of the functions, powers or duties, which are transferred by this act to the department, are abolished. Any person in the unclassified civil service whose employment position is abolished by this act and who is not appointed to an unclassified position authorized by this act may be otherwise continued in the unclassified service in the department of transportation, but for a period not to exceed 12 months from the date on which the department commences operation. Any unclassified position created for such purpose shall not be included in those authorized by section 2, subdivision 2, or section 8 of this act.*

**Sec. 7. [REVISOR OF STATUTES; TERMINOLOGY CHANGES.]** *In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make the necessary changes in terminology to record the transfers of functions, powers and duties which are provided by this act from a department or agency to the department of transportation.*

**Sec. 8. Minnesota Statutes 1974, Section 43.09, Subdivision 2a,** is amended to read:

**Subd. 2a. [ADDITIONAL UNCLASSIFIED POSITIONS.]** Notwithstanding any other law to the contrary, the personnel board, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (3).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive civil service status and, upon his request, the commissioner of personnel shall reappoint him to his previous classified position, or to a comparable position.

(4) Positions so established are limited in number to six in the departments of administration, corrections, finance, highways, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, economic development, transportation, and employment services; to three in the departments department of aeronautics, public service, and the planning agency, and pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in

this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) Funds are available.

Sec. 9. Minnesota Statutes 1974, Section 360.017, Subdivision 1, is amended to read:

360.017 [STATE AIRPORTS FUND.] Subdivision 1. [CREATION.] There is hereby created a fund to be known as the state airports fund. Such fund shall consist of all moneys appropriated to it, or directed to be paid into it, by the legislature. The state airports fund shall be paid out on authorization of the commissioner and shall be used to acquire, construct, improve, maintain, and operate airports and other air navigation facilities and to assist municipalities in the acquisition, construction, improvement, and maintenance of airports and other air navigation facilities. *The state airports fund shall also be used to pay salaries and expenses in the department of transportation related to aeronautic planning, administration and operation.*

Sec. 10. [TEMPORARY PROVISIONS.] *By January 1, 1976, the commissioner of transportation, the public service commission and the director of the administrative division of the department of public service shall prepare and submit to the legislature a report recommending which, if any, of the current powers of the commission or director should be transferred to the commissioner of transportation in order to accomplish the policy as stated in section 1 of this act. The report shall include specific suggestions relating to amendments of Minnesota Statutes necessary in order to accomplish the transfers recommended in the report.*

Sec. 11. [APPROPRIATION.] *There is hereby appropriated \$150,000 from the general fund to the commissioner of transportation to be available to him upon appointment to organize the department and to initiate the study as defined in section 3, subdivision 1 (g). This appropriation shall not cancel at the end of the first year but is reappropriated for the next fiscal year.*

Sec. 12. [REPEAL.] *Minnesota Statutes 1974, Sections 4.20; 161.02; 161.03; and 360.014 are repealed.*

Sec. 13. [EFFECTIVE DATE.] *Section 2, subdivision 1, of this act is effective July 1, 1975. The remaining provisions of this act, except as provided in this section, are effective upon the appointment of the commissioner. Former departments or agencies shall continue to exercise their functions, powers and duties which are transferred by this act until the commissioner notifies the commissioner of administration that the department of transportation is ready to commence operation. In the initial organization of the department the commissioner shall designate an organizational steering committee consisting of representatives from the departments of administration, aeronautics, highways, public service and the state planning agency to assist him in the initial organization of the department."*

Further amend the title as follows:

Page 1, line 8, after "4.20;" insert "161.02;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 369: A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

S. F. No. 540: A bill for an act relating to health; community health services; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE; CITATION.] Subdivision 1. [PURPOSE.] The purpose of this act is to develop and maintain an integrated system of community health services under local administration with a system of state guidelines and standards.

Subd. 2. [CITATION.] Sections 1 through 12 of this act may be cited as the "community health services act".

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the following terms shall have the meanings here given them.

Subd. 2. "Human services" means correctional, educational, employment, health, mental health, and social services.

Subd. 3. "Health services" means those personal health services provided to individuals by licensed health professionals engaged in private practice, institutional health services and community health services.

Subd. 4. "Institutional health services" means the services provided in hospitals, nursing homes and other licensed health facilities.

Subd. 5. "Community health services" means those services designed to protect and improve the people's health within a geographically defined community by emphasizing services to prevent illness, disease, and disability, by promoting effective coordination and use of community resources, and by extending health services into the community. These services include community

nursing services, home health services, disease prevention and control services, family planning services, nutritional services, dental public health services, emergency medical services, health education, and environmental health services.

Subd. 6. "Community nursing services" means public health nursing services that emphasize prevention by providing family centered nursing, including prenatal, well child, crippled child, school health, family planning, and nutritional services as well as individual and family health appraisal, screening, follow up, and referral for personal health services.

Subd. 7. "Home health services" means home nursing, physical therapy, nutrition, occupational therapy, homemakers, and home health aide services, which are provided under medical supervision.

Subd. 8. "Disease prevention and control services" means epidemiology, immunization, case finding and follow up, continuing surveillance, detection, and prevention of communicable diseases and chronic diseases including referrals for personal health services.

Subd. 9. "Family planning services" means birth control and infertility services which include education, counseling, and medical appraisal.

Subd. 10. "Nutritional services" means those activities designed to provide information about food substances which will alleviate dietary deficiencies and resulting health complications.

Subd. 11. "Dental public health services" means those organized community activities that are intended to prevent dental disease and promote dental health, including information, education and demonstration of actions that individuals and families can take to prevent dental disease and maintain dental health.

Subd. 12. "Emergency medical services" means those services which provide rapid and effective medical treatment to persons beset by a life threatening situation, at the scene of the emergency, enroute to a treatment center, and in the emergency department of that treatment center.

Subd. 13. "Health education" means those activities which develop each individual's awareness and sense of responsibility for for his own health, the health of the family, and the health of the community, including basic information concerning the availability of health services in the community.

Subd. 14. "Environmental health services" means those services designed to achieve an environment conducive to man's health, comfort, safety, and well being. These services include food protection, hazardous substances and product safety, water supply sanitation, septic tank and soil absorption type sewage disposal, water pollution control, occupational health and safety, radiation control, air pollution control, noise pollution control, vector control, institutional sanitation, recreational sanitation in-

cluding swimming pool sanitation and safety, housing code enforcement for health and safety purposes, and general nuisance control.

Subd. 15. "Population" means the total resident population as enumerated during the most recent federal census or, the annual population estimate prepared by the state planning agency in cooperation with the bureau of the census shall be used in order to have the most current data available.

Subd. 16. "Taxable value" means the adjusted assessed valuation of a county which shall be certified annually to the state board of health by the equalized assessment review committee.

Subd. 17. "Local expenditure" means the total annual expenditures financed from all sources by counties and other local units of government within a county for community health services. The county auditor shall annually certify to the state board of health the total amount of such community health services expenditures on forms and in such detail as may be prescribed by the state board of health.

Subd. 18. "Per capita income" means the average income of the residents of a particular jurisdiction as calculated by the most recent federal census.

Subd. 19. "County board" means a county board of commissioners.

Subd. 20. "Board of health" means a local board of health organized under the provisions of section 3.

Sec. 3. [LOCAL BOARD OF HEALTH; ORGANIZATION.]  
Subdivision 1. [COUNTIES.] A county may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly:

(a) Human Services Board—The county board of a county that has or hereafter establishes an operational human services board pursuant to Minnesota Statutes, Chapter 402 or Laws 1974, Chapter 293 shall assign the responsibilities of this act to the human services board.

(b) County Board—The county board may assume the responsibilities of the board of health pursuant to this act.

(c) Board of Health—The county board may assign the responsibilities of a board of health under this act to the board of health of said county organized under Minnesota Statutes, Section 145.47 to 145.55, or Laws 1969, Chapter 235.

(d) Board of Health—The county board may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single county shall consist of five members appointed by the county board. When two or more counties combine to form a board of health, each county board shall appoint two members to the board of health.

except that the county board having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the county board. Continuity of membership shall be assured by having approximately one third of the members terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and vice-chairman with terms of one year.

Subd. 2. [CITIES.] A city, located in a county with a population of 300,000 or more persons, or any city which is located in three counties, may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly:

(a) City Council—The city council may assume the responsibilities of the board of health pursuant to this act.

(b) Board of Health—The city council may assign the responsibilities of the board to the board of health of said city organized under Minnesota Statutes, Section 145.01.

(c) Board of Health—The city council may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single city shall consist of five members appointed by the city council. When two or more cities combine to form a board of health, each city council shall appoint two members to the board of health, except that the city council of the city having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the city council. Continuity of membership shall be assured by having approximately one-third of the members' terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and a vice-chairman with terms of one year.

Subd. 3. [ADVISORY COMMITTEE.] In each case where a board of health has been assigned the responsibilities of this act a local community health services advisory committee shall be established by the respective county board or city council to advise, consult with, or make recommendations to the board of health on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee shall consist of not less than nine members and no more than twenty-one members, all appointed by the governing body of the respective jurisdiction. The membership of the advisory committee shall be as follows: at least one-third providers of health services, including at least one physician, one registered

nurse, and one dentist; and at least one-third consumers selected to represent consumers organizations or constituencies within the community, provided, however, that the advisory committee to a county board of health for a county with 300,000 or more persons shall be as follows: at least 51 percent local government officials and the remainder divided equally between providers of health services and consumers. Continuity of membership of each advisory committee shall be assured by having an approximately equal number of terms expire each year. First appointments may be for less than two years, thereafter all terms shall be two years and no member shall serve more than three consecutive terms. Notwithstanding any law to the contrary, members may receive a per diem and be reimbursed for travel and other necessary expenses while engaged in their official duties, as determined by the appointing authority. The committee shall elect officers including a chairman and vice-chairman with terms of one year. The committee shall meet at least six times a year and at the call of the chairman or a majority of the members.

Sec. 4. [LOCAL BOARD OF HEALTH; AUTHORITY.] Subdivision 1. [GENERAL DUTIES.] The board of health shall have general authority and responsibility for the development and maintenance of an integrated system of community health services.

Subd. 2. [POWERS.] In addition to any other powers assigned to a board of health by sections 1 to 11, the board of health for a county shall possess all the powers and duties now assigned by law to local boards of health pursuant to Minnesota Statutes, Section 145.01 and to public health nursing and home health services agencies pursuant to Minnesota Statutes, Sections 145.08 to 145.125, provided, however, that this subdivision shall not remove or otherwise change the powers and duties of any city or township eligible for the subsidy under the provisions of section 7 of this act, or of any city of the first or second class with an existing program of community health services located within a county with a population of 300,000 or more persons until the city council of said city shall take action to allow the county to pre-empt the powers and duties of said city. Not later than 365 days after the approval of the community health services plan by the state board of health, any county or city board, committee or commission having authorities or duties in any area designated in sections 1 to 11 other than the board of health designated and acting pursuant to sections 1 to 11, shall cease its operation and no per diem or reimbursement of expenses shall be paid to any member of the board, committee, or commission.

Subd. 3. [EMPLOYEES.] The board of health may employ administrators, officers, employees, and agents as necessary to carry out the provisions of this act. Employees of the board of health shall be subject to any personnel administration rules adopted by the county board or boards or the city council or councils unless by law the employees or a class of employees shall be within the scope of a statewide personnel administration

system. All persons employed by a county, city or the state, whose functions and duties are assumed by the board of health shall become employees of the board of health without loss in benefits, salaries or rights.

Subd. 4. The board of health by any lawful means, including gifts, purchase, lease, or transfer of custodial control, may acquire and hold in the name of the county or city the lands, buildings, and equipment necessary and incident to the accomplishment of the purposes of this act and accept gifts, grants, and subsidies from any lawful source, apply for and accept state and federal funds, request and accept local tax funds, establish and collect reasonable fees for community health services provided.

Subd. 5. The board of health may contract for services from private firms, non-profit corporations, primary and secondary schools, state and local governmental agencies, or other community agencies to avoid unnecessary duplication of services and realize cost advantages. The contracts shall be employed to improve efficiency and the quality and effectiveness of services and shall give preferential consideration to existing municipal programs. Contracts shall be awarded on the basis of cost benefit comparisons and considerations.

Subd. 6. The board of health shall coordinate community health services with the delivery of personal health services, institutional health services, and related human services in the community; ensure responsible medical consultation and direction by employing a public health physician or by contracting with a local practicing physician; and coordinate community health services with health related environmental control services in the community. The board of health shall coordinate local, state, and federal services and funding for community health services.

Subd. 7. The board of health shall evaluate the effectiveness and efficiency of community health services systems and programs and as a condition of qualifying for the community health services subsidy, prepare the annual community health services plan and budget, as provided in section 10.

Subd. 8. The board of health shall identify community health needs and set priorities among the needs for the broad range of community health services including the health needs of minorities and nonresidents, including tourists and migrants, and ensure that services are accessible to all persons on the basis of need and that no one is denied services because of race, color, sex, age, language, religion, nationality, economic status, political persuasion or place of residence.

Subd. 9. The board of health shall recommend appropriate local legislation pertaining to community health services to the county board or city council and shall advise the state board of health on matters relating to public health that require assistance from the state, or that may be of more than local interest.

Subd. 10. The board of health shall publish for distribution an annual report of the activities of the board of health.

Subd. 11. When the board of health determines that there is an acute shortage of medical or other health manpower, or that there is a significant problem in providing access to health care in the area, the board of health shall address itself to the resolution of those problems. The solution may involve providing assistance to recruit medical or other health personnel to the area, or the development of suitable linkages between area medical and allied health personnel that will make more effective use of existing private, non-profit and community resources and extend health care into the community.

Sec. 5. [DUTIES OF COUNTY BOARD.] Subdivision 1. A county board of any county having a board of health organized under this act shall review and approve the community health services plan prior to the submission of the plan to the state board of health. The plan submitted by the county board shall incorporate the plans developed by any city organized under the provisions of section 3 that has established eligibility under the provisions of section 7. Upon receipt of the community health services plan, or any proposed revision, from a city, the county board shall review and act on the plan or the proposed revision within 30 days. The county board may approve the plan as written or refer the plan back to the city with comments and instructions for further consideration. The city or the county may appeal to the state board of health for resolution of differences regarding the community health services plan. A failure to act within the specified time shall constitute approval of the plan.

Subd. 2. A county board of any county having a board of health organized under this act may by ordinance adopt and enforce reasonable regulations related to the implementation and administration of sections 1 to 11, provided, however, that no county regulations shall conflict with state legislation or with higher standards established either by regulation of an agency of state government or by the provisions of the charter or ordinances of any city organized under the provisions of this act.

Sec. 6. [BUDGET; FUNDS.] Subdivision 1. On or before July 1 of each year the board of health, if other than the county board, or the joint board of two or more county boards, or the city council or councils, shall submit to the county board or boards or the city council or councils an estimate of the amount needed by the board of health to perform its duties including costs of administration for the ensuing year. The proposed plan and budget shall set forth the expected source and amounts of funds which are expected to be available to the board of health and its proposed plan of expenditures to perform its duties and responsibilities. The county board or boards or the city council or councils shall consider the estimates of income and the plan for expenditures and as the estimates and plan are approved or approved as modified, shall levy a tax within the levy limits provided by law for the purpose.

If two or more counties or cities have agreed as provided in Minnesota Statutes, Section 471.59 to a joint or multi-county

or multi-city or multi-city-county activity, the county boards or city councils party to the agreement shall determine the proportional financial responsibility of each county or city to support the programs and services of the board of health if the agreement had not provided for the division of costs or other arrangements pursuant to the agreement.

Sec. 7. [ELIGIBILITY; WITHDRAWAL.] Subdivision 1. [ELIGIBILITY OF COUNTIES.] A county or two or more contiguous counties combined under the provisions of Minnesota Statutes, Section 471.59, shall be eligible for the community health services subsidy provided in section 11 under the following conditions:

(a) There shall be an aggregate population of 30,000 or more persons in the county or multi-county area located within a region designated pursuant to Minnesota Statutes, Sections 462.381 to 462.396, or Chapter 473B. However, when three or more counties combine for the purposes of this act, the 30,000 minimum population shall not be required. When two or more counties combine for the purposes of this act, the state board of health with the approval of the regional development commissions directly involved, may waive the requirements that all counties be within a single development region; provided however, that if a single county has received an exemption for formation of a human services board pursuant to Minnesota Statutes, Section 402.01 the population base of 30,000 is waived and such county shall be eligible for participation in this act;

(b) There shall be a board of health organized under the provisions of section 3;

(c) There shall be substantial compliance with the requirements of the state board of health established under the provisions of section 8;

(d) There shall be local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by both the county board and the state board of health.

Failure of a county or group of counties to elect to come within the provisions of sections 1 to 11 shall not affect their eligibility for any other state subsidy.

Subd. 2. [ELIGIBILITY OF CITIES.] A city having a city health department organized under the provisions of Chapter 145 and located in a county having a population of 300,000 or more persons, or two or more contiguous cities combined under the provisions of section 471.59, having an aggregate population of 65,000 or more persons and located in a county having a population of 300,000 or more persons, shall be eligible for the community health services subsidy under the provisions of this act if:

(a) There is a board of health organized under the provisions of section 3, subdivision 2;

(b) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(c) There are local matching funds provided to support the community health services as provided in section 11;

(d) The plan developed under the provisions of section 10 shall be consistent with the plan developed by the county and shall be approved by both the city council and the county board.

The city's proportionate share of the community health services subsidy shall be determined by calculating the proportion of local expenditures for community health services within the county that were expended by the city. In a county which has, or hereafter establishes, an operational human services board pursuant to section 3, subdivision 1, the subsidy payment shall be made to the human services board pursuant to Minnesota Statutes, Section 402.02, Subdivision 4. The human services board shall enter into a purchase of service contract to provide a proportional share of the subsidy to those cities that establish eligibility under the provisions of this subdivision.

Subd. 3. [ELIGIBILITY OF CITIES.] A city located within three or more counties and any contiguous political subdivision or subdivisions shall have the authority to combine, for the purposes of this act, under the provisions of Minnesota Statutes, Section 471.59, and shall be eligible for a proportional share of the subsidy provided in section 11 for the counties under the following conditions:

(a) There shall be an aggregate population of 40,000 or more persons;

(b) There is a board of health organized under the provisions of section 3;

(c) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(d) There are local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by the city council and the governing bodies of each of the political subdivisions and by the state board of health.

The proportionate share of the subsidy for the city and any contiguous political subdivision combined with such city shall be determined by calculating the proportion of total county population that live in the city and the contiguous political subdivisions. When all three counties within which the city is located have combined under the provisions of this act, the subsidy payment shall be made to the multi-county board of health. The multi-county

board of health shall enter into a purchase of service contract to provide a proportional share of the subsidy to the city and any contiguous political subdivisions that establish eligibility under the provisions of this subdivision.

Subd. 4. [WITHDRAWAL.] Any participating county or city, may by resolution of its governing body, indicate its intention to withdraw from the subsidy program established by this act. Notification shall be given to the state board of health and to each county or city in any multi-county or multi-city combination, at least one year before the beginning of the fiscal year in which it takes effect. When two or more counties or cities have combined for the purposes of sections 1 to 11, the withdrawal provision shall not be applicable during the first two years following the adoption of the initial agreement to combine. The withdrawal of a county or city from a group of two or more counties or cities combined for the purposes of sections 1 to 11 shall not affect the eligibility for the community health services subsidy of the remaining counties or cities for at least one year following the withdrawal.

Sec. 8. [DUTIES OF THE STATE BOARD OF HEALTH.]  
Subdivision 1. The state board of health shall:

(a) Provide consultation and technical training to communities to assist them in the development and provisions of services, encouraging multi-county configurations to ensure that a county will not be isolated geographically and thereby ineligible for the subsidy.

(b) Develop guidelines and recommended administrative procedures through a planning program with representation from local health boards. Adoption of these guidelines and administrative procedures by the board of health shall not be a prerequisite for plan approval.

(c) Promulgate regulations in accordance with Minnesota Statutes, Chapter 15, for the purposes of establishing standards for:

(1) Training, credentialing, and experience requirements for key personnel to ensure expertise in administration, planning, and in each services program included in the community health services plan;

(2) A uniform reporting system that will permit an assessment of the efficiency and effectiveness of service delivery programs; and

(3) A planning process that will encourage full community participation in the development of the community health services plan.

(d) Review and act on the community health services plan and any proposed revision within 60 days after receiving the plan or revision. The state board of health may approve the plan as written or refer the plan back to the applicant with comments

and instructions for further consideration. A failure to act within the specified time shall constitute approval of the plan.

(e) Provide application forms and instructions for preparation and submission of applications for the community health services subsidy, in accordance with the provisions of section 10.

Subd. 2. The state board of health may enter into an agreement as prescribed in Minnesota Statutes, Section 145.55, with any county or city or group of counties or cities organized under the provisions of section 3 to perform all or part of the licensing, inspection, and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157.

Sec. 9. [SPECIAL GRANTS.] Subdivision 1. The board may make special grants to a city, a county, or group of cities or counties to establish, operate or subsidize clinic facilities and services, including mobile clinics, to furnish community health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this section.

Subd. 2. The board may make special grants to a city, a county, or group of cities or counties to establish, operate, or subsidize clinic facilities and services to furnish community health services for native Americans who have no established county of residence. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this section.

Sec. 10. [COMMUNITY HEALTH SERVICES ADVISORY COMMITTEE.] An advisory committee is established to advise, consult with, and make recommendations to the state board of health on matters relating to the development, maintenance, funding and evaluation of community health services. Each board of health, meeting the eligibility requirements of section 7 of this act, may appoint a member to serve on the committee. The terms shall be two years and no member shall serve more than three consecutive terms. Continuity of membership shall be assured by having an approximately equal number of terms expire each year. Members may receive a per diem and shall be reimbursed for travel and other necessary expenses while engaged in their official duties. The committee shall meet at least quarterly and special meetings may be called by the chairman or a majority of the members.

Sec. 11. [COMMUNITY HEALTH SERVICES PLAN.] Subdivision 1. [PLAN CONTENT.] The community health services plan shall be a written plan for the development, implementation,

coordination, and operation of community health services that meet the priority needs of the community. Financial constraints and differing priorities may result in variations in levels of effort for different services. The plan shall include the following:

(a) A description of the process used to encourage full community participation in the development of the plan;

(b) An explanation of the extent to which the planning and service delivery systems have been integrated with the delivery of personal health services, institutional health services, health related environmental programs and services, and with related human services in the community. The plan shall include a statement of the priority needs of the community and an inventory of existing health related services in the community;

(c) Descriptions of each service program including each of the following: community nursing services, home health services, disease prevention and control services including immunization, emergency medical services, health education, and environmental health services;

(d) The projected amount and sources of funding for carrying out the plan;

(e) A report and evaluation of the two preceding years community health service programs.

Subd. 2. [PLAN SUBMISSION.] The application for a community health services subsidy and the plan and any proposed revision of the plan shall be submitted to the appropriate regional development commission or to the metropolitan council and to the state board of health. The regional development commission or the metropolitan council shall review the plan to determine conformance with regional plans developed by the health systems agency under the provisions of the National Health Planning and Resource Development Act of 1974, and submit their findings and other comments and recommendations to the state board of health within 40 days after receiving the plan.

Sec. 12. [COMMUNITY HEALTH SERVICES SUBSIDY.]  
Subdivision 1. [PAYMENT.] When a city, county, or group of cities or counties meets the requirements prescribed in section 7, the state board of health shall pay the amount of subsidy to the city or county in accordance with applicable rules and regulations from the funds appropriated for the purpose. The state board of health may make an advancement of funds on a quarterly basis.

Subd. 2. [FORMULA.] To determine the amount to be paid participating cities and counties, the state board of health shall apply the following formula using the most current data available:

(a) All counties will be ranked in accordance with a formula involving three factors:

(1) Per capita income;

(2) Per capita taxable value, and;

(3) Per capita local expenditure per 1,000 population for community health services.

(b) Each county is then ranked as follows:

(1) On the basis of per capita income the ranking is from the lowest to the highest;

(2) Per capita taxable value is ranged from lowest to highest;

(3) Per capita expenditure is ranged from highest to lowest.

(c) The ranking given each county on each of the foregoing three factors is then totaled and the counties ranked in numerical order according to score.

(d) The total score for each county thus determined is then divided into a median total score. The quotient thus obtained is then multiplied by \$2.25 times the county population. The resulting product is the amount of subsidy to which the county is eligible under this formula, provided that no city or county shall receive less than \$1.75 or more than \$2.75 per capita.

Subd. 3. [LOCAL MATCH.] The amount of local matching funds required to receive the full subsidy shall be determined by multiplying the population by \$4.50 and subtracting the community health services subsidy allocated under the provisions of this section. The local matching funds may include local tax levies, gifts, fees for services and revenues from contracts. When the amount of local matching funds is less than the amount specified, the state formula subsidy shall be reduced proportionally. When a participating city or county fails to expend the full amount of the subsidy to which it would be entitled in any one year under the provisions of this act, the state board of health may, at its discretion, retain the surplus, subject to disbursement in the following year to the city or county if it can demonstrate a need for and ability to expend the surplus for the purposes provided in section 8. A city organized under the provisions of this act that levies a tax for provision of community health services shall be exempted from any county levy for the same services to the extent of the levy imposed by the city.

Sec. 13. [APPROPRIATION TRANSFER.] The commissioner of finance is authorized to transfer funds from any appropriation made to the state board of health to the appropriation provided in section 14 of this act. Such transfer shall occur after a request by the commissioner of health identifying the specific amounts from each appropriation, and the programs effected by the requested transfer. The commissioner of health shall furnish copies of each request to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 14. [APPROPRIATION.] Subdivision 1. The sum of \$1,500,000 is appropriated from the general fund to the state board of health for the fiscal year beginning July 1, 1976 and

ending June 30, 1977 for the purposes specified in sections 9 and 11."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was re-referred

S. F. No. 559: A bill for an act relating to public health; providing state aid for purification of municipal water supplies; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. The Minnesota state board of health is directed to establish a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. This program shall include the disbursement of funds hereinafter described for the construction of such facilities, the creation of guidelines designed to assure that such funds will be disbursed in accord with the purposes of this act, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and such other duties of administration as may be necessary to accomplish the purposes of this act.

Sec. 2. A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of monies appropriated to the account and disbursements of money appropriated from the account to municipalities for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the prevention, control and abatement of water pollution.

Sec. 3. Definitions for the purposes of this act are as follows:

(1) "Agency" means the Minnesota state board of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water to cities of this state and using Lake Superior as the source of such drinking water.

(3) "Eligible cost" as used by this act shall include all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to the effective date of this act.

(4) "Municipal water purification system" shall include all properties, real or personal, determined by a municipality and

the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

Sec. 4. The sum of \$2,500,000 is appropriated from the state treasury general fund to the account created in section 2 of this act to be granted and disbursed to municipalities in accordance with the purposes of this act. Grants shall be made in accordance with the guidelines created under authority of section 1 of this act and shall not exceed 33 percent of the eligible project cost as hereinbefore defined. However, these grants shall not be made until matching funds are available.

Sec. 5. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this act. The board of health shall at the time of any disbursement of funds under this act enter into necessary agreements for such reimbursement. This agreement shall insure that the state receives reimbursement for expenditures under this act prior to any distribution to a plaintiff community, except that legal expenses incurred by the community shall precede any distribution to the state.

Sec. 6. The Minnesota state board of health is hereby authorized to expend up to 2 percent of the amount appropriated in section 5 to administer grant programs created under the provisions of this law.

Sec. 7. This act is effective upon final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Finance, to which was referred

H. F. No. 1798: A bill for an act relating to the organization and operations of state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. The sums hereinafter set forth and designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury or any other fund herein designated, to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1975", "1976" and "1977" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

	APPROPRIATIONS Available for the Year Ending June 30,	
	1976	1977
<b>Sec. 2 LEGAL DIVISION</b>	\$	\$
Subdivision 1. Salaries	400,000	400,000
Subd. 2. Supplies and Expense	18,000	18,000
<b>Sec. 3. ADMINISTRATIVE OPERATIONS</b>		
Subdivision 1. Salaries	2,700,000	2,700,000
Subd. 2. Supplies and Expense	1,700,000	1,700,000
Subd. 3. Port of Entry Study	10,000	
<p>The department of highways, in cooperation with the department of public safety, shall develop a plan for a Port of Entry system. Such plan shall include, but not be limited to: proper locations, cost for development, costs of operations, amount of truck traffic, anticipated revenues resulting from a Port of Entry system, plan of operating and enforcing such system, and anticipated problems or difficulties. Information from other states having Port of Entry systems shall be utilized in developing this plan. The department of highways shall submit the plan on or before November 15, 1975.</p>		
<b>Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE</b>	52,687,166	51,922,446
<b>Sec. 5. HIGHWAY DEVEL- OPMENT SUPPORT, SALAR- IES, SUPPLIES AND EX- PENSE</b>	35,000,000	35,000,000
<b>Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE</b>	1,000,000	1,000,000
<b>Sec. 7. STATE AID ADMIN- ISTRATION, SALARIES, SUP- PLIES AND EXPENSE</b>	237,916	237,916
<b>Sec. 8. PLANNING AND PROGRAMMING SALARIES, SUPPLIES AND EXPENSE</b>	2,600,000	2,600,000

	APPROPRIATIONS Available for the Year Ending June 30,	
	1976	1977
	\$	\$
Sec. 9. EQUIPMENT	4,253,120	5,290,811
Sec. 10. BUILDINGS AND IMPROVEMENTS	1,759,830	
This includes funds for the construction of equipment storage buildings at Nopeming, Hibbing, Bagley, Karlstad, St. Peter, Cannon Falls and Wells; plus various remodeling and improvements.		
Sec. 11. INTERSTATE SAFE- TY REST AREAS	299,805	

Sec. 12. FEDERAL/STATE SAFETY ACCOUNT. The commissioner of highways may continue the Federal/State Safety Account established by Laws 1973, Chapter 718, Section 14, within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local government agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Account and will be available until June 30, 1977.

Sec. 13. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 11.

Sec. 14. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leases, interest subsidies and relocation expenses.

Sec. 15. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 11 for the purpose of providing funds for highway land purchase and road and bridge construction.

**Sec. 16. CONTINGENCY ACCOUNT.** If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways, with the approval of the Governor, may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes, Section 3.30.

**Sec. 17. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND.** Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby shall cancel into the trunk highway fund as of June 30 of any fiscal year.

**Sec. 18.** Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

**Sec. 19.** Minnesota Statutes 1974, Section 161.35, is amended to read:

**161.35 [EMPLOYMENT OF CONSULTANTS.]** Until July 1, 1975, The commissioner, *with prior approval of the commissioner of personnel*, is authorized to employ and engage the services of registered professional engineers, engineering firms, and registered land surveyors, to act as consultants in connection with and to prepare plans and specifications or to perform aerial photography and survey work preliminary to the preparation of plans and specifications themselves or by their organizations and employees for the construction of trunk highways, and the commissioner is authorized to negotiate for and agree upon the terms and compensation for such employment and services. If the commissioner employs and engages an engineering firm, the person or persons in responsible charge of the work or service to be performed shall be registered professional engineers or land surveyors.

Provided, however, that the commissioner shall make available to the legislature a list of such consultants, the tasks for which they were hired, and the amount of compensation which they received.

**Sec. 20.** Minnesota Statutes 1974, Section 161.39, Subdivision 5a is amended to read:

**Subd. 5a.** The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. ~~The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, section 210.401.~~

**Sec. 21. PERSONNEL POLICY.** The policy objective of this section is to develop improved productivity in the department of highways thereby reducing the number of full-time employees.

The appropriations in sections 2 through 8 are based upon a reduction of full-time employees during the period commencing with the department of highways' hiring freeze initiated on April 4, 1975, and ending June 30, 1977. During this period the commissioner of highways shall set staffing levels for each organizational unit of the department as the work program requires, identify surplus positions and schedule personnel reductions, first making use of reduction through transfers to other departments and normal attrition, and then shall use mandatory layoff procedure under the provisions of the department of personnel rules and regulations of the collective bargaining agreement, as applicable, in order to meet this objective. The commissioner shall report quarterly to the Governor and Legislative Advisory Committee on progress towards achieving this policy objective.

Sec. 22. Minnesota Statutes 1974, Section 161.355, Subdivision 2, is repealed."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35, together with the committee report thereon,

S. F. No. 1220: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. I 94.

Reports the same back with the recommendation that the report from the Committee on Metropolitan and Urban Affairs shown in the Journal for May 9, 1975 that "the bill do pass" be adopted. Report adopted.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 1253, 100, 540, 1220 and 559 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 525, 369 and 1798 were read the second time.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Saturday, May 17, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

## FIFTY-SIXTH DAY

St. Paul, Minnesota, Saturday, May 17, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Davies	Josefson	Olson, A. G.	Schmitz
Ashbach	Dunn	Keefe, S.	Olson, J. L.	Schrom
Berg	Fitzsimons	Kirchner	O'Neill	Solon
Bernhagen	Frederick	Kowalczyk	Perpich, A. J.	Spear
Brown	Hansen, Baldy	Lewis	Pillsbury	Stokowski
Chmielewski	Hansen, Mel	McCutcheon	Purfeerst	Stumpf
Coleman	Hanson, R.	Moe	Renneke	Tennessen
Conzemius	Jensen	Olhoft	Schaaf	Wegener

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Sen. Roger Hanson.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoft	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Spear introduced—

S. F. No. 1762: A bill for an act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

Referred to the Committee on Labor and Commerce.

Mr. Spear introduced—

S. F. No. 1763: A bill for 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.

Referred to the Committee on Labor and Commerce.

Mr. Spear introduced—

S. F. No. 1764: A bill for an act relating to safe deposit companies; exempting savings associations from licensing and bonding requirements; examination fees; amending Minnesota Statutes 1974, Sections 55.06, Subdivision 1; and 55.095.

Referred to the Committee on Labor and Commerce.

Mr. Merriam introduced—

S. F. No. 1765: A bill for an act relating to commerce; collection agencies; regulation and licensure of collection agencies; providing civil remedies under certain circumstances; prescribing penalties; amending Minnesota Statutes 1974, Sections 332.31, Subdivisions 3 and 4, and by adding subdivisions; 332.33; 332.37; 332.42; 332.43, Subdivision 1; 332.44; Chapter 332, by adding sections; repealing Minnesota Statutes 1974, Sections 332.31, Subdivision 5; 332.34; 332.35; 332.36; 332.40; 332.43, Subdivisions 2 and 3.

Referred to the Committee on Labor and Commerce.

Messrs. Josefson; Olson, J. L. and Laufenburger introduced—

S. F. No. 1766: A bill for an act relating to insurance; requiring that exclusions under certain policies of casualty insurance be disclosed at the time of purchase; requiring disclosure of options available to provide coverage of excluded risks; prescribing penalties.

Referred to the Committee on Labor and Commerce.

Messrs. Davies, Ueland and Hansen, Baldy introduced—

S. F. No. 1767: A bill for an act relating to public utilities; pro-

hibiting use of certain equipment by telephone companies; amending Minnesota Statutes 1974, Chapter 237, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Anderson, O'Neill and Hughes introduced—

S. F. No. 1768: A bill for an act relating to education; school districts; indebtedness; authorizing districts to exceed levy limitations and issue bonds to retire a modified cash basis operating debt; amending Minnesota Statutes 1974, Section 275.125, by adding a subdivision.

Referred to the Committee on Education.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 803, 1215 and 1353.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Coleman; Conzemius; Blatz; Perpich, A. J. and Olson, A. G. The motion prevailed.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 229:

Messrs. Gearty, Kleinbaum, Bang, Larson and Conzemius. The motion prevailed.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED, by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 583: A bill for an act relating to towns; providing for optional forms of town government and authorizing the combination of certain offices in certain towns; amending Minnesota Statutes 1974, Sections 366.01, Subdivision 1; and 367.03, Subdivision 1.

Senate File No. 583 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

**CONCURRENCE AND REPASSAGE**

Mr. Wegener moved that the Senate concur in the amendments by the House to S. F. No. 583 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 583 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Lewis	O'Neill	Spear
Ashbach	Frederick	McCutcheon	Patton	Stassen
Berg	Hansen, Baldy	Milton	Pillsbury	Stokowski
Bernhagen	Humphrey	Moe	Purfeerst	Stumpf
Brown	Jensen	North	Renneke	Wegener
Chmielewski	Josefson	Olhoft	Schaaf	Willet
Davies	Keefe, S.	Olson, A. G.	Schmitz	
Doty	Kirchner	Olson, H. D.	Schrom	
Dunn	Kowalczyk	Olson, J. L.	Solon	

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 645.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 16, 1975

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time and referred to the committee indicated:

H. F. No. 645: A bill for an act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

Referred to the Committee on Rules and Administration.

**REPORTS OF COMMITTEES**

Mr. Davies moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 175 and 1014 for comparison

to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

**CALENDAR OF  
GENERAL ORDERS    ORDINARY MATTERS    CALENDAR**

H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
175	275				
1014	942				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 175 be amended as follows:

Page 1, line 10, delete "owner-operated enterprise,"

Page 1, line 11, delete "including farms and not excluding small cooperatives" and insert "sole proprietorship, partnership, or corporation, with gross receipts of less than \$4,000,000 in the preceding calendar year"

Page 2, line 32, delete "The"

Page 3, delete lines 1 and 2

Page 3, line 3, delete "Minnesota Statutes, Section 3.965."

Page 3, line 5, delete ", with a"

Page 3, delete line 6

Page 3, line 7, delete "legislature on or before January, 1976"

Page 3, line 24, delete "1975-1977" and insert "ending June 30, 1977"

Further, amend the title

In line 4, delete "funds" and insert "money"

And when so amended, H. F. No. 175 will be identical to S. F. No. 275 and further recommends that H. F. No. 175 be given its second reading and substituted for S. F. No. 275 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1014 be amended as follows:

Page 1, line 22, delete the new language and restore the stricken language

Page 2, line 6, after "agency" insert a semicolon

Page 2, line 7, delete "medical or"

Page 2, line 10, delete the new comma

Page 2, line 18, delete the second "individual" and insert "individual"

Page 5 lines 25 and 26, delete ", 15.163, 15.165, 15.166 and 15.167" and insert "to 15.168"

Page 10, line 8, restore the stricken "to" and delete the new language

Page 10, line 9, delete the new language and insert "15.168"

Page 10, line 11, restore the stricken comma

Page 10, line 19, restore the stricken "to" and delete the new language

Page 10, line 20, delete "15.167" and insert "15.168"

Page 10, line 21, restore the stricken comma

Page 10, line 23, restore the stricken "to" and delete the new language

Page 10, line 24, delete the new language and insert "15.168"

Page 10, line 27, restore the stricken "to" and delete the new language

Page 10, line 28, delete the new language and insert "15.168"

Page 11, line 5, restore the stricken "to" and delete the new language

Page 11, line 6 delete the new language and insert "15.168"

Page 11, line 11, delete ", 15.163, 15.165, 15.166 and"

Page 11, line 12, delete "15.167" and insert "to 15.168"

Page 11, line 23, delete ", 15.163, 15.165, 15.166 and 15.167" and insert "to 15.169"

Page 12, line 5, delete "four" and insert "six" and delete "two" and insert "three"

Page 12, line 6, delete "two" and insert "three"

Page 14, line 22, before "appropriately" insert "to appear before it and offer testimony and compensate them"

Page 15, line 14, delete the comma

Page 15, line 24, delete "Sec. 9." and insert "Subd. 10."

Page 15, line 25, delete "\$20,000" and insert "\$25,000 for the biennium ending June 30, 1977,"

Page 15, line 30, delete "10" and insert "9" and delete the headnote

Page 15, line 32, delete "11" and insert "10" and delete the headnote and delete "shall be" and insert "is"

Page 16, line 1, delete "on"

And when so amended, H. F. No. 1014 will be identical to S. F. No. 942 and further recommends that H. F. No. 1014 be given its second reading and substituted for S. F. No. 942 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1313 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1313	1062				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1313 be amended as follows:

Page 1, delete lines 9 through 24

Page 2, delete lines 1 through 16

Page 2, line 17, delete "Sec. 2." and insert "Section 1."

Page 2, line 28, delete "entitld" and insert "entitled"

Page 2, line 28, after "retirement" delete the semicolon and insert a comma

Page 3, line 5, after "1975" delete the comma

Page 4, line 8, after "1975" delete the comma

Page 4, line 16, delete "2" and insert "(2)"

Page 4, line 18, after "1975" delete the comma

Page 4, line 22, after "8" delete the comma

Page 4, line 25, delete "subdivision" and insert "clause"

Page 4, line 30, delete "judges' " and insert "judges"

Page 5, line 2, after "1967" delete the comma

Page 5, line 4, after "1973" delete the comma

Page 5, line 7, delete "Sec. 3." and insert "Sec. 2."

Page 5, line 29, delete "Sec. 4." and insert "Sec. 3."

Page 6, line 15, delete "Sec. 5." and insert "Sec. 4."

Page 6, line 25, delete "Sec. 6." and insert "Sec. 5."

Page 6, line 27, delete "Sec. 7." and insert "Sec. 6"

Page 6, line 28, delete "4" and insert "3"

Further, amend the title as follows:

Page 1, lines 3 and 4, delete "declaring legislative policy and intent;"

And when so amended, H. F. No. 1313 will be identical to S. F. No. 1062 and further recommends that H. F. No. 1313 be given its second reading and substituted for S. F. No. 1062 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1137 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1137	1314				

Pursuant to rule 49 the Committee on Rules and Administration recommends that H. F. No. 1137 be amended as follows:

Page 1, line 24, after "*loans*" delete the comma

Page 2, line 2, delete "*other matters*"

Page 2, line 3, after "*low*" delete "*and*" and insert "*or*"

Page 2, line 4, delete "*including*" and insert "*. The agency shall require by rules that the owner give preference to those*"

Page 2, line 4, delete "*occupy*" and insert "*occupied*"

Page 2, line 6, delete "*loans*" and insert "*loan*"

Page 3, line 10, strike "*Laws 1974, Chapter 441*" and insert "*this chapter*"

Page 3, after line 23, insert

"Sec. 4. Minnesota Statutes 1974, Section 462A.05, Subdivision 15, is amended to read:

Subd. 15. It may make grants to persons and families of low and moderate income to pay or to assist in paying a loan made pursuant to subdivision 14, or to rehabilitate or to assist in rehabilitating existing residential housing owned or occupied by such persons or families. For the purposes of this section, persons of low and moderate income include administrators appointed pursuant to section 566.25, clause (c). No such grant shall be made unless the agency determines that such grant will be used primarily to make the housing more desirable to live in, to increase the market value of the housing or for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering this provision, establish such codes and standards. No grant for rehabilitation of owner occupied residential housing shall be denied solely because the grant will

not be used for placing such residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. The amount of any such grant shall not exceed the lesser of (a) \$5,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by such person or family without spending an unreasonable portion of the income of such person or family thereon. In making such grants, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion thereof will be repaid and shall determine the appropriate security should such repayment be required.

*The agency may also make grants to rehabilitate or to assist in rehabilitating housing under this subdivision to persons of low and moderate income for the purpose of qualifying as foster parents."*

Page 3, line 28, after "Statutes" insert "1974"

Page 3, line 30, delete "Minnesota"

Page 4, line 7, delete "matter" and insert "matters"

Page 4, line 19, after "band" delete the comma

Page 4, line 24, delete "Minnesota"

Page 4, line 28, after "of" insert "the"

Page 4, line 29, delete "10" and insert "9"

Page 5, line 10, after "12" delete the comma

Page 5, line 15, after "management" insert a comma

Page 5, line 21, delete "the" and insert "this"

Page 5, delete lines 28 to 32

Page 6, delete lines 1 to 22 and insert

*"Subd. 4c. It may establish a revolving loan fund and may make eligible loans, pursuant to subdivision 4b, to low and moderate income native Americans as provided in section 462A.07, subdivision 14, and may pay the costs and expenses necessary and incidental to the development and operation of such programs."*

Page 6, line 30, delete "\$45,000,000" and insert "\$35,000,000"

Page 7, line 8, delete "\$6,000,000 shall" and insert "\$3,000,000 may"

Page 7, line 14, delete "Up to \$12,500,000 of"

Page 7, delete lines 15 and 16

Page 7, delete lines 17 to 32

Page 8, delete lines 1 to 9

Page 8, line 12, delete "4 and"

Page 8, line 13, before "for" insert "*section 462A.07, subdivision 14, and*"

Page 8, delete lines 25 to 32

Page 9, delete lines 1 and 2

Page 9, line 3, delete "(e)" and insert "(d)"

Page 9, line 7, after "to" insert "the"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, delete "and 14" and insert ", 14 and 15"

Page 1, lines 8 and 9, delete "462A.19, Subdivision 1;"

And when so amended, H. F. No. 1137 will be identical to S. F. No. 1314 and further recommends that H. F. No. 1137 be given its second reading and substituted for S. F. No. 1314 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 382 and 61 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
382	777				
61	1220				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 175, 1014, 1313, 1137, 61 and 382 were read the second time.

#### MOTIONS AND RESOLUTIONS

Pursuant to Rule 21, Mr. Frederick moved that the following members be excused for a Conference Committee on S. F. No. 1026 at 4:00 p.m.:

Messrs. Frederick; Bernhagen; Schrom; Olson, H. D. and Hansen, Baldy. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a meeting of the Ethics Committee from 12:00-2:00 p.m. and 4:00-5:00 p.m.:

Messrs. McCutcheon, Knutson, Conzemius and Kirchner. The motion prevailed.

Mr. Borden moved that H. F. No. 911 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 911

A bill for an act relating to crime; prohibiting removing, altering or obliterating identifying marks on property; providing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 2.

May 12, 1975

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. 911 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. 911 be amended as follows:

Page 4, line 10, delete "*By one who is not the lawful owner who with the*"

Page 4, line 11, delete "*intent to prevent identification*"

Page 4, line 14, after "*thereof*" insert "*with the intent to prevent identification, if the person who alters, removes or obliterates the numbers or symbols is not the owner and does not have the permission of the owner to make the alteration, removal or obliteration*"

We request adoption of this report and repassage of the bill.  
House Conferees: (Signed) Steve Novak, Paul McCarron, Mary M. Forsythe, Mike Jaros, John J. Spanish.

Senate Conferees: (Signed) Winston W. Borden, Bill McCutcheon, H. H. Humphrey III, Rolf Nelson, Carl A. Jensen.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 911 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. 911: A bill for an act relating to crime; prohibiting removing, altering or obliterating identifying marks on proper-

ty; providing penalties; amending Minnesota Statutes 1974, Section 609.52, 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Lewis	Patton	Spear
Arnold	Frederick	McCutcheon	Perpich, G.	Stassen
Ashbach	Hansen, Baldy	Moe	Pillsbury	Stokowski
Bernhagen	Hansen, Mel	Nelson	Purfeerst	Stumpf
Borden	Hanson, R.	North	Renneke	Tennessee
Brown	Humphrey	Ogdahl	Schaaf	Wegener
Chmielewski	Jensen	Olhoft	Schmitz	Willet
Davies	Josefson	Olson, H. D.	Schrom	
Doty	Keefe, S.	Olson, J. L.	Sillers	
Dunn	Kowalczyk	O'Neill	Solon	

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

Mr. North moved that S. F. No. 177 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. North moved that the recommendations and Conference Committee Report as printed in the Journal May 15 on S. F. No. 177 be now adopted, and that the bill be re-passed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 177: A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

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 19 and nays 37, as follows:

Those who voted in the affirmative were:

Borden	Hughes	Keefe, S.	Milton	Stokowski
Davies	Humphrey	Kirchner	Olhoft	Stumpf
Gearty	Josefson	Kowalczyk	Schaaf	Tennessee
Hanson, R.	Keefe, J.	Lewis	Spear	

Those who voted in the negative were:

Anderson	Chmielewski	Kleinbaum	O'Neill	Sillers
Arnold	Doty	Larson	Patton	Solon
Ashbach	Dunn	McCutcheon	Perpich, G.	Stassen
Bang	Fitzsimons	Nelson	Pillsbury	Wegener
Berg	Frederick	North	Purfeerst	Willet
Bernhagen	Hansen, Baldy	Ogdahl	Renneke	
Brataas	Hansen, Mel	Olson, H. D.	Schmitz	
Brown	Jensen	Olson, J. L.	Schrom	

So the bill failed to pass.

### SUSPENSION OF RULES

Mr. Fitzsimons moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 382 and that the rules of the Senate be so far suspended as to give H. F. No. 382, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 382: A bill for an act relating to aeronautics; joint operations; authorizing agreements for joint operations between the state and the Dominion of Canada or its governmental subdivisions subject to the approval of the United States; amending Minnesota Statutes 1974, Sections 360.021, Subdivision 3; and 360.042, Subdivision 1, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoff	Sillers
Arnold	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Spear
Bang	Gearty	Larson	O'Neill	Stassen
Berg	Hansen, Mel	Laufenburger	Patton	Stokowski
Bernhagen	Hanson, R.	Lewis	Perpich, G.	Stumpf
Borden	Hughes	McCutcheon	Pillsbury	Wegener
Brataas	Humphrey	Milton	Purfeerst	Willet
Brown	Jensen	Moe	Renneke	
Chmielewski	Josefson	Nelson	Schaaf	
Davies	Keefe, J.	North	Schmitz	
Doty	Keefe, S.	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1120, No. 87 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1120: A bill for an act relating to flood plain management; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Ogdahl	Sillers
Arnold	Fitzsimons	Kirchner	Olhoft	Solon
Ashbach	Frederick	Kleinbaum	Olson, H. D.	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	O'Neill	Stumpf
Bernhagen	Hansen, Mel	Laufenburger	Patton	Tennessee
Borden	Hanson, R.	Lewis	Perpich, G.	Wegener
Brataas	Hughes	Merriam	Pillsbury	Willet
Brown	Humphrey	Milton	Renneke	
Chmielewski	Jensen	Moe	Schaaf	
Davies	Josefson	Nelson	Schmitz	
Doty	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 907, No. 93 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 907: A bill for an act relating to charitable trusts and trustees; authorizing the secretary of state to establish and maintain a register of charitable trusts; authorizing the attorney general to take appropriate actions to protect and enforce the proper administration of charitable trusts; authorizing investigations; authorizing fees.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Ashbach	Hansen, Mel	Lewis	O'Neill	Stassen
Berg	Hanson, R.	McCutcheon	Perpich, G.	Stumpf
Borden	Hughes	Milton	Pillsbury	Tennessee
Brataas	Humphrey	Moe	Purfeerst	Wegener
Brown	Josefson	Nelson	Schaaf	Willet
Davies	Keefe, S.	North	Schmitz	
Doty	Kirchner	Ogdahl	Schrom	
Frederick	Kleinbaum	Olhoft	Sillers	
Gearty	Kowalczyk	Olson, H. D.	Solon	

Messrs. Fitzsimons, Jensen, Merriam and Renneke voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 343, No. 79 on the General Orders

Calendar, a Special Order to be heard immediately.

H. F. No. 343: A bill for an act relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory council; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.35, Subdivision 3; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3.

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 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	Olson, H. D.	Stassen
Arnold	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Ashbach	Hanson, R.	Lewis	O'Neill	Stumpf
Bang	Hughes	McCutcheon	Patton	Tennessee
Bernhagen	Humphrey	Merriam	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Davies	Keefe, J.	Moe	Purfeerst	
Doty	Keefe, S.	Nelson	Renneke	
Dunn	Kirchner	North	Schmitz	
Fitzsimons	Kleinbaum	Olhoft	Solon	

Messrs. Brown; Hansen, Baldy and Schrom voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 787, No. 83 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

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:

Arnold	Gearty	Lewis	O'Neill	Spear
Ashbach	Hansen, Baldy	McCutcheon	Patton	Stassen
Bang	Hansen, Mel	Merriam	Perpich, G.	Stokowski
Berg	Hughes	Milton	Pillsbury	Stumpf
Bernhagen	Humphrey	Moe	Purfeerst	Tennessee
Brown	Jensen	Nelson	Renneke	Wegener
Chmielewski	Keefe, J.	North	Shaaf	Willet
Davies	Kirchner	Ogdahl	Schmitz	
Doty	Kleinbaum	Olhoft	Schrom	
Fitzsimons	Kowalczyk	Olson, H. D.	Sillers	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1769, No. 84 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; amending Minnesota Statutes 1974, Sections 43.05, Subdivision 2; 43.12; Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1 and 2; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivision 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9.

Mr. McCutcheon moved to amend H. F. No. 1769, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 9, line 31, after "10" insert "*and section 8*"

Page 12, line 7, after "*percent*" insert "*and except for unclassified faculty employees in the state college system who shall receive 20 percent*"

Page 12, line 11, after "*percent*" insert "*and except for unclassified faculty employees in the state college system who shall receive 20 percent*"

Page 12, lines 14 and 15, strike the new language

Page 20, after line 6, insert:

"Sec. 8. Minnesota Statutes 1974, Section 43.121, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of this section, the commissioner may assign the classes of employment which require teaching in an established school program in the department of education and institutions of the state under the jurisdiction

of the department of public welfare and the department of corrections to salary ranges, which he is hereby authorized to establish. Whenever the commissioner assigns classes of employment which require teaching in an established school program to any salary range which he is authorized to establish by this subdivision, he shall prepare schedules showing the salary ranges for each class, or group of positions in the class of positions assigned by him and he shall also prepare schedules showing entrance salaries and step increases based upon educational attainments and length of satisfactory service. The salary ranges shall include a minimum rate and not more than ~~nine~~ 12 additional step increases. In assigning ranges of salaries for positions in this category the commissioner shall give consideration to the salary schedules for teachers which are in effect in other units of government of the state.

The basic salary for institutional administrators and supervisors shall be based upon the employee's qualifications and the appropriate academic level of the special teacher salary schedule. However, the commissioner is authorized to establish a percentage differential to compensate for administrative and supervisory responsibilities. Annual length of satisfactory service salary adjustments shall be awarded beginning with the payroll period nearest the anniversary date of the special teacher's, institution educational supervisor's or institution education administrator's original or promotional appointment to his present class, unless he is notified in writing by the appointing authority that his work has been of a less than satisfactory level."

Renumber the remaining sections

Amend the title as follows:

Page 1 line 7, strike "and 2" and insert ", 2 and 3"

The motion prevailed. So the amendment was adopted.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Perpich, G.; Moe; Doty; Renneke and Olson, J. L.  
The motion prevailed.

Mr. McCutcheon moved to amend H. F. No. 1769, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 6, line 2, strike "*positions assigned to salary schedule "B"*" and insert "*journeyman skilled trade classes*"

The motion prevailed. So the amendment was adopted.

#### CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Anderson	Dunn	Kirchner	North	Schrom
Arnold	Frederick	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Knutson	Olhoft	Spear
Bang	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	O'Neill	Stumpf
Brown	Hanson, R.	Laufenburger	Pillsbury	Tennessee
Chmielewski	Hughes	McCutcheon	Patton	Ueland
Davies	Humphrey	Merriam	Purfeerst	Wegener
Doty	Josefson	Milton	Schmitz	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Davies moved to amend H. F. No. 1769, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 8, lines 18 through 20, strike the new language

Mr. Sillers moved a substitute amendment to H. F. No. 1769 as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 8, line 19, after "system" insert "*and the state college system*"

The question being taken on the adoption of the substitute amendment,

Mr. Sillers moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 39, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Josefson	North	Renneke
Bernhagen	Fitzsimons	Kleinbaum	Ogdahl	Schmitz
Blatz	Frederick	Knutson	O'Neill	Schrom
Brataas	Hansen, Baldy	Larson	Patton	Sillers
Brown	Jensen	Laufenburger	Pillsbury	Ueland

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	Olhoft	Spear
Ashbach	Doty	Kirchner	Olson, A. G.	Stassen
Bang	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Tennessee
Chmielewski	Hughes	Merriam	Purfeerst	Wegener
Coleman	Humphrey	Milton	Schaaf	Willet
Czemius	Keefe, J.	Nelson	Solon	

The motion did not prevail. So the substitute amendment was not adopted.

The question recurred on the Davies amendment.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 12 and nays 48, as follows:

Those who voted in the affirmative were:

Coleman	Hughes	North	Schmitz	Tennessee
Conzemius	McCutcheon	Purfeerst	Sillers	Ueland
Davies	Moe			

Those who voted in the negative were:

Arnold	Fitzsimons	Kleinbaum	Olhoff	Schrom
Ashbach	Frederick	Knutson	Olson, H. D.	Solon
Bang	Gearty	Kowalczyk	Olson, J. L.	Spear
Berg	Hansen, Baldy	Larson	O'Neill	Stassen
Blatz	Hansen, Mel	Laufenburger	Patton	Stokowski
Borden	Hansen, R.	Lewis	Perpich, A. J.	Stumpf
Brataas	Josefson	Merriam	Perpich, G.	Wegener
Brown	Keefe, J.	Milton	Pillsbury	Willet
Chmielewski	Keefe, S.	Nelson	Renneke	
Doty	Kirchner	Ogdahl	Schaaf	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1769 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schaaf
Ashbach	Doty	Keefe, S.	Ogdahl	Schmitz
Bang	Dunn	Kirchner	Olhoff	Schrom
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Bernhagen	Frederick	Knutson	Olson, H. D.	Solon
Blatz	Gearty	Kowalczyk	Olson, J. L.	Spear
Borden	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Brataas	Hansen, Mel	Lewis	Patton	Stokowski
Brown	Hansen, R.	McCutcheon	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Merriam	Perpich, G.	Tennessee
Chmielewski	Humphrey	Milton	Pillsbury	Ueland
Coleman	Jensen	Moe	Purfeerst	Wegener
Conzemius	Josefson	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Perpich G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Perpich, G.; Moe; Doty; Renneke and Olson, J. L. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 914, No. 98 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 914: A bill for an act relating to education; children attending nonpublic schools; providing auxiliary services; textbooks, instructional materials and equipment; appropriating money.

Mr. Schaaf moved to amend H. F. No. 914, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 6, after line 28, insert:

*"Sec. 7. In the event a resident of this state successfully challenges the constitutionality of this act, the court shall award the resident his costs and reasonable attorneys fees."*

Renumber the sections in sequence

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 11 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Lewis	Nelson	Olson, H. D.	Spear
Brataas	Milton	North	Schaaf	Tennessee
Davies				

Those who voted in the negative were:

Anderson	Fitzsimons	Keefe, S.	Patton	Solon
Arnold	Gearty	Kleinbaum	Perpich, G.	Stokowski
Bernhagen	Hansen, Baldy	Knutson	Pillsbury	Stumpf
Borden	Hansen, Mel	Kowalczyk	Purfeerst	Ueland
Chenoweth	Hanson, R.	Merriam	Renneke	Wegener
Chmielewski	Hughes	Moe	Schmitz	Willet
Doty	Jensen	Olhoft	Schrom	
Dunn	Josefson	O'Neill	Sillers	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 914 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 11, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	North	Schrom
Arnold	Dunn	Keefe, J.	Olhoft	Sillers
Bang	Fitzsimons	Keefe, S.	Olson, J. L.	Solon
Berg	Gearty	Kirchner	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Kleinbaum	Patton	Stokowski
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Stumpf
Brown	Hanson, R.	Merriam	Pillsbury	Ueland
Chenoweth	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Humphrey	Moe	Renneke	Willet
Conzemius	Jensen	Nelson	Schmitz	

Those who voted in the negative were:

Ashbach	Knutson	Lewis	Olson, H. D.	Spear
Brataas	Kowalczyk	Ogdahl	Schaaf	Tennessee
Davies				

So the bill passed and its title was agreed to.

### RECONSIDERATION

Mr. Moe moved that the vote whereby H. F. No. 787 was passed by the Senate on May 17, 1975, be now reconsidered. The motion prevailed.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

Mr. Moe moved to amend H. F. No. 787, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Pages 6 to 8, strike section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 6 and 7, strike "providing for increasing scholarships and grants-in-aid;"

Page 1, line 11, strike "136A.121, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

H. F. No. 787 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	Dunn	Kowalczyk	Olhoff	Sillers
Arnold	Fitzsimons	Larson	Olson, H. D.	Solon
Bang	Gearty	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Lewis	Patton	Stassen
Brataas	Hansen, Mel	Merriam	Perpich, G.	Stokowski
Brown	Hanson, R.	Milton	Pillsbury	Stumpf
Chenoweth	Hughes	Moe	Purfeerst	Tennessee
Chmielewski	Humphrey	Nelson	Renneke	Ueland
Davies	Jensen	North	Schaaf	Wegener
Doty	Keefe, J.	Ogdahl	Schrom	Willet

So the bill, as amended, passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that S. F. No. 211, and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Wegener moved that the recommendations and Conference Committee Report as printed in the Journal May 16, 1975 on S. F. No. 211 be now adopted, and that the bill be re-passed as amended by the Conference Committee.

Mr. Nelson moved that the Senate reject the Conference Committee Report on S. F. No. 211 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on the adoption of the motion of Mr. Nelson,

Mr. Hughes moved that those not voting be excused from voting. The motion did not prevail.

Mr. Perpich, G. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 28 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Josefson	Ogdahl	Schmitz
Bang	Fitzsimons	Keefe, J.	Olson, J. L.	Sillers
Berg	Hansen, Baldy	Knutson	O'Neill	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Patton	Ueland
Brataas	Hanson, R.	Nelson	Pillsbury	
Brown	Jensen	North	Renneke	

Those who voted in the negative were:

Anderson	Dunn	Laufenburger	Olson, H. D.	Stokowski
Arnold	Gearty	Lewis	Perpich, G.	Stumpf
Borden	Hughes	Merriam	Purfeerst	Tennessee
Chenoweth	Humphrey	Milton	Schaaf	Wegener
Coleman	Keefe, S.	Moe	Schrom	Willet
Davies	Kleinbaum	Olhoft	Solon	
Doty	Larson	Olson, A. G.	Spear	

The motion did not prevail.

The question recurred on the motion of Mr. Wegener to adopt the recommendations and Conference Committee Report on S. F. No. 211. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

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 47 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olson, A. G.	Solon
Arnold	Dunn	Kleinbaum	Olson, H. D.	Spear
Bang	Fitzsimons	Larson	O'Neill	Stokowski
Borden	Gearty	Laufenburger	Perpich, G.	Stumpf
Brataas	Hansen, Baldy	Lewis	Pillsbury	Tennessee
Brown	Hansen, Mel	Merriam	Purfeerst	Wegener
Chenoweth	Hanson, R.	Milton	Schaaf	Willet
Chmielewski	Hughes	Moe	Schmitz	
Coleman	Humphrey	North	Schrom	
Davies	Keefe, J.	Olhoft	Sillers	

Those who voted in the negative were:

Ashbach	Jensen	Kowalczyk	Olson, J. L.	Renneke
Bernhagen	Josefson	Nelson	Patton	Ueland

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

Mr. Perpich, G. moved that S. F. No. 66 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Perpich, G. moved that the recommendations and Conference Committee Report as printed in the Journal May 16, 1975 on S. F. No. 66 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. 66: A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Moe	Renneke
Arnold	Doty	Keefe, J.	Nelson	Schaaf
Ashbach	Dunn	Keefe, S.	North	Schmitz
Bang	Fitzsimons	Kirchner	Olhoft	Schrom
Berg	Gearty	Kleinbaum	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Solon
Blatz	Hansen, Mel	Larson	O'Neill	Spear
Brataas	Hanson, R.	Laufenburger	Patton	Stokowski
Brown	Hughes	Lewis	Perpich, G.	Stumpf
Chmielewski	Humphrey	McCutcheon	Pillsbury	Tennessen
Coleman	Jensen	Merriam	Purfeerst	Ueland

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

Mr. Frederick moved that S. F. No. 1446 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Frederick moved that the recommendations and Conference Committee Report as printed in the Journal May 16, 1975 on S. F. No. 1446 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. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Nelson	Schaaf
Arnold	Dunn	Kirchner	North	Schmitz
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Sillers
Berg	Garty	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Spear
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stassen
Brataas	Hanson, R.	Lewis	Patton	Stokowski
Brown	Hughes	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Humphrey	Merriam	Pillsbury	Tennessee
Conzemius	Jensen	Milton	Purfeerst	Ueland
Davies	Josefson	Moe	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 2:45 o'clock p.m. The motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Laufenburger moved that the following members be excused for a Conference Committee on H. F. No. 1160:

Messrs. Hansen, Baldy; Frederick; Larson; Laufenburger and Olhoft. The motion prevailed.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743 at 4:00 p.m.:

Messrs. Perpich, G.; Moe; Doty; Renneke and Olson, J.L. The motion prevailed.

#### SUSPENSION OF RULES

Mr. Humphrey moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1137 and that the rules of the Senate be so far suspended as to give H. F. No. 1137, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1137: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2, 14 and 15; 462A.07, by adding a subdivision; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

Mr. Humphrey moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 7, line 30, after the period insert:

*"Up to \$12,500,000 of this appropriation may be used for making rehabilitation grants. Grants made under terms of this appropriation shall contain a requirement that the grant be recovered by the agency in accordance with the following schedule:*

*(1) If the property is sold, transferred, or otherwise conveyed within the first year after receipt of a grant, the recipient shall repay the full amount of the grant; or*

*(2) If the property is sold, transferred, or otherwise conveyed within the second year after receipt of a grant, the recipient shall repay 80% of the amount of the grant; or*

*(3) If the property is sold, transferred, or otherwise conveyed within the third year after receipt of a grant, the recipient shall repay 60% of the amount of the grant; or*

*(4) If the property is sold, transferred, or otherwise conveyed within the fourth year after receipt of a grant, the recipient shall repay 40% of the amount of the grant; or*

*(5) If the property is sold, transferred, or otherwise conveyed within the fifth year after receipt of a grant, the recipient shall repay 20% of the amount of the grant; or*

*(6) If the property is sold, transferred, or otherwise conveyed within the sixth year after receipt of the grant, or thereafter, there shall be no repayment requirement."*

The motion prevailed. So the amendment was adopted.

Mr. Olson, H. D. moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 1, line 14, strike ", limited profit entity or a builder,"

Page 1, line 15, strike "are" and insert "is"

Page 2, line 9, strike "or builders"

The motion prevailed. So the amendment was adopted.

Mr. Borden moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1974, Section 334.01, Subdivision 2, is amended to read:

Subd. 2. ~~Transactions~~ A contract for the loan or forbearance of money, goods, or things in action, in the amount of \$100,000 or more, shall be exempt from the provisions of this section and the interest for such an indebtedness shall be at the rate of \$6 upon \$100 for a year, unless a different rate is contracted for in writing. This subdivision expires July 1, 1978. A contract for a loan or forbearance made on or before July 1, 1978, at a rate of interest not in excess of the rate of interest authorized by this subdivision at the time the loan or forbearance was made shall continue to be

*enforceable in accordance with its terms until the indebtedness is fully satisfied.*

Sec. 2. Minnesota Statutes 1974, Section 334.01, is amended by adding a subdivision to read:

*Subd. 3. Notwithstanding subdivisions 1 and 2, a financial institution as defined in section 47.015, subdivision 1, or a mortgage bank, an insurance company as defined in section 60A.02, subdivision 4, or any agricultural credit corporation organized to lend money for agricultural purposes, may contract for the loan or forbearance of money (a) at a rate of interest not exceeding the lesser of nine percent or three-quarters of one percent above the federal reserve discount rate on 90 day commercial paper in effect for national banking associations in the ninth federal reserve district or (b) at an interest rate that is otherwise permitted by law. This subdivision expires July 1, 1976. A contract for a loan or forbearance of money made before July 1, 1976 at a rate of interest authorized by this subdivision shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied."*

Page 8, after line 20, insert:

*"Sec. 10. Laws 1974, Chapter 238, Section 2, is repealed."*

Page 8, line 21, before "This" insert "Sections 1, 2 and 3 of this act shall be effective the day following final enactment. The remainder of"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 2, before "housing" insert "commerce; rates of interest on money; continuing the exemption of certain loans from maximum interest rates; and permitting financial institutions to charge an interest rate based upon the federal reserve discount rate on short term commercial paper in the ninth federal reserve district; increase the availability of"

Page 1, line 6, after "Sections" insert "334.01, Subdivision 2, and by adding a subdivision;"

Page 1, line 9, after "Subdivision 9" insert ";; repealing Laws 1974, Chapter 238, Section 2"

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 1137 as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1974, Section 290.06, is amended by adding a subdivision to read:

*Subd. 12. Any taxpayer who purchases or contracts for the construction of a single unit dwelling for use for the first time as a residence, or who remodels or rehabilitates a single unit dwelling at a cost exceeding one-fourth of its value, or in the case of a dwelling 40 years old or older, one-tenth of its value, before the remodel-*

ing or rehabilitation shall be eligible for a credit against his legally payable income tax in an amount equal to ten percent of the first \$10,000 of the purchase price or the cost, five percent of the next \$10,000 of the purchase price or cost, and three percent of the next \$30,000 of the purchase price or cost. The provisions of this subdivision shall apply only to residences used as a homestead by the taxpayer. The credit may be carried forward and applied by the taxpayer against his tax legally payable over a period of three years. In no year may a credit of over \$1,500 be claimed. No taxpayer may claim credit against the cost of more than one purchase or remodeling or rehabilitation. This subdivision applies to purchase agreements and contracts entered into and costs incurred after March 26, 1975, and before July 1, 1977."

Page 7, strike lines 14 to 32

Page 8, strike lines 1 to 20

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "housing;" insert "providing an income tax credit for taxpayers who purchase certain dwelling units;"

Page 1, line 5, strike "appropriating money;"

Page 1, line 6, after "Sections" insert "290.06 by adding a subdivision;"

The question being taken on the adoption of the amendment,

Mr. Humphrey moved that those not voting be excused from voting. The motion did not prevail.

Mr. Coleman moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Josefson	Merriam	Renneke
Ashbach	Fitzsimons	Keefe, J.	Nelson	Sillers
Bang	Frederick	Kirchner	Ogdahl	Stassen
Berg	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	
Blatz	Hanson, R.	Larson	Patton	
Brataas	Jensen	McCutcheon	Pillsbury	

Those who voted in the negative were:

Arnold	Doty	Lewis	Perpich, A. J.	Spear
Borden	Gearty	Milton	Perpich, G.	Stokowski
Chenoweth	Hughes	Moe	Purfeerst	Stumpf
Chmielewski	Humphrey	North	Schaaf	Tennessee
Coleman	Keefe, S.	Olhoft	Schmitz	Wegener
Conzemius	Kleinbaum	Olson, A. G.	Schrom	Williet
Davies	Laufenburger	Olson, H. D.	Solon	

The motion did not prevail. So the amendment was not adopted.

Mr. Olson, H. D. moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 1, line 17, strike “, except” and insert a period

Page 1, strike lines 18 through 20

Page 1, line 21, strike “establish in its rules.”

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 7, line 22, strike “\$25,000,000” and insert “\$15,000,000”

Page 7, line 22, strike “rehabilitation grants and”

Page 7, line 27, strike “shall” and insert “may”

Page 7, line 27, strike “and grants”

Page 7, line 28, after “or” insert “nonprofit”

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 24 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Nelson	Renneke
Bang	Dunn	Josefson	Olson, J. L.	Sillers
Berg	Fitzsimons	Kirchner	O'Neill	Stassen
Blatz	Hansen, Mel	Knutson	Patton	Ueland
Brataas	Hanson, R.	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, H. D.	Stokowski
Arnold	Gearty	Lewis	Perpich, G.	Stumpf
Borden	Hansen, Baldy	McCutcheon	Purfeerst	Tennessee
Chenoweth	Hughes	Merriam	Schaaf	Wegener
Coleman	Humphrey	Milton	Schmitz	Willet
Conzernius	Keefe, S.	Moe	Solon	
Davies	Kleinbaum	Olson, A. G.	Spear	

The motion did not prevail. So the amendment was not adopted.

Mr. Coleman moved to amend H. F. No. 1137, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 4, after line 28, insert:

“Sec. 5. Minnesota Statutes 1974, Section 462A.07, is amended by adding a subdivision to read:

*Subd. 9a. It shall promulgate rules as may be necessary to insure that priority for assistance by the agency will be given to a project located in a county or municipality that has zoning or land use codes or ordinances which do not unreasonably in-*

*hibit the economical construction of housing units for persons and families of low and moderate income."*

Renumber the sections

Amend the title as follows:

Page 1, line 4, after the semicolon insert "limiting assistance for areas with certain zoning code restrictions;"

Page 1, line 8, strike "a subdivision" and insert "subdivisions"

The motion prevailed. So the amendment was adopted.

H. F. No. 1137 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 37 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	O'son, A. G.	Stokowski
Arnold	Hughes	McCutcheon	O'Neill	Stumpf
Borden	Humphrey	Merriam	Perpich, A. J.	Tennessee
Chenoweth	Josefson	Milton	Perpich, G.	Wegner
Chmielewski	Keefe, J.	Moe	Schaaf	Willet
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Ogdahl	Solon	
Doty	Laufenburger	Olhoft	Spear	

Those who voted in the negative were:

Ashbach	Brown	Hansen, Mel	Larson	Purfeerst
Bang	Davies	Hanson, R.	Nelson	Renneke
Berg	Dunn	Jensen	Olsen, J. L.	Stassen
Blatz	Fitzsimons	Knutson	Patton	
Brataas	Hansen, Baldy	Kowalczyk	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1722:

H. F. No. 1722: A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide

money for appropriation to state agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Patton, Stanton, Berg, Tomlinson and Schreiber have been appointed as such committee on the part of the House.

House File No. 1722 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

Mr. Purfeerst moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1722, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1199:

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.-02, by adding subdivisions; and Chapter 254A, by adding sections.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Clawson, Berglin and Forsythe have been appointed as such committee on the part of the House.

House File No. 1199 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

Mr. Davies moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1199, and that a

Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 829: A bill for an act relating to state colleges; requiring the state college board to designate certain colleges as state universities; amending Minnesota Statutes 1974, Section 136.01.

Senate File No. 829 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Kleinbaum moved that the Senate concur in the amendments by the House to S. F. No. 829 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 829 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Moe	Schmitz
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Ashbach	Hansen, Mel	Knutson	Olhoft	Sillers
Bang	Hanson, R.	Kowalczyk	Olson, H. D.	Solon
Borden	Hughes	Larson	O'Neill	Stokowski
Brataas	Humphrey	Laufenburger	Patton	Stumpf
Brown	Jensen	Lewis	Pillsbury	Tennessee
Chenoweth	Josefson	McCutcheon	Purfeerst	Ueland
Chmielewski	Keefe, J.	Merriam	Renneke	Wegener
Coleman	Keefe, S.	Milton	Schaaf	Willet

Those who voted in the negative were:

Davies	Hansen, Baldy North	Olson, J. L.	Spear
Doty	Nelson		

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the

following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 888: A bill for an act relating to counties; publication of financial statements; extending the time for publication and removing the requirement to publish certain detailed accounts; amending Minnesota Statutes 1974, Section 375.17.

Senate File No. 888 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

#### CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 888 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 888 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Gearty	Kowalczyk	Olson, J. L.	Solon
Bang	Hansen, Mel	Larson	O'Neill	Spear
Berg	Hanson, R.	Laufenburger	Patton	Stokowski
Borden	Hughes	Lewis	Perpich, G.	Stumpf
Brataas	Humphrey	McCutcheon	Pillsbury	Tennessee
Chenoweth	Jensen	Merriam	Purfeerst	Ueland
Chmielewski	Josefson	Milton	Renneke	Wegener
Coleman	Keefe, J.	Moe	Schaaf	Willet
Davies	Keefe, S.	Nelson	Schmitz	

Messrs. Dunn and Olhofft voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 702.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

#### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 702: A bill for an act relating to state administrative procedures; redefining certain terms; prescribing a method for the adoption, amendment, suspension or repeal of rules; providing for the publication of a manual of state agency rules; providing for the publication of the state register; creating an office of hearing examiners; appropriating money; amending Minnesota Statutes 1974, Sections 15.0411; 15.0412; 15.0413, Subdivisions 1, 2 and 3; 15.0415; 15.0421; 15.046; 15.047, Subdivision 1; 15.048; 15.049; 15.051, Subdivisions 1 and 2, and by adding a subdivision; 16.80, Subdivision 1; and Chapters 5, by adding a section; and 15, by adding sections; and Laws 1974, Chapter 344, Section 9; repealing Minnesota Statutes 1974, Section 15.0413, Subdivisions 4, 5 and 6.

Mr. Borden moved that H. F. No. 702 be laid on the table. The motion prevailed.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 511, pursuant to the request of the House:

Messrs. Borden, Bang, Laufenburger, Moe and Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 533, pursuant to the request of the House:

Messrs. Willet, Moe and Arnold.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 638, pursuant to the request of the House:

Messrs. Stokowski, Solon and Larson.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1456, pursuant to the request of the House:

Messrs. Hughes, North and O'Neill.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 6:10 o'clock p.m. The motion prevailed.

The hour of 6:10 o'clock p.m. having arrived, the President called the Senate to order.

**APPOINTMENTS**

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1722, pursuant to the request of the House:

Messrs. Purfeerst, Schaaf, Kirchner, Laufenburger and Chenoweth.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1199, pursuant to the request of the House:

Messrs. Moe, Knutson and Tennesen.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1308, pursuant to the request of the Senate:

Messrs. Olson, H. D.; Jensen and Wegener.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1798, No. 117 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1798: A bill for an act relating to the organization and operations of state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

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 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kirchner	Ogdahl	Schmitz
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Schrom
Bang	Gearly	Knutson	Olson, A. G.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Borden	Hansen, Mel	Larson	O'Neill	Stokowski
Brataas	Hanson, R.	Laufenburger	Patton	Tennessen
Chenoweth	Hughes	Lewis	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Merriam	Perpich, G.	Wegener
Coleman	Jensen	Moe	Purfeerst	
Davies	Josefson	Nelson	Renneke	

Those who voted in the negative were:

Brown	Pillsbury	Spear	Stumpf	Willet
Milton				

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 474, No. 30 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 474: A bill for an act relating to taxation; denying tax deductions relating to substandard rental housing; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivision 20; and 290.12, Subdivision 2.

Mr. Brown moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 2, line 2, after "occupants" insert "or, if unoccupied, is a hazardous building within the meaning of section 463.15, subdivision 3"

The motion prevailed. So the amendment was adopted.

Mr. Brown then moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

In the page 1, line 18, amendment, after "agricultural purposes" insert "or owner-occupied buildings with four dwelling units or less"

The motion prevailed. So the amendment was adopted.

Mr. Brown then moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 2, after line 12, insert:

"Subd. 3. The agency shall also, at the time of written notice of violation to the owner pursuant to subdivision 2, inform the

*owner of federal, state, or local public or private housing rehabilitation programs including but not limited to the Minnesota Housing Finance Agency rehabilitation loan and grant program, authorized pursuant to chapter 462A, and shall also refer owners to such programs."*

Renumber the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

Mr. Brown then moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 12, line 19, strike "1974" and insert "1975"

The motion prevailed. So the amendment was adopted.

Mr. Perpich, A. J. moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 2, line 3, strike "of the violation"

Page 2, line 4, after "owner," insert "*which (1) contains the particulars of the violation; (2) informs the owner of where an appeal may be filed; and (3) contains a general description of the tax consequences, if the violations are not corrected,*"

Page 2, line 29, after "ordinance" insert "*, including but not limited to an appeal to the county or municipal court of the county in which the building is located, concerning the violation and determination of material endangerment or hazard made pursuant to subdivision 2"*

Page 3, line 10, after "year" insert "*, and other information which is necessary for the commissioner to carry out his responsibilities as set forth in subdivision 9, on a form prescribed by the commissioner"*

Page 3, line 23, strike "*The provisions of this section do not apply.*" and insert "*A notice of noncompliance shall not be mailed by the agency to the taxpayer until after the time the state or the governing body of the appropriate political subdivision has prescribed by statute or ordinance the nature and types of violations of codes referred to in subdivision 2, which would constitute a material endangerment to the health and safety of occupants of buildings or which would constitute a hazardous building within the meaning of section 463.15, subdivision 3.*"

Page 3, strike lines 24 through 29

Page 3, after line 29 insert:

*"Subd. 9. On or before March 15 of each year, the commissioner of revenue shall report to the tax committees of both houses of the legislature information indicating: (a) the number of written notices of violations issued by the agency pursuant to subdivision 2; (b) the number and types of substandard buildings found to be in noncompliance under this act and the average time of such non-*

compliance; (c) the number and types of buildings brought into a condition of compliance under this act; (d) a description of the types of violations found to endanger the health and safety of occupants under this act; and (e) the number and types of buildings abandoned, destroyed or no longer used for rental purposes after the service of a notice of noncompliance pursuant to subdivision 4."

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 12, line 19, after "1975" insert "and shall, unless re-enacted, expire after the taxable year ending December 31, 1979"

The motion prevailed. So the amendment was adopted.

H. F. No. 474 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kleinbaum	Ogdahl	Schmitz
Berg	Fitzsimons	Knutson	Olhoff	Sillers
Borden	Gearty	Kowalczyk	Olson, A. G.	Solon
Brataas	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Brown	Hansen, Mel	Lewis	O'Neill	Stassen
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Merriam	Perpich, G.	Stumpf
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Jensen	Moe	Purfeerst	Wegener
Davies	Keefe, J.	Nelson	Renneke	Willet

Those who voted in the negative were:

Ashbach	Blatz	Kirchner	Patton	Schrom
Bang	Josefaon			

So the bill, as amended, passed and its title was agreed to.

#### RECONSIDERATION

Mr. Dunn moved that the vote whereby H. F. No. 1241 failed to pass the Senate on May 16, 1975, be now reconsidered. The motion prevailed.

Mr. Dunn moved that H. F. No. 1241 be laid on the table. The motion prevailed.

On the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Calendar of Ordinary Matters. The motion prevailed.

#### CALENDAR OF ORDINARY MATTERS

H. F. No. 1187: A bill for an act relating to the operation of

state government; providing for implementation of a state register of official notices by state departments; amending Minnesota Statutes 1974, Section 15.0412, Subdivision 4; and Laws 1974, Chapter 344, Section 9.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Sillers
Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Knutson	Olson, J. L.	Stassen
Berg	Gearty	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, G.	Tennessee
Brataas	Hanson, R.	McCutcheon	Pillsbury	Ueland
Brown	Hughes	Merriam	Purfeerst	Wegener
Chenoweth	Humphrey	Milton	Renneke	Willet
Chmielewski	Jensen	Moe	Schaaf	
Coleman	Josefson	Nelson	Schmitz	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 1423: A bill for an act relating to the Minnesota Statutes; providing for publication thereof; amending Minnesota Statutes 1974, Section 648.31, Subdivisions 1 and 3; and 648.45, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Sillers
Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Knutson	Olson, J. L.	Stassen
Berg	Gearty	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, G.	Tennessee
Brataas	Hanson, R.	McCutcheon	Pillsbury	Ueland
Brown	Hughes	Merriam	Purfeerst	Wegener
Chenoweth	Humphrey	Milton	Renneke	Willet
Chmielewski	Jensen	Moe	Schaaf	
Coleman	Josefson	Nelson	Schmitz	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

#### RECONSIDERATION

Mr. Olhoft moved that the vote whereby H. F. No. 1007 failed

to pass the Senate on May 15, 1975, be now reconsidered. The motion prevailed.

H. F. No. 1007: A bill for an act relating to employment; excluding conservation officers from the operation of the fair labor standards act; repealing certain job application requirements; amending Minnesota Statutes 1974, Section 177.23, Subdivision 7; repealing Minnesota Statutes 1974, Section 43.16.

Mr. Bernhagen moved to amend H. F. No. 1007 as follows:

Page 3, strike Section 2

Amend the title as follows:

Page 1, lines 4 and 5, strike "repealing certain job application requirements;"

Page 1, lines 6 and 7, strike "; repealing Minnesota Statutes 1974, Section 43.16"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 21 and nays 35, as follows:

Those who voted in the affirmative were:

Aashbach	Dunn	Jensen	Larson	Ueland
Bang	Fitzsimons	Josefson	Olhoft	
Berg	Frederick	Kirchner	Patton	
Bernhagen	Hansen, Baldy	Knutson	Renneke	
Blatz	Hansen, Mel	Kowalczyk	Schmitz	

Those who voted in the negative were:

Anderson	Davies	Lewis	O'Neill	Spear
Arnold	Doty	Merriam	Perpich, G.	Stassen
Borden	Gearty	Milton	Purfeerst	Stokowski
Brataas	Hughes	Moe	Schaaf	Stumpf
Chenoweth	Humphrey	Nelson	Schrom	Tennessen
Coleman	Keefe, S.	North	Sillers	Wegener
Conzemius	Kleinbaum	Ogdahl	Solon	Willet

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1007 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Bang	Borden	Chmielewski	Doty
Arnold	Berg	Brataas	Conzemius	Dunn
Aashbach	Blatz	Chenoweth	Davies	Fitzsimons

Frederick	Keefe, S.	Merriam	O'Neill	Stokowski
Gearty	Kirchner	Milton	Perpich, G.	Stumpf
Hansen, Mel	Kleinbaum	Moe	Pillsbury	Tennessee
Hanson, R.	Knutson	Nelson	Schaaf	Ueland
Hughes	Kowalczyk	North	Schmitz	Willet
Humphrey	Larson	Ogdahl	Sillers	
Jensen	Laufenburger	Olhoff	Solon	
Josefson	Lewis	Olson, H. D.	Spear	
Keefe, J.	McCutcheon	Olson, J. L.	Stassen	

Those who voted in the negative were:

Bernhagen	Patton	Purfeerst	Renneke	Schrom
Hansen, Baldy				

So the bill passed and its title was agreed to.

### RECESS

Mr. Coleman moved that the Senate do now recess until 8:45 o'clock p.m. The motion prevailed.

The hour of 8:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on H. F. No. 1722:

Messrs. Laufenburger, Schaaf, Chenoweth, Kirchner and Purfeerst. The motion prevailed.

Pursuant to Rule 21, Mr. Frederick moved that the following members be excused for a Conference Committee on S. F. No. 1026 at 9:00 p.m.:

Messrs. Frederick; Schrom; Olson, H. D.; Bernhagen and Hansen, Baldy. The motion prevailed.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H. F. No. 1759:

Messrs. Willet, Borden, Chenoweth, Fitzsimons and Josefson. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages from the House.

### 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. 733: A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

Senate File No. 733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

Mr. Hansen, Baldy moved that the Senate do not concur in the amendments by the House to S. F. No. 733 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1769:

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Lindstrom; Sieben, H. and Fugina have been appointed as such committee on the part of the House.

House File No. 1769 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 17, 1975

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1769, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 787:

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Fugina, Searle and Kroening have been appointed as such committee on the part of the House.

House File No. 787 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 17, 1975

Mr. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 787, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1137:

H. F. No. 1137: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Knoll, Norton and Lindstrom have been appointed as such committee on the part of the House.

House File No. 1137 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 17, 1975

Mr. Davies moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1137, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

#### RECESS

Mr. Davies 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.

#### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Humphrey	Olhoft	Schrom
Arnold	Davies	Keefe, S.	Olson, J. L.	Spear
Ashbach	Dunn	Kirchner	O'Neill	Stassen
Berg	Fitzsimons	Kowalczyk	Perpich, G.	Stokowski
Borden	Gearty	Laufenburger	Purfeerst	Stumpf
Brataas	Hansen, Baldy	McCutcheon	Renneke	
Brown	Hanson, R.	Merriam	Schaaf	
Coleman	Hughes	Milton	Schmitz	

The Sergeant-at-Arms was instructed to bring in the absent members.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 645 be withdrawn from the Committee on Rules and Administration. The motion prevailed.

#### SUSPENSION OF RULES

Mr. Anderson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 645 and that the rules of the Senate be so far suspended as to give H. F. No. 645 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 645 was read the second time.

H. F. No. 645: A bill for an act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

Mr. Anderson moved to amend H. F. No. 645, as follows:

Page 1, line 12, delete "to" and insert "through"

Page 2, line 32, delete "counseling"

Page 3, delete lines 1 to 12 and insert "birth control and infertility services which include education, counseling, and medical appraisal."

Page 7, line 5, delete "members" and insert "members' "

Page 7, line 11, delete "4" and insert "3"

Page 7, line 26, after "provided" insert a comma and after "however" insert a comma

Page 8, line 21, after "145.01" delete the comma

Page 8, line 24, after "provided" insert a comma and after "however" insert a comma

Page 10, line 2, delete "The board of health"

Page 10, delete lines 3 and 4

Page 10, line 5, delete "jurisdiction."

Page 12, line 14, after "provided" insert a comma and after "however" insert a comma

Page 13, line 1, after "tax" delete "as" and insert "within the levy limits"

Page 14, delete lines 15 to 22 and insert

"Subd. 2. [ELIGIBILITY OF CITIES.] A city having a city health department organized under the provisions of chapter 145 and located in a county having a population of 300,000 or more persons, or two or more contiguous cities combined under the provisions of section 471.59, having an aggregate population of 65,000 or more persons and located in a county having a population of 300,000 or more persons, shall be eligible for the community health services subsidy under the provisions of this act if:"

Page 14, line 23, delete "(b)" and insert "(a)"

Page 14, line 24, after "3" insert ", subdivision 2"

Page 14, line 25, delete "(c)" and insert "(b)"

Page 14, line 28, delete "(d)" and insert "(c)"

Page 14, line 30, delete "(e)" and insert "(d)"

Page 18, after line 10, insert

"Sec. 9. [SPECIAL GRANTS.] Subdivision 1. The board may make special grants to a city, a county, or group of cities or counties to establish, operate or subsidize clinic facilities and services, including mobile clinics, to furnish community health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documenta-

tion of input by affected segments of the community to the plan in order to qualify for a grant under this section.

Subd. 2. The board may make special grants to a city, a county, or group of cities or counties to establish, operate, or subsidize clinic facilities and services to furnish community health services for native Americans who have no established county of residence. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this section."

Page 18, line 16, after "health" insert a comma

Page 18, line 17, after "act" insert a comma

Page 20, line 16, delete "; and" and insert ", and;"

Page 21, line 3, delete ", provided that such computation shall" and insert a period

Page 21, delete lines 4 and 5

Page 21, delete lines 26 to 32

Page 22, delete lines 1 to 9

Page 22, line 13, delete "13" and insert "14"

Page 22, line 21, delete "Subdivision 1."

Page 22, line 22, delete "\$3,700,000" and insert "\$1,500,000"

Page 22, line 23, delete "biennium" and insert "fiscal year beginning July 1, 1976 and"

Page 22, line 24, delete "section" and insert "sections 9 and"

Page 22, delete lines 25 to 31

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, after "health;" insert "community health programs;"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 645, as amended by the Anderson amendment, adopted by the Senate May 17, 1975, as follows:

Page 3, after line 3, insert:

"Prior to providing any drug, medical preparation, or contraceptive device to any unmarried person under the age of 17 years, every agency, entity or individual providing family planning services and receiving funds through the provisions of this act shall notify such minor's parents or legal guardians of such action unless such minor is emancipated from the parents."

The question being taken on the adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion did not prevail.

Mr. Anderson moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Keefe, J.	Olson, H. D.	Schrom
Berg	Gearty	Kleinbaum	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stokowski
Blatz	Hanson, R.	Kowalczyk	Patton	Wegener
Brown	Jensen	Larson	Renneke	Willet
Chmielewski	Josefson	Olhoft	Schmitz	

Those who voted in the negative were:

Anderson	Conzemius	Lewis	North	Sillers
Arnold	Dunn	McCutcheon	Ogdahl	Solon
Ashbach	Humphrey	Merriam	Perpich, G.	Spear
Brataas	Keefe, S.	Milton	Pillsbury	Stumpf
Chenoweth	Kirchner	Moe	Purfeerst	Tennessee
Coleman	Laufenburger	Nelson	Schaaf	Ueland

The motion did not prevail. So the amendment was not adopted.

Mr. Keefe, J. moved to amend H. F. No. 645, as amended by the Anderson amendment, adopted by the Senate May 17, 1975, as follows:

Page 4, line 30, after "county" and before "may" insert ", except Hennepin county,"

Page 8, line 19, strike "community"

Page 8, strike line 20

Page 8, line 21, strike "persons"

Page 14, line 9, strike "65,000" and insert "40,000"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 645 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Solon
Arnold	Davies	Keefe, S.	Nelson	Spear
Ashbach	Doty	Kirchner	North	Stokowski
Bang	Dunn	Knutson	Ogdahl	Stumpf
Berg	Fitzsimons	Kowalczyk	Olhoft	Tennessee
Bernhagen	Gearty	Laufenburger	O'Neill	Ueland
Blatz	Hansen, Mel	Lewis	Patton	Willet
Borden	Hanson, R.	McCutcheon	Pillsbury	
Brataas	Hughes	Merriam	Schmitz	
Coleman	Humphrey	Milton	Sillers	

Those who voted in the negative were:

Brown	Hansen, Baldy	Keefe, J.	Schrom	Stassen
Chmielewski				

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 757, No. 85 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 757: A bill for an act relating to health care; directing the commissioner of insurance to prescribe certain health insurance claim forms.

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	Brown	Hanson, R.	McCutcheon	Schmitz
Arnold	Coleman	Hughes	Merriam	Sillers
Ashbach	Davies	Humphrey	Milton	Solon
Bang	Doty	Josefson	Nelson	Spear
Berg	Dunn	Keefe, S.	North	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Ogdahl	Stokowski
Blatz	Gearty	Kowalczyk	Olhoff	Stumpf
Borden	Hansen, Baldy	Larson	Patton	Ueland
Brataas	Hansen, Mel	Lewis	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 H. F. No. 1009, No. 86 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1009: A bill for an act relating to health and welfare; providing for increasing service levels under the nutrition for the elderly program; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Coleman	Fitzsimons	Hansen, Mel
Arnold	Borden	Davies	Frederick	Hansen, R.
Ashbach	Brataas	Doty	Gearty	Hughes
Berg	Brown	Dunn	Hansen, Baldy	Humphrey

Josefson	Merriam	Olhoft	Sillers	Stokowski
Keefe, S.	Nelson	Patton	Solon	Stumpf
Kleinbaum	North	Pillsbury	Spear	Ueland
McCutcheon	Ogdahl	Schmitz	Stassen	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 H. F. No. 257, No. 88 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 257: A bill for an act relating to education; creating a senior citizens higher education program for certain resident senior citizens.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Hansen, Mel	Nelson	Solon
Arnold	Coleman	Hanson, R.	North	Spear
Aashbach	Davies	Hughes	Olhoft	Stassen
Bang	Doty	Josefson	O'Neill	Stokowski
Berg	Dunn	Keefe, S.	Patton	Stumpf
Bernhagen	Fitzsimons	Kleinbaum	Pillsbury	Ueland
Blatz	Frederick	Kowalczyk	Schmitz	Willet
Borden	Gearty	McCutcheon	Schrom	
Brataas	Hansen, Baldy	Merriam	Sillers	

So the bill passed and its title was agreed to.

Mr. Arnold moved that H. F. No. 1140 be stricken from General Orders and re-referred to the Committee on Finance. The motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 344, No. 91 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 344: A bill for an act relating to motor vehicles; providing for activities in connection with motor vehicle and other waste; amending Minnesota Statutes 1974, Sections 168B.02, by adding a subdivision; 168B.09, Subdivision 1; 168B.10, Subdivision 1; and Chapter 168B, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hansen, Mel	Nelson	Spear
Ashbach	Coleman	Hanson, R.	North	Stassen
Bang	Conzemius	Hughes	Olhoft	Stokowski
Berg	Davies	Josefson	O'Neill	Stumpf
Bernhagen	Doty	Kleinbaum	Patton	Ueland
Blatz	Dunn	Kowalczyk	Pillsbury	Willet
Borden	Fitzsimons	McCutcheon	Schmitz	
Brataas	Frederick	Merriam	Schrom	
Brown	Gearty	Milton	Sillers	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 710, No. 95 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 710: A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and economic development to publicize set-asides and assist small businesses; appropriating money.

Mr. Hansen, Mel moved to amend H. F. No. 710, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 3, line 25, after "or" insert " , where feasible,"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 710 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	North	Stassen
Arnold	Davies	Humphrey	Olhoft	Stokowski
Bang	Doty	Keefe, S.	O'Neill	Stumpf
Berg	Dunn	Kleinbaum	Patton	Tennessee
Bernhagen	Fitzsimons	Larson	Schmitz	Willet
Blatz	Gearty	Lewis	Schrom	
Borden	Hansen, Baldy	Merriam	Sillers	
Brataas	Hansen, Mel	Milton	Solon	
Brown	Hanson, R.	Nelson	Spear	

Messrs. Josefson and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that H. F. No. 702 be taken from the table. The motion prevailed.

### SUSPENSION OF RULES

Mr. Borden moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 702 and that the rules of the Senate be so far suspended as to give H. F. No. 702 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 702 was read the second time.

H. F. No. 702: A bill for an act relating to state administrative procedures; redefining certain terms; prescribing a method for the adoption, amendment, suspension or repeal of rules; providing for the publication of a manual of state agency rules; providing for the publication of the state register; creating an office of hearing examiners; appropriating money; amending Minnesota Statutes 1974, Sections 15.0411; 15.0412; 15.0413, Subdivisions 1, 2 and 3; 15.0415; 15.0421; 15.046; 15.047, Subdivision 1; 15.048; 15.049; 15.051, Subdivisions 1 and 2, and by adding a subdivision; 16.80, Subdivision 1; and Chapters 5, by adding a section; and 15, by adding sections; and Laws 1974, Chapter 344, Section 9; repealing Minnesota Statutes 1974, Section 15.0413, Subdivisions 4, 5 and 6.

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 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olson, H. D.	Stumpf
Arnold	Fitzsimons	Kleinbaum	O'Neill	Tenessen
Ashbach	Gearly	Merriam	Pillsbury	Ueland
Blatz	Hanson, R.	Milton	Schmitz	Willet
Borden	Hughes	Nelson	Schrom	
Brown	Humphrey	North	Sillers	
Davies	Josefson	Ogdahl	Spear	
Doty	Keefe, J.	Olhoft	Stokowski	

Messrs. Hansen, Mel and Stassen voted in the negative.

So the bill passed and its title was agreed to.

Mr. Tennessen moved that H. F. No. 1810 be taken from the table. The motion prevailed.

### SUSPENSION OF RULES

Mr. Tennessen moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1810 and that the rules of the Senate be so far suspended as to give H. F. No. 1810 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1810 was read the second time.

H. F. No. 1810: A bill for an act relating to public improvements;

authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota for the construction or alteration of school buildings related to desegregation and for the acquisition and preparation of land for the expansion of metropolitan community college; creating the vocational-technical building fund and authorizing the issuance of state bonds to provide money for appropriation therefrom for grants to school districts for the acquisition and betterment of public land, buildings, and capital improvements needed for the area vocational-technical education program; appropriating money from the general fund for payment of the bonds; providing for the acquisition of certain property by St. Cloud state college; appropriating money.

Pursuant to Rule 21, Mr. North moved that the following members be excused for a Conference Committee on H. F. No. 1769:

Messrs. McCutcheon, Gearty and Ogdahl. The motion prevailed.

Mr. Sillers moved to amend H. F. No. 1810 as follows:

Page 9, after line 18, insert:

“Sec. 12. Subdivision 1. There is hereby appropriated from the general fund to the state college board the sum of \$72,000 or so much thereof as may be necessary to reconstruct six tennis courts at Moorhead State College.

Subd. 2. There is hereby appropriated from the general fund to the state college board the sum of \$115,000 or so much thereof as may be necessary to install an all-weather track at Moorhead State College.”

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 19, after the semicolon, insert “providing for the construction of tennis courts at Moorhead State College; providing for the installation of an all-weather track at Moorhead State College;”

The question being taken on the adoption of the amendment,

Mr. Sillers moved that those not voting be excused from voting. The motion did not prevail.

Mr. Sillers moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Olson, J. L.	Stassen
Bang	Frederick	Knutson	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Kowalczyk	Patton	Stumpf
Blatz	Hanson, R.	Larson	Pillsbury	Ueland
Brataas	Jensen	Moe	Renneke	
Brown	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Davies	Kirchner	Olhoft	Spear
Arnold	Doty	Kleinbaum	Olson, H. D.	Tennessee
Borden	Dunn	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Hansen, Baldy	Lewis	Perpich, G.	Willet
Chmielewski	Hughes	Merriam	Schmitz	
Coleman	Humphrey	Milton	Schrom	
Conzemius	Keefe, S.	North	Solon	

The motion did not prevail. So the amendment was not adopted.

Mr. Moe moved to amend H. F. No. 1810 as follows:

Page 9, after line 18, insert:

“Sec. 12. There is hereby appropriated from the Minnesota state building fund in the state treasury to the board of regents of the University of Minnesota the sum of \$2,823,385, for the construction of a classroom-food service building at the University of Minnesota Crookston Campus.”

Renumber the remaining section

Amend the title as follows:

Page 1, line 19, after the semicolon, insert “authorizing construction of a classroom-food service building at the University of Minnesota Crookston Campus;”

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 16 and nays 23, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Gearty	Lewis	O'Neill
Berg	Brown	Kleinbaum	McCutcheon	Sillers
Blatz	Fitzsimons	Knutson	Moe	Stassen
Borden				

Those who voted in the negative were:

Anderson	Davies	Hughes	North	Stumpf
Arnold	Dunn	Keefe, S.	Olhoft	Tennessee
Chmielewski	Hansen, Baldy	Kowalczyk	Schmitz	Willet
Coleman	Hansen, Mel	Merriam	Solon	
Conzemius	Hanson, R.	Nelson	Spear	

The motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 1810 as follows:

Pages 1 and 2, strike all of section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, strike “for construction”

Page 1, strike line 4

Page 1, line 5, strike "university of Minnesota" and insert a semicolon

Mr. Tennessen moved that H. F. No. 1810 be laid on the table. The motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1043, No. 99 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1043: A bill for an act relating to taxation; providing for redemption of forfeited property under certain conditions.

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	Chmielewski	Hughes	North	Stassen
Arnold	Coleman	Humphrey	Olhoff	Stokowski
Ashbach	Conzemius	Keefe, J.	O'Neill	Stumpf
Bang	Davies	Keefe, S.	Patton	Tennessen
Berg	Doty	Kleinbaum	Pillsbury	Ueland
Bernhagen	Dunn	Kowalczyk	Schmitz	Willet
Blatz	Fitzsimons	Larson	Schrom	
Borden	Hansen, Baldy	Merriam	Sillers	
Brataas	Hansen, Mel	Milton	Solon	
Brown	Hanson, R.	Nelson	Spear	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 22, No. 106 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 22: A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

Mr. Hughes moved to amend S. F. No. 22, as follows:

Page 3, line 20, strike ", except that all school" and insert a period

Page 3, strike lines 21 to 23

Page 10, line 25, strike "\$1,100,000" and insert "\$500,000"

Page 10, line 29, strike "\$50,000" and insert "\$30,000"

Page 10, line 32, strike "\$100,000" and insert "\$55,000; provided, however, that not more than five educational cooperative

service units, as selected by the state board of education, shall receive funding in the first year of the biennium”

The motion prevailed. So the amendment was adopted.

S. F. No. 22 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	Coleman	Humphrey	Nelson	Sillers
Arnold	Conzemius	Jensen	North	Solon
Bang	Davies	Keefe, J.	Olhoff	Spear
Berg	Dunn	Keefe, S.	Olson, A. G.	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Olson, H. D.	Stokowski
Blatz	Frederick	Knutson	O'Neill	Stumpf
Borden	Hansen, Baldy	Kowalczyk	Patton	Ueland
Brataas	Hansen, Mel	Larson	Pillsbury	Wegener
Brown	Hanson, R.	Merriam	Schmitz	Willet
Chmielewski	Hughes	Milton	Schrom	

So the bill, as amended, passed and its title was agreed to.

#### MEMBERS EXCUSED

Mr. Doty was excused from this evening's Session at 12:30 o'clock a.m.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1550, No. 102 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1550: A bill for an act relating to public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Milton	Schrom
Arnold	Conzemius	Humphrey	Nelson	Sillers
Ashbach	Davies	Jensen	North	Solon
Bang	Doty	Keefe, J.	Olhoff	Spear
Berg	Dunn	Keefe, S.	Olson, A. G.	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Olson, H. D.	Stokowski
Blatz	Frederick	Knutson	O'Neill	Stumpf
Brataas	Hansen, Baldy	Kowalczyk	Patton	Tennessen
Brown	Hansen, Mel	Larson	Pillsbury	Ueland
Chmielewski	Hanson, R.	Merriam	Schmitz	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. 1411, No. 104 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 1411: A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hanson, R.	Milton	Solon
Ashbach	Coleman	Hughes	Nelson	Spear
Bang	Conzemius	Humphrey	North	Stokowski
Berg	Davies	Keefe, J.	Olhoft	Stumpf
Bernhagen	Dunn	Keefe, S.	O'Neill	Ueland
Blatz	Fitzsimons	Kleinbaum	Patton	Wegener
Borden	Frederick	Knutson	Pillsbury	Willet
Brataas	Hansen, Baldy	Kowalczyk	Schmitz	
Brown	Hansen, Mel	Merriam	Schrom	

So the bill passed and its title was agreed to.

**SUSPENSION OF RULES**

Mr. Willet moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 175 and that the rules of the Senate be so far suspended as to give H. F. No. 175, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 175: A bill for an act relating to commerce; creating an advisory task force on small business; describing its duties; appropriating money for its operation.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Hansen, Baldy	Kowalczyk	O'Neill
Arnold	Chmielewski	Hansen, Mel	Lewis	Schmitz
Bang	Coleman	Hanson, R.	Merriam	Schrom
Berg	Conzemius	Hughes	Milton	Spear
Bernhagen	Davies	Humphrey	Nelson	Stokowski
Blatz	Dunn	Jensen	North	Stumpf
Borden	Fitzsimons	Kleinbaum	Olhoft	Ueland
Brataas	Frederick	Knutson	Olson, A. G.	Willet

So the bill passed and its title was agreed to.

**MEMBERS EXCUSED**

Mr. Patton was excused from this evening's Session at 1:00 o'clock a.m.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 486, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 486: A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; appropriating money; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6; and Chapter 169, by adding sections.

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:

Anderson	Brataas	Hansen, Mel	Kowalczyk	Patton
Arnold	Brown	Hanson, R.	Lewis	Schmitz
Ashbach	Chmielewski	Hughes	McCutcheon	Schrom
Bang	Coleman	Humphrey	Menriam	Spear
Berg	Conzemius	Keefe, J.	Nelson	Stokowski
Bernhagen	Davies	Keefe, S.	North	Stumpf
Blatz	Fitzsimons	Kleinbaum	Ohlhoft	Willet
Borden	Hansen, Baldy	Knutson	O'Neill	

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that H. F. No. 216, No. 4 on General Orders be made a Special Order for immediate consideration. The motion prevailed.

**SPECIAL ORDER**

H. F. No. 216: A bill for an act relating to estates; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; revising aspects of the law relating to wills, intestacy, administration and distribution of estates; taxation of inheritances; ordering the powers and proceedings of the court and certain officials concerned with the administration of estates of decedents and others; amending Minnesota Statutes 1974, Sections 287.22; 291.005; 291.07, and by adding a subdivision; 291.09, Subdivision 1; 291.14, Subdivision 1, and by adding subdivisions; 502.71; 508.22; 508.68; 508.69; 524.1-102; 524.1-107; 524.1-108; 524.1-201; 524.1-301; 524.1-302; 524.1-303; 524.1-307; 524.1-401; 524.1-403; 524.3-101; 524.3-102; 524.3-104; 524.3-105;

524.3-108; 524.3-109; 524.3-203; 524.3-204; 524.3-301; 524.3-303; 524.3-305; 524.3-306; 524.3-310; 524.3-311; 524.3-401; 524.3-402; 524.3-403; 524.3-406; 524.3-409; 524.3-412; 524.3-413; 524.3-502; 524.3-601; 524.3-602; 524.3-603; 524.3-604; 524.3-605; 524.3-606; 524.3-609; 524.3-703; 524.3-706; 524.3-711; 524.3-715; 524.3-717; 524.3-720; 524.3-901; 524.3-906; 524.3-910; 524.3-913; 524.3-914; 524.3-915; 524.3-1001; 524.3-1008; 524.3-1101; 524.3-1203; 524.3-1204; 524.4-201; 524.4-202; 524.4-203; 524.4-204; 524.4-205; 524.4-206; 524.4-301; 524.4-303; 524.8-101; 525.02; 525.03; 525.07; 525.-08; 525.091, Subdivisions 1, 2, and 4; 525.112; 525.12; 525.122; 525.15; 525.161; 525.202; 525.212; 525.215; 525.223, Subdivisions 1 and 2; 525.253, Subdivision 1; 525.393; 525.48; 525.484; 525.491; 525.51; 525.515; 525.532, Subdivisions 4 and 5; 525.591; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.71; 525.83; 525.84; 525.841; 541.16; 559.013, by adding a subdivision; 576.142, Subdivision 5; 576.16; amending Chapters 507, by adding a section; 524 and 525, by adding sections; repealing Minnesota Statutes 1974, Sections 524.1-105; 524.1-304; 524.1-305; 524.3-304; 524.3-705; 525.18; 525.181; 525.182; 525.183; 525.184; 525.19; 525.191; 525.203; 525.211; 525.26; 525.261; 525.262; 525.27; 525.271; 525.272; 525.33; 525.39; 525.41; 525.411; 525.412; 525.413; 525.42; 525.421; 525.43; 525.431; 525.44; 525.441; 525.442; 525.45; 525.46; 525.475; 525.521; 525.522; 525.523; 525.524; 525.525; 525.-526; 525.527; 525.53; 525.531; 525.693; 525.701; 525.86; and 525.87.

Mr. Davies moved to amend H. F. No. 216, as amended pursuant to Rule 49, adopted by the Senate May 9, 1975, as follows:

Page 6, line 15, strike "sections 525.521 to 525.524" and insert "*section 524.3-916*"

Page 7, line 8, delete "*Subject to approval by the commissioner, the*" and insert "*The*"

Page 7, line 14, delete "*so*"

Page 7, line 15, delete "*claimed thereafter*"

Page 7, line 16, delete "*so*"

Page 7, line 16, after "*claimed*" insert "*. The objection shall be made*"

Page 7, line 17, after "*subdivision*" delete "*2*" and insert "*1*"

Page 7, line 27, delete "*such*" and insert "*the*"

Page 8, line 12, after "*commissioner*" strike "*,*"

Page 8, line 23, before "*and*" insert "*(*"

Page 8, line 24, delete "*,*" and insert "*)*"

Page 8, line 25, delete "*such*"

Page 8, line 28, delete "*subsequent to the date of*"

Page 8, line 29, delete "*such filing of objection*"

Page 8, line 30, delete "*subsequent thereto*" and insert "*after the date of the filing of the objection*"

- Page 8, line 31, delete "*submitted*" and insert "*presented*"
- Page 9, line 5, after the second "a" insert "*personal*"
- Page 9, line 31, delete "*In the event*" and insert "*If*"
- Page 10, line 2, delete "*said*"
- Page 10, line 2, delete "*such*" and insert "*the*"
- Page 10, line 21, strike "*final decree*" and insert "*deed of distribution*"
- Page 10, line 21, delete "*order*" and insert "*decree*"
- Page 10, line 25, after "*Subd.*" delete "3" and insert "1a"
- Page 10, line 31, delete "*No such*" and insert "*The*"
- Page 10, line 31, after "*shall*" insert "*not*"
- Page 11, line 1, delete "*shall assert the same*" and insert "*asserts it*"
- Page 11, line 2, delete "*such*"
- Page 11, line 3, delete "*wherein such*" and insert "*where the*"
- Page 11, line 4, delete "*may be*" and insert "*is*"
- Page 11, line 8, delete "*such*" and insert "*the*"
- Page 11, line 9, delete "*Where*" and insert "*When*"
- Page 11, line 13, delete "*such*" and insert "*the*"
- Page 11, line 13, delete "*be*" and insert "*is*"
- Page 12, line 3, after "." insert "*The lien so extinguished with respect to such bona fide purchaser shall not be reinstated or challenged by the commissioner.*"
- Page 12, delete lines 27 through 32
- Page 13, delete lines 1 through 26
- Page 20, line 9, strike "a trust estate"
- Page 20, line 10, strike the first "or"
- Page 24, line 2, strike "*nonresidents*" and insert "*nonresident decedents*"
- Page 24, line 27, after "person," insert "*conservatee,*"
- Page 26, line 2, reinstate the stricken "a week for"
- Page 26, line 2, after "for" insert "*two*"
- Page 26, line 2, reinstate the stricken "consecutive"
- Page 26, line 3, reinstate the stricken "weeks,"
- Page 26, line 5, reinstate the stricken "last"
- Page 45, line 17, strike "to which the demand"

Page 45, line 18, strike "relates"

Page 45, line 20, after "court" insert "for an order or filing to which the demand relates"

Page 51, line 8, delete "Further, if the decedent was"

Page 51, delete lines 9 through 18

Page 51, line 19, delete "representative."

Page 51, line 23, after "once" insert "a week for two consecutive weeks"

Page 51, line 25, after the period insert "Further if the decedent was born in a foreign country or left heirs or devisees in any foreign country, notice shall be given to the consul or other representative of such country, if he resides in this state and has filed a copy of his appointment with the secretary of state, or to the nominee or nominees of such consul or representative. If no such consul or representative exists, then notice shall be given to the chief diplomatic representative of such country at Washington, D.C. or to the secretary of state at St. Paul, Minnesota, who shall forward the same to such representative."

Page 52, line 6, after "once" insert "a week for two consecutive weeks"

Page 52, line 9, after "state" insert "that any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative and"

Page 52, line 15, after the period insert "Further, if the decedent was born in a foreign country or left heirs or devisees in any foreign country, notice shall be given to the consul or other representative of such country, if he resides in this state and has filed a copy of his appointment with the secretary of state, or to the nominee or nominees of such consul or representative. If no such consul or representative exists, then notice shall be given to the chief diplomatic representative of such country at Washington, D.C. or to the secretary of state at St. Paul, Minnesota, who shall forward the same to such representative."

Page 56, line 4, after "once" insert "a week for two consecutive weeks"

Page 56, line 5, after the second "the" insert "last"

Page 68, line 21, after "or" insert "registrar and"

Page 68, line 30, delete "in a supervised administration"

Page 68, line 31, strike "the original of the inventory"

Page 68, line 31, strike "and"

Page 68, line 32, after "court" insert "or registrar"

Page 75, line 25, delete "three" and insert "two"

Page 90, line 7, delete "DISPOSITION OF"

Page 93, line 12, delete "*additional*"

Page 93, line 13, after "*revenue*" insert "*pursuant to section 291.34*"

Page 93, line 17, after "*will*" insert "*or other written instrument*"

Page 93, line 24, after "*will*" insert "*or other written instrument*"

Page 93, line 26, after "*will*" insert "*or other written instrument*"

Page 95, line 3, delete "*(c)*" and insert "*(e)*"

Page 96, line 24, delete "*state*" and insert "*estate*"

Page 103, line 30, after "*once*" insert "*a week for two consecutive weeks*"

Page 108, line 15, delete "TIME OF TAKING EFFECT;"

Page 108, line 16, strike "(a) This chapter takes effect on"

Page 108, line 17, delete "*January 1, 1976*" and strike the period

Page 108, line 18, strike "(b)"

Page 109, line 13, strike the semicolon and insert a period

Page 109, strike lines 14 through 19

Page 111, line 28, after "*of*" insert "*conservatorship or*"

Page 113, line 32, after "*taxes;*" insert "*orders of distribution and general protection;*"

Page 114, line 7, after "*guardianships*" insert "*or conservatorships*"

Page 116, line 27, strike "*or*" and insert ","

Page 118, line 6, delete "*a lump sum not exceeding \$6,000 if the estate*"

Page 118, line 7, delete "*is insolvent or \$9,000 if the estate is solvent, or*"

Page 134, line 9, delete "*Part 4 of section*" and insert "*sections 524.3-401 to 524.3-413*"

Page 134, line 10, delete "*524.3*"

Page 138, after line 18, insert a section to read:

"Sec. 115. Minnesota Statutes 1974, Section 525.551, is amended to read:

525.551 [HEARING; APPOINTMENT; BOND; PROSECUTION; NOTICE.] Upon proof of the petition, the court shall appoint one or two persons suitable and competent to discharge the trust as general guardians or conservators of the person or estate or of both. Upon the filing of a bond in such amount as the court may direct and an oath according to law, or upon the filing of an acceptance of the trust pursuant to section 48.79,

letters of guardianship or conservatorship shall issue. If there be no personal property, the court may waive the filing of a bond, but if the guardian or conservator receives or becomes entitled to any such property he shall immediately file a report thereof and a bond in such amount as the court may direct. *In case of breach of any condition of the bond an action thereon may be prosecuted by leave of the court by any interested person.* If the ward or conservatee be a patient of a state hospital for the mentally ill, or committed to the guardianship or conservatorship of the commissioner of public welfare as mentally retarded, epileptic, dependent and neglected or is under the temporary custody of the commissioner of public welfare, the court shall notify the commissioner of public welfare of the appointment of a guardian or conservator or successor guardian or conservator of the estate of such ward or conservatee."

Page 145, line 22, strike "probate"

Page 154, delete lines 28 through 32

Page 155, delete lines 1 through 5

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 14, delete "508.22;"

Page 1, line 37, before "525.591" insert "525.551;"

Page 1, line 40, delete "559.013,"

Page 1, line 41, delete "by adding a subdivision;"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend H. F. No. 216, as amended pursuant to Rule 49, adopted by the Senate May 9, 1975, as follows:

Page 62, line 27, strike "[BOND NOT REQUIRED WITHOUT COURT ORDER;]"

Page 62, strike lines 28 to 32

Page 63, strike line 1

Page 63, line 2, strike "section 524.3-605."

Page 63, line 4, strike "No bond"

Page 63, strike lines 5 to 8

Page 63, line 11, strike "persons"

Page 63, strike lines 12 to 25 and insert:

"[BOND REQUIRED; EXCEPTIONS.] *Subdivision 1. A bond is required of a personal representative unless either:*

(1) *The will expressly waives the bond.*

(2) *All of the heirs if no will has been probated, or all of the devisees under a will which does not provide for waiver of the*

*bond, file with the court a written waiver of the bond requirement. A duly appointed guardian or conservator may waive on behalf of his ward or protected person unless the guardian or conservator is the personal representative.*

*Subd. 2. In any case where bond is not required under subdivision 1, the court may, upon petition of any interested person and upon reasonable proof that the interest of the petitioning person is in danger of being lost because of the administration of the estate, require a bond in such amount as the court may direct to protect the interest of the petitioner or of the petitioner and others. An heir or devisee who initially waived bond may be a petitioner under this subdivision."*

The motion prevailed. So the amendment was adopted.

H. F. No. 216 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:

Anderson	Coleman	Jensen	North	Stassen
Arnold	Conzemius	Josefson	Ogdahl	Stokowski
Ashbach	Davies	Keefe, J.	Olhoft	Stumpf
Bang	Dunn	Keefe, S.	Olson, A. G.	Tennessee
Berg	Fitzsimons	Kirchner	Olson, H. D.	Ueland
Bernhagen	Gearty	Kleinbaum	O'Neill	Wegener
Blatz	Hansen, Baldy	Knutson	Perpich, A. J.	Willet
Borden	Hansen, Mel	Kowalczyk	Pillsbury	
Brataas	Hanson, R.	McCutcheon	Schmitz	
Brown	Hughes	Merriam	Sillers	
Chmielewski	Humphrey	Nelson	Solon	

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on S. F. No. 1308 from 9:00 p.m. until 1:00 a.m.:

Messrs. Wegener; Olson, H. D. and Jensen. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 407, No. 103 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 407: A bill for an act relating to education; providing for kindergarten and pilot second level preschool assessment programs; appropriating money.

Mr. Keefe, J. moved to amend S. F. No. 407 as follows:

Page 2, line 13, after the period, insert "Insofar as possible, the assessment shall be divided equally among the pilot programs provided for in this section."

The motion prevailed. So the amendment was adopted.

S. F. No. 407 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	Nelson	Stokowski
Arnold	Coleman	Jensen	North	Stumpf
Ashbach	Davies	Keefe, J.	Olhoft	Tennessee
Bernhagen	Dunn	Keefe, S.	O'Neill	Ueland
Blatz	Fitzsimons	Kleinbaum	Perpich, A. J.	Wegener
Borden	Frederick	Knutson	Pillsbury	Willet
Brataas	Hansen, Baldy	Kowalczyk	Schmitz	
Brown	Hansen, Mel	McCutcheon	Sillers	
Chenoweth	Hanson, R.	Merriam	Stassen	

So the bill, as amended, passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that S. F. No. 540 now on General Orders be indefinitely postponed. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1638, No. 108 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1638: A bill for an act relating to education; higher education coordinating commission; work-study program for post-secondary students; defining eligibility and setting guidelines for payments; amending Minnesota Statutes 1974, Sections 136A.231; 136A.232; and 136A.233.

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	Chmielewski	Hughes	North	Stokowski
Arnold	Coleman	Jensen	Ogdahl	Stumpf
Ashbach	Davies	Keefe, S.	Olhoft	Tennessee
Berg	Dunn	Kleinbaum	O'Neill	Ueland
Bernhagen	Fitzsimons	Knutson	Perpich, A. J.	Wegener
Blatz	Frederick	Kowalczyk	Pillsbury	Willet
Borden	Gearty	McCutcheon	Schaaf	
Brataas	Hansen, Baldy	Merriam	Schmitz	
Brown	Hansen, Mel	Milton	Spear	
Chenoweth	Hanson, R.	Nelson	Stassen	

So the bill passed and its title was agreed to.

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 469

A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

May 17, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 469 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. 469 be amended as follows:

Page 7, after line 25, insert the following:

"Sec. 10. Minnesota Statutes 1974, Section 354.41, is amended by adding a subdivision to read:

*Subd. 4. Any person who is a former member and is presently employed by the Minnesota federation of teachers or its affiliated branches within the state, the Minnesota education association, the Minnesota association of school principals, the Minnesota association of secondary school principals or the Minnesota association of school administrators may elect to be a coordinated member in the fund based on such employment; provided, however, that no person shall also be entitled to such membership if he is also a member of a teachers retirement association in a city of the first class organized pursuant to chapter 354A for the same period of service. For such persons so employed on June 30, 1975, the election must be made prior to July 1, 1976. For such persons so employed after June 30, 1975, the election must be made upon commencing employment.*

Sec. 11. Minnesota Statutes 1974, Section 354.41, is amended by adding a subdivision to read:

*Subd. 5. For all members described in subdivision 4, the employee, employer and additional employer contributions shall be the obligation of the employee who elects coverage herein; provided, however, that the employer organization enumerated in subdivision 4 employing such member may pay the employer and additional employer contributions. The employer shall, in any event, deduct the necessary contributions from the employee's salary and remit all contributions to the teachers retirement association pursuant to section 354.42, except that if*

*any such member is on leave of absence from a governmental employer unit, these contributions shall be forwarded by the employer organization to the governmental employer unit for remittance to the fund as described in this chapter.*

Sec. 12. Minnesota Statutes 1974, Section 354.41, is amended by adding a subdivision to read:

*Subd. 6. Any such former member who elects membership in the fund as authorized by subdivision 4 shall be eligible to make payment for service which was rendered prior to July 1, 1975 in any of the organizations enumerated in subdivision 4, provided the organization makes satisfactory certification of such service as prescribed in section 354.05, subdivision 28. This payment shall be limited to the most recent five years of allowable service credit and shall include all required employee and employer contributions as provided in section 354.42, subdivisions 2, 3 and 5. Interest shall be paid on both the employee and employer contributions at the rate of six percent per annum from the end of the fiscal year during which such service was rendered to the date of payment. The payment described herein must be made in one lump sum prior to July 1, 1980 or prior to retirement, whichever is earlier.*

Sec. 13. Minnesota Statutes 1974, Section 354.41, is amended by adding a subdivision to read:

*Subd. 7. Members of the fund as described in subdivision 4 shall not be eligible for election to the board of trustees."*

Page 9, line 2, strike "1975" and insert "1976"

Page 9, line 22, after "service" insert a comma

Page 9, line 30, after "termination" insert a comma

Page 10, line 1, strike "will be" and insert "is"

Page 10, line 19, after "in" insert "Minnesota Statutes 1971,"

Page 11, line 9, strike "will be" and insert "is"

Page 22, after line 8, insert the following:

*"Sec. 28. [LUMP SUM PAYMENTS.] Subdivision 1. Any person who is receiving as of November 30, 1975, a retirement annuity or a surviving spouse's annuity or benefit from the teachers retirement fund, the public employees retirement fund including the public employees police and fire fund, or the regular fund of the Minnesota state retirement system, and whose annuity or benefit was computed under laws in effect prior to July 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$50 if the annuity or benefit is coordinated with social security, or a lump sum payment of \$100 if the annuity or benefit is not coordinated with social security.*

*Subd. 2. Any person who is receiving as of November 30, 1975, a retirement annuity or surviving spouse's annuity or benefit from the highway patrolmen's retirement fund and whose an-*

nunity or benefit was computed under laws in effect prior to June 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$100.

*Subd. 3. Any person who is either a retired member of the Minneapolis municipal employees retirement fund or the surviving spouse of a deceased retired member and who is receiving as of November 30, 1975, the "\$2 bill and annuity" provided for in Minnesota Statutes 1974, Section 422A.15, Subdivision 3, shall receive in addition to such annuity a lump sum payment of \$100.*

*Subd. 4. The lump sum payments provided in this section for any person who is entitled to receive more than one such payment shall be reduced by dividing the amount of each such payment by the total number of such payments to which such person is entitled.*

*Subd. 5. Notwithstanding Minnesota Statutes 1974, Section 356.18, additional payments pursuant to this act will be made automatically unless the intended recipient files written notice with the retirement fund requesting that the additional payment not be made. Nothing in this act shall authorize payment to an estate. The additional payments provided in this section shall be payable December 1, 1975, and may be included in the regular monthly annuity payments for the month of November 1975. The amounts necessary to make such additional payments are hereby appropriated from the retirement funds enumerated in this section.*

Sec. 29. Minnesota Statutes 1974, Chapter 354A, is amended by adding a section to read:

*Notwithstanding any law to the contrary, for taxes levied in 1975 payable in 1976 and thereafter, levies for teachers retirement fund associations in cities of the first class, including levies for any employer social security taxes for teachers covered by a fully coordinated teachers retirement social security fund, are disallowed and the state shall assume the total employer obligation. Effective July 1, 1975 the state shall pay to said retirement fund association an employer contribution equal to the amount, expressed as a percentage of payroll, that the state of Minnesota is required to pay for all contributing members of the state teachers retirement association including social security taxes, in accordance with the provisions of Minnesota Statutes 1974, Section 354A.07, Subdivisions 3 and 4, except that:*

*(1) employer contributions which are paid to the retirement fund associations pursuant to this section shall be appropriated and remitted directly to said retirement fund associations each month in accordance with the procedures described in sections 354.43, subdivisions 1, 2, and 5; and*

*(2) with respect to any city of the first class having a fully coordinated teachers retirement fund association, employer social security taxes on salaries paid after June 30, 1975 shall be paid by the state in accordance with the provisions of section 355.46, subdivision 3, clause (b), and employer contributions to said retire-*

ment fund association shall be reduced by the amount of such taxes. Effective March 1, 1976, the contribution required to be paid by each member of a teachers retirement fund association in a city of the first class which does have a fully coordinated teachers retirement social security fund shall not be less than four percent of total salary, and the contribution required to be paid by each member of a teachers retirement fund association in a city of the first class which does not have a fully coordinated teachers retirement social security fund shall not be less than eight percent of total salary. Provided, however, that the changes in the employee contribution to the teachers retirement fund are contingent upon a determination of benefit adjustment by the legislature before March 1, 1976, as provided in section 30. After April 1, 1975, no teachers retirement fund association in a city of the first class shall enact any amendment to the bylaws or articles of incorporation; provided, however, that benefits for a teachers retirement fund association in a city of the first class may be increased by special law or general statute.

Sec. 30. The legislative retirement study commission shall review and compare the retirement provisions of the bylaws and articles of incorporation of the teachers retirement fund associations in the cities of the first class, the laws governing the teachers retirement association and any other retirement benefit proposals. In its review, the commission shall recognize the differing benefit schedules of various programs. The commission shall report its findings to the legislature by January 30, 1976. The legislature shall review the findings of the commission and shall make a determination regarding teachers retirement benefit adjustment during the 1976 legislative session. The commission shall include in its recommendations regarding any benefit changes retroactivity for any member retiring from a teachers retirement fund association in a city of the first class between May 1, 1974, and the effective date of the initial benefit change after May 1, 1974. Nothing in this section shall be construed to be enforceable against any other section of this act.

Sec. 31. Minnesota Statutes, Chapter 354A, is amended by adding a section to read:

[354A.21] [MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.] Notwithstanding the provisions of sections 197.45 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment on August 31, 1976, or at the end of the academic year in which such teacher reaches the age of 65, whichever is later. For purposes of this section, an academic year shall be deemed to end August 31. A teacher who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this section and who has less than the minimum required number of years of service to otherwise qualify for a retirement annuity shall be entitled upon application to a proportionate retirement annuity based on service prior to termination.

Sec. 32. Laws 1973, Chapter 182, Section 1, is amended to read:

Section 1. [NEW ULM, CITY OF; FIREMEN'S RELIEF ASSOCIATION.] *Subdivision 1.* Notwithstanding the provisions of Minnesota Statutes, Section 69.06, or any other law to the contrary, the bylaws of the New Ulm Fire Department Relief Association may provide for the payment of a service pension to present and future retired members in an amount not exceeding \$75 \$100 per month to each member who has performed 20 years of active service as a member of the volunteer fire department of the city plus an additional monthly amount of \$3.75 \$5 for each year of service over 20 years; up to a maximum monthly amount of \$112.50.

*Subd. 2.* The bylaws may also provide for payment of a lump sum death benefit to the survivors of each active or retired member in an amount not exceeding \$4,000.

*Subd. 3.* The bylaws may also provide for payment of a disability benefit for temporary disability to each active member in an amount not exceeding \$7.50 per day or \$15 per day during confinement in a hospital, for a period of disability not in excess of 20 weeks.

*Subd. 4.* This section is effective upon approval by the New Ulm city council and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 33. [REPEALER.] *Minnesota Statutes 1974, Sections 275.126, 354A.06, and 354A.07 are repealed."*

Page 22, line 10, strike " 14 " and insert " 17 "

Page 22, line 10, strike " 15 " and insert " 18 "

Renumber the sections accordingly

Further, amend the title as follows:

Page 1, line 3, after "act;" insert "employer contributions for teachers retirement fund associations in cities of the first class; firemen's relief benefits in the city of New Ulm; providing additional lump sum payments to certain annuitants and beneficiaries of various retirement funds; appropriating money;"

Page 1, line 7, after "354.10;" insert "354.41, by adding subdivisions;"

Page 1, line 12, delete the second "and"

Page 1, line 13, after "Subdivision 5" insert "; Chapter 354A, by adding sections; and Laws 1973, Chapter 182, Section 1; repealing Minnesota Statutes 1974, Sections 275.126; 354A.06; and 354A.07"

We request adoption of this report and repassage of the bill.  
Senate Conferees: (Signed) John C. Chenoweth, Eugene Stokowski, Harmon Ogdahl.

House Conferees: (Signed) Al Patton, Richard Parish, John Biersdorf.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 469 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Hansen, Mel moved that the Senate reject the Conference Committee Report on S. F. No. 469 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on the adoption of the motion of Mr. Hansen, Mel,

And the roll being called, there were yeas 21 and nays 24, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Hanson, R.	Knutson	Pillsbury
Berg	Fitzsimons	Hughes	Kowalczyk	Schmitz
Bernhagen	Frederick	Josefson	Nelson	Sillers
Brataas	Hansen, Mel	Keefe, J.	O'Neill	Ueland
Brown				

Those who voted in the negative were:

Anderson	Coleman	Keefe, S.	Ogdahl	Stokowski
Arnold	Conzemius	Kleinbaum	Olhoft	Stumpf
Borden	Davies	Lewis	Olson, A. G.	Wegener
Chenoweth	Gearty	Milton	Perpich, A. J.	Willet
Chmielewski	Humphrey	North	Spear	

The motion did not prevail.

The question recurred on the motion of Mr. Chenoweth to adopt the recommendations and Conference Committee Report on S. F. No. 469. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

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 38 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olson, A. G.	Stassen
Arnold	Davies	Kleinbaum	Perpich, A. J.	Stokowski
Berg	Fitzsimons	Laufenburger	Pillsbury	Stumpf
Borden	Gearty	Lewis	Purfeerst	Ueland
Brown	Hanson, R.	Milton	Schaaf	Wegener
Chenoweth	Humphrey	North	Schmitz	Willet
Chmielewski	Jensen	Ogdahl	Solon	
Coleman	Josefson	Olhoft	Spear	

Those who voted in the negative were:

Ashbach	Frederick	Keefe, J.	Kowalczyk	Nelson
Bernhagen	Hansen, Mel	Kirchner	McCutcheon	O'Neill
Brataas	Hughes	Knutson	Merriam	Sillers
Dunn				

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages from the House.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 645:

H. F. No. 645: A bill for an act relating to health; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Samuelson, Meier and Wigley have been appointed as such committee on the part of the House.

House File No. 645 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 645, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1798:

H. F. No. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Haugerud, Kahn and Eken have been appointed as such committee on the part of the House.

House File No. 1798 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

Mr. Coleman moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1798, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

Senate File No. 250 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

Mr. Coleman moved that the Senate do not concur in the amendments by the House to S. F. No. 250 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 acceded to the request of the Senate for the appointment of a Conference

Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

**S. F. No. 1308:** A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

There has been appointed as such committee on the part of the House:

Sherwood, Eken and Savelkoul.

Senate File No. 1308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

#### 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.

#### RECONSIDERATION

Mr. Dunn moved that the vote whereby H. F. No. 398 failed to pass the Senate on May 16, 1975, be now reconsidered. The motion prevailed.

Mr. North moved that H. F. No. 398 be laid on the table. The motion prevailed.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 787, pursuant to the request of the House:

Messrs. Moe, Josefson and Davies.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1769, pursuant to the request of the House:

Messrs. McCutcheon, Ogdahl and Gearty.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1137, pursuant to the request of the House:

Messrs. Humphrey, Borden and Keefe, J.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1798, pursuant to the request of the House:

Messrs. Purfeerst, Kirchner and Arnold.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 250, pursuant to the request of the Senate:

Messrs. Coleman, Ashbach and Conzemius.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 733, pursuant to the request of the Senate:

Messrs. Hansen, Baldy; Larson and Lewis.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on H. F. No. 645, pursuant to the request of the House:

Messrs. Anderson, Kirchner and Milton.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### RECONSIDERATION

Mr. Davies moved that the vote whereby H. F. No. 216 was passed by the Senate on May 17, 1975, be now reconsidered.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9 o'clock a.m., Monday, May 19, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

## FIFTY-SEVENTH DAY

St. Paul, Minnesota, Monday, May 19, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Kirchner	Olson, A. G.	Spear
Ashbach	Dunn	Kleinbaum	Olson, J. L.	Stassen
Bang	Fitzsimons	Kowalczyk	O'Neill	Stokowski
Berg	Frederick	Laufenburger	Patton	Stumpf
Bernhagen	Gearty	Lewis	Perpich, A. J.	Ueland
Blatz	Hansen, Baldy	McCutcheon	Perpich, G.	Willet
Brataas	Hansen, Mel	Milton	Pillsbury	
Brown	Hanson, R.	Nelson	Purfeerst	
Coleman	Hughes	North	Schaaf	
Conzemius	Josefson	Ogdahl	Schmitz	
Davies	Keefe, S.	Olhoff	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Nicholas J. Finn.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoff	Sillers
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Stumpf
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

May 16, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 1015, An Act relating to commerce; providing qualifications for legal newspapers; amending Minnesota Statutes 1974, Section 331.02, Subdivision 1.

Sincerely,  
Wendell R. Anderson, Governor

May 16, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 1114, An Act relating to the operation of state government; providing for salary setting authority and classification for certain positions in the office of attorney general; amending Minnesota Statutes 1974, Sections 8.02; 15A.081, Subdivision 1; and 43.064.

S. F. No. 1169, An Act relating to school districts; providing for specifications for school bids; amending Minnesota Statutes 1974, Section 471.35.

S. F. No. 1697, An Act relating to claims against the state; appropriating moneys for the payment thereof.

Sincerely,  
Wendell R. Anderson, Governor

May 19, 1975

The Honorable Alec Olson  
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 102, An act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services.

S. F. No. 303, An act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

S. F. No. 114, An act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their contemplated operation or use.

S. F. No. 332, An act relating to education; correcting and eliminating certain obsolete provisions and text dealing with school district organization, reporting and finance.

S. F. No. 413, An act relating to natural resources; authorizing acquisition of perpetual conservation restrictions by the commissioner of natural resources and certain nonprofit corporations.

S. F. No. 458, An act relating to game and fish; removing the raccoon from the unprotected list and authorizing the commissioner of natural resources to prescribe a season thereon.

S. F. No. 987, An act relating to Hennepin county; reestablishing the jurisdiction of the Hennepin county personnel board as to court reporters in the fourth judicial district.

S. F. No. 1055, An act relating to financial institutions; authorizing and regulating face amount certificate investment companies.

S. F. No. 1098, An act relating to natural resources; clarifying the authority of the commissioner of natural resources to designate and manage certain waters for wildlife use; reporting of game taken; providing certain limitations on the taking of fox; and altering certain seasons for the taking of deer.

S. F. No. 1142, An act relating to state parks; prohibiting littering; providing a penalty.

S. F. No. 1166, An act relating to public health; authorizing county board to determine amount of per diems to members of county public health nursing committees.

S. F. No. 1196, An act relating to energy; defining terms; requiring certain reports to be filed with the director of the Minnesota energy agency at specified times; providing that no large energy facility be constructed or sited in this state after a certain date without a certificate of need issued therefor.

Sincerely,  
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of

the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	47	117	May 15	May 16
	155	118	May 15	May 16
	254	119	May 15	May 16
	351	120	May 15	May 16
	530	121	May 15	May 16
	535	122	May 15	May 16
	540	123	May 15	May 16
	939	124	May 15	May 16
	944	125	May 15	May 16
	1049	126	May 15	May 16
	1136	127	May 15	May 16
	1292	128	May 15	May 16
	1494	129	May 15	May 16
72		130	May 15	May 16
93		131	May 15	May 16
307		132	May 15	May 16
426		133	May 15	May 16
523		134	May 15	May 16
571		135	May 15	May 16
605		136	May 15	May 16
637		137	May 15	May 16
665		138	May 15	May 16
765		139	May 15	May 16
876		140	May 15	May 16
923		141	May 15	May 16
935		142	May 15	May 16
1057		143	May 15	May 16
1101		144	May 15	May 16

Sincerely,

Joan Anderson Growe  
Secretary of State

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
1131		145	May 15	May 16
1183		146	May 15	May 16
1391		147	May 15	May 16
1442		148	May 15	May 16
1451		149	May 15	May 16
	113	150	May 16	May 16
	428	151	May 16	May 16
	774	152	May 16	May 16
	1008	153	May 16	May 16
	1175	154	May 16	May 16
1015		155	May 16	May 16
1114		156	May 16	May 16
1169		157	May 16	May 16
1697		158	May 16	May 16

Sincerely,

Joan Anderson Growe  
Secretary of State

#### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Keefe, S.; Sillers and Spear introduced—

S. F. No. 1769: A bill for an act relating to banks and banking; authorizing branch banks in economically depressed areas; permitting certain consolidation of banks; amending Minnesota Statutes 1974, Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Section 48.34.

Referred to the Committee on Labor and Commerce.

Mr. Anderson introduced—

S. F. No. 1770: A bill for an act relating to courts; changing the position of clerk of court to court administrator.

Referred to the Committee on Judiciary.

Messrs. Milton and Keefe, S. introduced—

S. F. No. 1771: A bill for an act relating to public welfare; eligibility for assistance; raising the allowable real estate equity; amending Minnesota Statutes 1974, Section 256.73, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton, Mrs. Brataas and Mr. Schmitz introduced—

S. F. No. 1772: A bill for an act relating to health; providing

for a statewide breast cancer screening and early detection network; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Milton, Mrs. Brataas and Mr. Schmitz introduced—

S. F. No. 1773: A bill for an act relating to health insurance; requiring insurance companies to cover the cost of screening of persons for breast cancer; amending Minnesota Statutes 1974, Chapter 62A, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. Hughes, Ashbach and Gearty introduced—

S. F. No. 1774: A bill for an act relating to building contractors; directing the commissioner of administration to promulgate certain uniform statewide standards for the licensing of building contractors.

Referred to the Committee on Governmental Operations.

Messrs. Moe, Knutson and Borden introduced—

S. F. No. 1775: A bill for an act relating to public welfare; authorizing grants for chemical dependency care and treatment programs for special need populations and domiciliary care programs for chronic chemically dependent populations; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. O'Neill introduced—

S. F. No. 1776: A bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes 1974, Section 176.101, Subdivision 3.

Referred to the Committee on Labor and Commerce.

Mr. O'Neill introduced—

S. F. No. 1777: A bill for an act relating to unemployment compensation; providing that no person will be disqualified from benefits for failing to accept or seek employment requiring a greater number of work hours per week than the individual worked in his previous employment; amending Minnesota Statutes 1974, Sections 268.08, Subdivision 1; and 268.09, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. O'Neill and Hansen, Baldy introduced—

S. F. No. 1778: A bill for an act relating to bonds and securities; requiring sureties to pay for all materials supplied to the insured; allowing coverage for collection costs and interest accrued; amending Minnesota Statutes 1974, Sections 574.26 and 574.29; and Chapter 574, by adding a section.

Referred to the Committee on Labor and Commerce.

Messrs. O'Neill and Kleinbaum introduced—

S. F. No. 1779: A bill for an act relating to licensed premises and the operation of gambling devices; amending Minnesota Statutes 1974, Sections 325.53, Subdivision 2, and by adding a subdivision; and 340.14, Subdivision 2.

Referred to the Committee on Labor and Commerce.

Messrs. Borden, Bang and Laufenburger introduced—

S. F. No. 1780: A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

Referred to the Committee on Labor and Commerce.

Mr. Perpich, G. introduced—

S. F. No. 1781: A bill for an act relating to dentistry; authorizing continuing education requirements for dental assistants; amending Minnesota Statutes 1974, Section 150A.10, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Renneke introduced—

S. F. No. 1782: A bill for an act relating to metropolitan government; defining the metropolitan area to exclude Belle Plaine in Scott county; amending Laws 1975, Chapter 13, Section 1, Subdivision 2.

Referred to the Committee on Metropolitan and Urban Affairs.

#### 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. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health

clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.01; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

Senate File No. 578 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

#### CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate concur in the amendments by the House to S. F. No. 578 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

Was read the third time, as amended by the House, and placed on its repassage.

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on S. F. No. 1308:

Messrs. Wegener, Jensen and Olson, H. D. The motion prevailed.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Perpich, G.; Olson, J. L.; Renneke; Doty and Moe. The motion prevailed.

Pursuant to Rule 21, Mr. Anderson moved that the following members be excused for a Conference Committee on H. F. No. 235:

Messrs. Anderson, Hughes, Humphrey, O'Neill and Sillers. The motion prevailed.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 10, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kleinbaum	Olhoft	Spear
Ashbach	Doty	Kowalczyk	Olson, A. G.	Stassen
Bang	Dunn	Larson	O'Neill	Stokowski
Blatz	Fitzsimons	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Gearty	Lewis	Pillsbury	Ueland
Brown	Hansen, Mel	McCutcheon	Purfeerst	
Chenoweth	Hanson, R.	Milton	Schaaf	
Coleman	Keefe, S.	Nelson	Schmitz	
Conzemius	Kirchner	North	Solon	

Those who voted in the negative were:

Berg	Chmielewski	Josefson	Patton	Schrom
Bernhagen	Hansen, Baldy	Olson, J. L.	Renneke	Willet

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1466, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

Senate File No. 1466 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1446, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of

Dodge-Olmsted to take a leave of absence for purposes of study and research.

Senate File No. 1446 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 211, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 66, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 66: A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

Senate File No. 66 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

Mr. President:

I have the honor to announce the passage by the House of the

following Senate Files, herewith returned: S. F. Nos. 1415, 1299, 767, 795, 869 and 1434.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 17, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 92 and 1026.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

#### FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 92: A bill for an act relating to historic sites; Hinckley depot restoration committee; appropriating money to the committee.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 1026: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency and the metropolitan council; appropriating money; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

Mr. Purfeerst moved that H. F. No. 1026 be laid on the table. The motion prevailed.

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1293 for proper reference, recommends the above House File be re-referred to its respective Committee as follows:

H. F. No. 1293 to the Committee on Finance.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report Adopted.

#### MOTIONS AND RESOLUTIONS

Mr. Doty moved that S. F. No. 1347, No. 77 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Doty moved that S. F. No. 559, No. 91 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Coleman moved that S. F. No. 595, No. 67 on General Orders, be stricken and returned to the Committee on Judiciary. The motion prevailed.

Mr. Milton moved that S. F. No. 1170, No. 8 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Conzemius moved that S. F. No. 175, No. 78 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 525, No. 89 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

Mr. McCutcheon moved that S. F. No. 100, No. 88 on General Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 476

A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

May 16, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 476 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment to S. F. No. 476 and that S. F. No. 476 be adopted.

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Eugene Stokowski, John Keefe, Steve Keefe.

House Conferees: (Signed) Al Patton, Donald M. Moe.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 476 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. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

Was read the third time, 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Kirchner	North	Schrom
Ashbach	Conzemius	Kowalczyk	Ogdahl	Solon
Bang	Dunn	Larson	Olhoff	Spear
Berg	Fitzsimons	Laufenburger	Olson, A. G.	Stassen
Bernhagen	Gearty	McCutcheon	Patton	Stokowski
Blatz	Hansen, Baldy	Merriam	Perpich, A. J.	Stumpf
Brataas	Hanson, R.	Milton	Pillsbury	Ueland
Brown	Josefson	Moe	Purfeerst	Willet
Chenoweth	Keefe, S.	Nelson	Schmitz	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1425

A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

May 16, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1425 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S. F. No. 1425 be further amended by adding a section to follow the section added by Mr. Berg's amendment as follows:

"Sec. 3. Before the city of St. Paul may commence any activities or enter into any contract for the purposes described in section 1, the city of St. Paul shall submit the proposed contract or activities to the metropolitan council for review and approval. The metropolitan council shall review the proposed contract or activities to determine their consistency with the solid waste comprehensive plan of the council, the report of the metropolitan council to the 1975 session of the legislature on solid waste recycling, and proposed or existing projects of other cities, counties or metropolitan commissions. The council shall require that all costs of operation, administration, maintenance and debt service of the proposed solid waste management or resource recovery activities will be covered by reasonable rates and charges. In

addition, the metropolitan council shall not approve a contract involving the city of St. Paul for resource recovery activities unless it determines that adequate markets exist for the materials to be recycled."

Renumber the sections accordingly

Further, amend the title as follows:

Line 6, after "1971" insert "; requiring approval of such contracts by the metropolitan council"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) John C. Chenoweth, Robert D. North, Peter Stumpf.

House Conferees: (Signed) Walter Hanson, James Casserly, Ronald Sieloff.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1425 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. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971; requiring approval of such contracts by the metropolitan council.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Keefe, S.	Nelson	Schaaf
Ashbach	Conzemius	Kirchner	North	Schmitz
Bang	Doty	Kleinbaum	Ogdahl	Solon
Berg	Dunn	Kowalczyk	Olhoff	Spear
Bernhagen	Fitzsimons	Larson	Olson, A. G.	Stassen
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	McCutcheon	Patton	Stumpf
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Ueland
Brown	Josefson	Milton	Perpich, G.	Willet
Chenoweth	Keefe, J.	Moe	Pillsbury	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 919, No. 83 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 919: A bill for an act relating to the environment; directing creation of an environmental permits coordination unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

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	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Knutson	Ogdahl	Schmitz
Bang	Frederick	Kowalczyk	Olhoff	Schrom
Berg	Gearty	Larson	Olson, A. G.	Solon
Bernhagen	Hanson, R.	Laufenburger	Olson, J. L.	Spear
Blatz	Hughes	McCutcheon	O'Neill	Stokowski
Brataas	Humphrey	Merriam	Patton	Stumpf
Brown	Josefson	Milton	Perpich, A. J.	Ueland
Chenoweth	Keefe, J.	Moe	Perpich, G.	Willet
Doty	Keefe, S.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Milton moved that the following members be excused for a Conference Committee on H. F. No. 645:

Messrs. Milton, Anderson and Kirchner. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1313, No. 76 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1313: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; appropriating money; amending Minnesota Statutes 1974, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

Mr. Chenoweth moved that the amendment made to H. F. No. 1313 by the Committee on Rules and Administration in the report adopted May 17, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1313 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Chenoweth	Doty	Gearty
Bang	Borden	Chmielewski	Dunn	Hanson, R.
Berg	Brataas	Coleman	Fitzsimons	Hughes
Bernhagen	Brown	Conzemius	Frederick	Humphrey

Josefson	Larson	Nelson	Patton	Solon
Keefe, J.	Laufenburger	North	Perpich, A. J.	Spear
Keefe, S.	Lewis	Ogdahl	Perpich, G.	Stokowski
Kirchner	McCutcheon	Olhoft	Pillsbury	Stumpf
Kleinbaum	Merriam	Olson, A. G.	Renneke	Ueland
Knutson	Milton	Olson, J. L.	Schmitz	Willet
Kowalczyk	Moe	O'Neill	Schrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 90, No. 85 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 90: A bill for an act relating to corrections; providing for participation in educational programs in the community by selected inmates of state correctional institutions; providing for the payment of room and board charges by inmates; amending Minnesota Statutes 1974, Section 241.26, Subdivisions 1, 5, and 7.

Mr. Brown moved to amend S. F. No. 90 as follows:

Page 4, line 7, after the stricken word "auditor" insert "*provided that the commissioner shall not waive the payment where it is demonstrated that the inmate is financially able to make the payment*"

The motion prevailed. So the amendment was adopted.

S. F. No. 90 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:

Bang	Doty	Keefe, J.	Ogdahl	Schrom
Berg	Dunn	Keefe, S.	Olhoft	Sillers
Bernhagen	Fitzsimons	Knutson	Olson, A. G.	Spear
Blatz	Frederick	Kowalczyk	Olson, J. L.	Stassen
Borden	Gearty	Laufenburger	Patton	Stokowski
Brataas	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Brown	Hanson, R.	McCutcheon	Perpich, G.	Tennessen
Chmielewski	Hughes	Merriam	Pillsbury	Ueland
Coleman	Humphrey	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Schmitz	

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on H. F. No. 1741:

Messrs. Kirchner, Ogdahl, Merriam, Willet and Purfeerst. The motion prevailed.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the follow-

ing members be excused for a Conference Committee on S. F. No. 733:

Messrs. Larson, Lewis and Hansen, Baldy. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1014, No. 86 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1014: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Keefe, S.	Olson, A. G.	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Frederick	Knutson	Patton	Stassen
Blatz	Gearty	Kowalczyk	Perpich, A. J.	Stokowski
Brataas	Hanson, R.	Laufenburger	Perpich, G.	Stumpf
Brown	Hughes	McCutcheon	Pillsbury	Tennessee
Chmielewski	Humphrey	Nelson	Renneke	Ueland
Conzemius	Josefson	North	Schmitz	
Doty	Keefe, J.	Olhoft	Schrom	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 1137:

Messrs. Humphrey; Keefe, J. and Borden. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 704, No. 84 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 704: A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; authorizing the director to add to and promote the opera-

tion; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 12, and by adding subdivisions; 85A.03, Subdivisions 4, 4a, and by adding a subdivision; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.

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	Conzemius	Josefson	Olson, A. G.	Sillers
Ashbach	Davies	Keefe, J.	Olson, J. L.	Spear
Bang	Doty	Kleinbaum	Patton	Stassen
Bernhagen	Fitzsimons	Knutson	Perpich, A. J.	Stokowski
Blatz	Frederick	Kowalczyk	Pillsbury	Stumpf
Borden	Gearty	Laufenburger	Renneke	
Brataas	Hanson, R.	Nelson	Schaaf	
Brown	Hughes	North	Schmitz	
Chmielewski	Jensen	Olhoft	Schrom	

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

#### SPECIAL ORDER

H. F. No. 146: A bill for an act relating to commerce; requiring that tents and sleeping bags be flame resistant; providing a penalty.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Jensen	Nelson	Schrom
Ashbach	Davies	Josefson	North	Sillers
Bang	Fitzsimons	Keefe, J.	Olhoft	Spear
Berg	Frederick	Keefe, S.	Olson, A. G.	Stassen
Bernhagen	Gearty	Kleinbaum	Patton	Stokowski
Blatz	Hansen, Baldy	Knutson	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Kowalczyk	Pillsbury	Wegener
Brown	Hanson, R.	Laufenburger	Renneke	
Chmielewski	Hughes	Lewis	Schmitz	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**H. F. No. 470:** A bill for an act relating to pharmacy and drugs; requiring certain information on labels affixed to containers of certain drugs; amending Minnesota Statutes 1974, Section 151.212.

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 26, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Olhoft	Stokowski
Arnold	Gearty	Laufenburger	Olson, A. G.	Stumpf
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Chenoweth	Hughes	Merriam	Purfeerst	Wegener
Coleman	Humphrey	Milton	Schaaf	Willet
Conzemius	Keefe, J.	Moe	Schmitz	
Davies	Keefe, S.	North	Solon	
Doty	Knutson	Ogdahl	Spear	

Those who voted in the negative were:

Ashbach	Brown	Jensen	Perpich, A. J.	Stassen
Bang	Chmielewski	Kirchner	Perpich, G.	Ueland
Berg	Fitzsimons	Kleinbaum	Pillsbury	
Bernhagen	Frederick	Larson	Schneke	
Blatz	Hansen, Baldy	Olson, J. L.	Schrom	
Brataas	Hanson, R.	Patton	Sillers	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**H. F. No. 52:** A bill for an act relating to employment; providing that employees shall be issued written statements of employment benefits.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

Arnold	Humphrey	Merriam	Perpich, G.	Stokowski
Borden	Keefe, S.	Milton	Purfeerst	Stumpf
Coleman	Kleinbaum	North	Schaaf	Tennessee
Conzemius	Laufenburger	Olson, A. G.	Solon	Wegener
Gearty	Lewis	O'Neill	Spear	Willet
Hughes	McCutcheon	Perpich, A. J.	Stassen	

Those who voted in the negative were:

Ashbach	Brown	Frederick	Kowalczyk	Patton
Bang	Chenoweth	Hanson, R.	Larson	Pillsbury
Berg	Chmielewski	Jensen	Nelson	Schmitz
Bernhagen	Doty	Keefe, J.	Ogdahl	Schrom
Blatz	Dunn	Kirchner	Olhoft	Sillers
Brataas	Fitzsimons	Knutson	Olson, J. L.	Ueland

So the bill failed to pass.

### RECONSIDERATION

Mr. Tennesen moved that the vote whereby H. F. No. 1014 was passed by the Senate on May 19, 1975, be now reconsidered. The motion prevailed.

H. F. No. 1014: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

Mr. Tennesen moved to amend H. F. No. 1014, as amended pursuant to Rule 49, adopted by the Senate May 17, 1975, as follows:

Page 2, line 7, after "*the*" insert "*medical or*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1014 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Jensen	North	Schmitz
Ashbach	Davies	Keefe, J.	Ogdahl	Schrom
Bang	Doty	Keefe, S.	Olhoff	Sillers
Berg	Dunn	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Fitzsimons	Kowalczyk	O'Neill	Stassen
Blatz	Frederick	Larson	Patton	Stokowski
Brataas	Gearty	Laufenburger	Perpich, A. J.	Stumpf
Brown	Hansen, Mel	Lewis	Perpich, G.	Tennesen
Chenoweth	Hanson, R.	McCutcheon	Pillsbury	Ueland
Chmielewski	Hughes	Merriam	Renneke	Wegener
Coleman	Humphrey	Nelson	Schaaf	Willet

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 25: A bill for an act relating to housing; providing warranties on the sale of new housing upon the seller.

Mr. Hanson, R. moved to amend H. F. No. 25 as follows:

Page 1, line 14, after "*habitation*" insert "*in the metropolitan area as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2*"

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 25 as follows:

Page 2, line 14, after "constructs" insert "more than twenty"

Page 2, line 14, after "dwellings" insert "in a calendar year"

Mr. Tennessen moved that H. F. No. 25 be re-referred to the Committee on Judiciary. The motion prevailed.

### RECONSIDERATION

The question recurred on the motion of Mr. Davies that the vote whereby H. F. No. 216 was passed by the Senate on May 17, 1975, be now reconsidered. The motion prevailed.

H. F. No. 216: A bill for an act relating to estates; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; revising aspects of the law relating to wills, intestacy, administration and distribution of estates; taxation of inheritances; ordering the powers and proceedings of the court and certain officials concerned with the administration of estates of decedents and others; amending Minnesota Statutes 1974, Sections 287.22; 291.005; 291.07, and by adding a subdivision; 291.09, Subdivision 1; 291.14, Subdivision 1, and by adding subdivisions; 502.71; 508.22; 508.68; 508.69; 524.1-102; 524.1-107; 524.1-108; 524.1-201; 524.1-301; 524.1-302; 524.1-303; 524.1-307; 524.1-401; 524.1-403; 524.3-101; 524.3-102; 524.3-104; 524.3-105; 524.3-108; 524.3-109; 524.3-203; 524.3-204; 524.3-301; 524.3-303; 524.3-305; 524.3-306; 524.3-310; 524.3-311; 524.3-401; 524.3-402; 524.3-403; 524.3-406; 524.3-409; 524.3-412; 524.3-413; 524.3-502; 524.3-601; 524.3-602; 524.3-603; 524.3-604; 524.3-605; 524.3-606; 524.3-609; 524.3-703; 524.3-706; 524.3-711; 524.3-715; 524.3-717; 524.3-720; 524.3-901; 524.3-906; 524.3-910; 524.3-913; 524.3-914; 524.3-915; 524.3-1001; 524.3-1008; 524.3-1101; 524.3-1203; 524.3-1204; 524.4-201; 524.4-202; 524.4-203; 524.4-204; 524.4-205; 524.4-206; 524.4-301; 524.4-303; 524.8-101; 525.02; 525.03; 525.07; 525.08; 525.091, Subdivisions 1, 2, and 4; 525.112; 525.12; 525.122; 525.15; 525.161; 525.202; 525.212; 525.215; 525.223, Subdivisions 1 and 2; 525.253, Subdivision 1; 525.393; 525.48; 525.484; 525.491; 525.51; 525.515; 525.532, Subdivisions 4 and 5; 525.591; 525.62; 525.63; 525.64; 525.641; 525.642; 525.65; 525.652; 525.66; 525.661; 525.662; 525.67; 525.68; 525.69; 525.691; 525.692; 525.70; 525.702; 525.71; 525.83; 525.84; 525.841; 541.16; 559.013, by adding a subdivision; 576.142, Subdivision 5; 576.16; amending Chapters 507, by adding a section; 524 and 525, by adding sections; repealing Minnesota Statutes 1974, Sections 524.1-105; 524.1-304; 524.1-305; 524.3-304; 524.3-705; 525.18; 525.181; 525.182; 525.183; 525.184; 525.19; 525.191; 525.203; 525.211; 525.26; 525.261; 525.262; 525.27; 525.271; 525.272; 525.33; 525.39; 525.41; 525.411; 525.412; 525.413; 525.42; 525.421; 525.43; 525.431; 525.44; 525.441; 525.442; 525.45; 525.46; 525.475; 525.521; 525.522; 525.523; 525.524; 525.525; 525.526; 525.527; 525.53; 525.531; 525.693; 525.701; 525.86; and 525.87.

Mr. Ashbach moved that the vote whereby Mr. McCutcheon's amendment to H. F. No. 216 was adopted by the Senate on May 17, 1975 be now reconsidered. The motion prevailed.

The question being taken on the adoption of the McCutcheon amendment,

The motion did not prevail. So the amendment was not adopted.

H. F. No. 216 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Josefson	Ogdahl	Renneke
Arnold	Davies	Keefe, J.	Olhoft	Schaaf
Ashbach	Dunn	Keefe, S.	Olson, A. G.	Schmitz
Berg	Fitzsimons	Kleinbaum	Olson, J. L.	Sillers
Bernhagen	Frederick	Kowalczyk	O'Neill	Spear
Blatz	Gearty	Larson	Patton	Stassen
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Brown	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Jensen	Nelson	Pillsbury	Willet

Mr. McCutcheon voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1536: A bill for an act relating to crimes; permitting certain ticket sale service fees; amending Minnesota Statutes 1974, Section 609.805, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olhoft	Schmitz
Arnold	Davies	Kleinbaum	Olson, H. D.	Schrom
Ashbach	Dunn	Kowalczyk	Olson, J. L.	Sillers
Bang	Fitzsimons	Larson	O'Neill	Stassen
Berg	Frederick	Laufenburger	Patton	Stumpf
Bernhagen	Gearty	Lewis	Perpich, A. J.	Ueland
Blatz	Hansen, Baldy	Merriam	Perpich, G.	Willet
Brataas	Hanson, R.	Milton	Pillsbury	
Brown	Hughes	Nelson	Purfeerst	
Chmielewski	Humphrey	North	Renneke	
Coleman	Josefson	Ogdahl	Schaaf	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on H. F. No. 1798 from 12:00-1:00 p.m.:

Messrs. Kirchner, Arnold and Purfeerst. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following

members be excused for a Conference Committee on H. F. No. 1741 from 1:00-2:00 p.m.:

Messrs. Purfeerst, Kirchner, Merriam, Ogdahl and Willet. The motion prevailed.

### SPECIAL ORDER

H. F. No. 153: A bill for an act relating to elections; prohibiting interference with candidacy; permitting public officials time off to attend meetings of their public offices; prohibiting retaliatory action by employers; amending Minnesota Statutes 1974, Section 211.10.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Keefe, S.	Olhoft	Spear
Arnold	Coleman	Kleinbaum	Olson, A. G.	Stokowski
Bang	Davies	Kowalczyk	Olson, H. D.	Stumpf
Blatz	Fitzsimons	Laufenburger	Perpich, G.	Ueland
Borden	Gearty	McCutcheon	Pillsbury	Wegener
Brataas	Hansen, Mel	Merriam	Schmitz	Willet
Brown	Hughes	Milton	Schrom	
Chenoweth	Humphrey	North	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Larson	Patton	Renneke
Berg	Jensen	Nelson		

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 618: A bill for an act relating to securities; providing for the inclusion of commodity contracts in the definition of a security; providing an exemption from registration requirements for commodity contracts; amending Minnesota Statutes 1974, Sections 80A.14 and 80A.15, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, J.	Olhoft	Schrom
Ashbach	Fitzsimons	Keefe, S.	Olson, H. D.	Sillers
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Solon
Blatz	Gearty	Laufenburger	O'Neill	Spear
Borden	Hansen, Mel	McCutcheon	Patton	Stassen
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Stokowski
Brown	Hughes	Milton	Perpich, G.	Stumpf
Chenoweth	Humphrey	Nelson	Pillsbury	Ueland
Chmielewski	Jensen	North	Renneke	Wegener
Davies	Josefson	Ogdahl	Schmitz	Willet

So the bill passed and its title was agreed to.

## SPECIAL ORDER

H. F. No. 943: A bill for an act relating to cable communications; extending the residence of the cable communications commission in the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; amending Minnesota Statutes 1974, Sections 238.01; 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 1, 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 6 and 7, and by adding subdivisions; 238.13; and 238.15; repealing Minnesota Statutes 1974, Section 238.09, Subdivision 2.

Mr. Merriam moved to amend H. F. No. 943, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Page 6, line 26, reinstate "consultation with"

Page 6, strike line 27

Page 6, line 28, strike "metropolitan council or"

Page 7, line 5, after "to" insert "*the rule-making provisions of*"

Page 7, line 25, after "to" insert "*the rule-making provisions of*"

The motion prevailed. So the amendment was adopted.

H. F. No. 943 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Josefson	North	Spear
Arnold	Conzemius	Keefe, J.	Ogdahl	Stassen
Bang	Davies	Keefe, S.	Olhoft	Stokowski
Berg	Fitzsimons	Kleinbaum	Olson, J. L.	Stumpf
Bernhagen	Frederick	Kowalczyk	O'Neill	Ueland
Blatz	Gearty	Larson	Patton	Willet
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	
Brataas	Hanson, R.	Lewis	Pillsbury	
Brown	Hughes	Merriam	Sillers	
Chenoweth	Humphrey	Milton	Solon	

So the bill, as amended, passed and its title was agreed to.

## SPECIAL ORDER

H. F. No. 4: A bill for an act relating to human rights; extending protection to disabled persons using public services and public accommodations; amending Minnesota Statutes 1974, Section 363.03, Subdivisions 3 and 4, and by adding a subdivision.

Mr. Brown moved to amend H. F. No. 4 as follows:

Page 2, after line 10, insert:

"Sec. 4. Minnesota Statutes 1974, Section 363.03, Subdivision 8, is amended to read:

Subd. 8. [CREDIT; SEX DISCRIMINATION.] It is an unfair discriminatory practice to discriminate in the extension of credit to a person because of sex or marital status."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting discrimination in extension of credit because of marital status;"

Page 1, line 5, strike "3 and 4" and insert "3, 4, and 8"

The motion prevailed. So the amendment was adopted.

H. F. No. 4 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	Chmielewski	Keefe, J.	Nelson	Sillers
Arnold	Fitzsimons	Keefe, S.	North	Solon
Ashbach	Frederick	Kleinbaum	Olhoft	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lewis	Perpich, A. J.	Stumpf
Borden	Hughes	McCutcheon	Pillsbury	Ueland
Brataas	Humphrey	Merriam	Schaaf	Willet
Brown	Josefson	Milton	Schmitz	

Mr. Davies voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 67: A bill for an act relating to handicapped persons; providing an interpreter in all proceedings.

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	Chmielewski	Keefe, J.	North	Sillers
Bang	Davies	Keefe, S.	Olhoft	Solon
Berg	Dunn	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Fitzsimons	Kowalczyk	O'Neill	Stassen
Blatz	Gearty	Laufenburger	Perpich, A. J.	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, G.	Stumpf
Brataas	Hanson, R.	Merriam	Pillsbury	Ueland
Brown	Hughes	Milton	Schaaf	Wegener
Chenoweth	Humphrey	Nelson	Schmitz	Willet

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1555: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1974, Chapter 28A, by adding a section; Sections 15.0411, Subdivision 2; 15A.083, Subdivision 2; 16.80; 16A.129; 30.461; 30.462; 30.463, Subdivisions 1 and 5; 30.464, Subdivisions 1, 2, and 3; 30.465; 30.467; 30.468; 30.469; 30.47; 30.472; 30.473; 30.475; 30.476; 32A.08, Subdivision 1; 34.05, Subdivision 2; 43.35; 43.09, Subdivision 2a; 50.14, Subdivision 1; 59A.03, Subdivision 3; 60A.03, Subdivision 2; 65B.06, Subdivision 2; 65B.44, Subdivision 5; 80A.15, Subdivision 2; 80C.03; 82.18; 82.30, Subdivision 2; 83.25, Subdivision 3; 84.87, Subdivision 1; 84A.07; 84A.26; 84A.36; 97.48, Subdivision 4; 111.80; 115.48, Subdivision 1; 115.51; 116.16, Subdivision 3; 116F.08; 116H.04, Subdivision 3; 121.02; 122.355, Subdivision 1; 123.78, Subdivision 1; 124.15, Subdivision 2; 124.17, Subdivision 2; 124.41, Subdivision 1; 124.803; 145.862, Subdivision 4; 147.02; 147.22; 155.02, Subdivision 2; 179.74, Subdivision 2; 181A.07, Subdivision 6; 192.40; 197.63, Subdivision 1; 205.10; 205.11, Subdivision 1; 205.12; 205.16, Subdivisions 1 and 2; 205.17, Subdivisions 1 and 2; 243.88, Subdivision 3; 245.68; 245.77; 246.23; 251.043, Subdivision 3; 256.01, Subdivision 2; 256D.02, Subdivision 4; 260.251, Subdivision 3; 268.04, Subdivision 12; 268.115, Subdivision 2; 270.075, Subdivision 1; 273.11, Subdivision 4; 273.111, Subdivisions 9 and 11; 273.13, Subdivision 7; 275.125, Subdivision 4; 275.161; 282.16; 285.11; 290.01, Subdivision 22; 290.02; 290.06, Subdivision 2c; 290.086, Subdivision 1; 290.09, Subdivision 15; 290.21, Subdivision 3; 290.26, Subdivision 2a; 290.92, Subdivision 2a; 291.05; 292.04; 297.13, Subdivision 1; 297B.09; 298.026; 298.027; 298.51; 298.53; 298.63; 299.013; 299B.03, Subdivision 1; 299F.77; 300.025; 301.77, Subdivision 1; 308.06, Subdivision 3; 309.581; 318.03; 354A.05; 355.11, Subdivision 2; 355.80; 362.17; 363.01, Subdivision 13; 375.471; 376.25; 412.02, Subdivision 5; 412.251; 412.861, Subdivision 1; 441.15; 463.152, Subdivision 1; 463.261; 465.19; 466.02; 488A.13, Subdivision 1; 507.291; 525.213; 525.515; 550.041; 571.47, Subdivision 2; 571.48, Subdivision 2; 609.375, Subdivision 4; 609.75, Subdivision 4; 611.14; 626.05, Subdivision 2; 631.50; 632.12; and 648.43; repealing Minnesota Statutes 1974, Sections 15.13; 148.87; 171.12, Subdivision 4; 176.061, Subdivision 10; 309.583; 359.06; and 380.24; 593.17; Laws 1969, Chapters 540, Section 5; 896, Section 1; and 1126, Section 1; Laws 1971, Chapters 32, Section 1; 74, Section 6; 226, Section 1; and 427, Section 17; Laws 1973, Chapters 388, Sections 156, 157, 158, 159, 160, 161, 162, 163, and 170; 638, Sections 22 and 23; and 725, Sections 25 and 26; Laws 1974, Chapters 62, Section 1; 161, Section 10; and 205, 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	O'Neill	Spear
Ashbach	Fitzsimons	Kowalczyk	Patton	Stassen
Bang	Frederick	Laufenburger	Perpich, A. J.	Stokowski
Bernhagen	Gearty	Lewis	Perpich, G.	Stumpf
Brataas	Hansen, Baldy	McCutcheon	Pillsbury	Ueland
Brown	Hansen, Mel	Merriam	Renneke	Wegener
Chenoweth	Hughes	Milton	Schaaf	Willet
Chmielewski	Humphrey	North	Schmitz	
Conzemius	Josefson	Olhoft	Sillers	
Doty	Keefe, S.	Olson, J. L.	Solon	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1428: A bill for an act relating to economic development, including Indian organizations in the definition of a redevelopment area to provide eligibility for certain economic loans; amending Minnesota Statutes 1974, Sections 472.03, Subdivision 3, and by adding subdivisions; and 472.11, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Humphrey	Nelson	Schmitz
Ashbach	Doty	Josefson	North	Sillers
Bang	Dunn	Keefe, J.	Olhoft	Solon
Berg	Fitzsimons	Keefe, S.	Olson, J. L.	Spear
Bernhagen	Frederick	Kleinbaum	O'Neill	Stassen
Blatz	Gearty	Kowalczyk	Patton	Stokowski
Borden	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Hansen, Mel	Lewis	Perpich, G.	Ueland
Chmielewski	Hanson, R.	McCutcheon	Pillsbury	Wegener
Conzemius	Hughes	Milton	Renneke	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 447: A bill for an act relating to real estate brokers and salespersons; authorizing establishment of special licenses applicable solely to the rental or management of real estate; amending Minnesota Statutes 1974, Sections 82.20, Subdivision 1; and 82.22, Subdivision 6.

Mr. Keefe, S. moved to amend H. F. No. 447 as follows:

Strike the amendment to H. F. No. 447 placed on the bill by the Committee on Labor and Commerce, adopted by the Senate May 8, 1975

Page 1, line 21, after the period insert:

*"This clause shall not be construed to require those owners or managers or their agents or employees who are excluded by section 82.18, clause (d) from the definition of real estate broker, to obtain the special license."*

The motion prevailed. So the amendment was adopted.

H. F. No. 447 was then progressed.

#### SPECIAL ORDER

H. F. No. 696: A bill for an act relating to small loan companies; application and license fees; amending Minnesota Statutes 1974, Sections 56.02 and 56.08.

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	Coleman	Josefson	Olson, J. L.	Sillers
Berg	Davies	Keefe, J.	O'Neill	Solon
Bernhagen	Doty	Laufenburger	Patton	Spear
Blatz	Dunn	Lewis	Perpich, A. J.	Stassen
Borden	Gearty	McCutcheon	Perpich, G.	Stokowski
Brataas	Hansen, Baldy	Milton	Pillsbury	Stumpf
Brown	Hansen, Mel	Nelson	Renneke	Ueland
Chenoweth	Hanson, R.	North	Schaaf	Wegener
Chmielewski	Hughes	Olson, A. G.	Schmitz	Willet

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 576: A bill for an act relating to commerce; authorizing limited trust powers for commercial banks; amending Minnesota Statutes 1974, Chapter 48, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Josefson	Olson, H. D.	Solon
Ashbach	Davies	Keefe, J.	Olson, J. L.	Spear
Bang	Doty	Keefe, S.	O'Neill	Stokowski
Berg	Dunn	Kleinbaum	Patton	Stumpf
Bernhagen	Fitzsimons	Laufenburger	Perpich, A. J.	Ueland
Blatz	Frederick	Lewis	Perpich, G.	Wegener
Borden	Gearty	McCutcheon	Pillsbury	Willet
Brataas	Hansen, Baldy	Nelson	Renneke	
Brown	Hanson, R.	North	Schaaf	
Chenoweth	Hughes	Ogdahl	Schrom	
Chmielewski	Humphrey	Olson, A. G.	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 858: A bill for an act relating to credit unions; permitting Minnesota central credit union to purchase shares of and make deposits in U.S. central credit union; permitting credit unions

to deposit the reserve in balances due from U.S. central credit union; amending Minnesota Statutes 1974, Sections 52.04 and 52.17.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Frederick	Laufenburger	Patton	Stokowski
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Brataas	Hansen, Mel	McCutcheon	Perpich, G.	Tennessee
Brown	Hanson, R.	Merriam	Pillsbury	Ueland
Chenoweth	Hughes	Milton	Renneke	Wegener
Chmielewski	Humphrey	Moe	Schaaf	
Coleman	Jensen	Nelson	Schmitz	
Conzemius	Keefe, J.	North	Schrom	
Davies	Keefe, S.	Olhoft	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1003: A bill for an act relating to animals; providing for admission of the public to establishments having custody of stray animals seized by public authority; requiring public notice of seized animals prior to sale or destruction; amending Minnesota Statutes 1974, Section 35.71, 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 8, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Nelson	Sillers
Bang	Dunn	Keefe, J.	Olhoft	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Blatz	Gearty	Laufenburger	Patton	Stassen
Brown	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Pillsbury	Stumpf
Coleman	Hughes	Merriam	Schaaf	Tennessee
Conzemius	Humphrey	Milton	Schmitz	Wegener

Those who voted in the negative were:

Ashbach	Chmielewski	Olson, J. L.	Renneke	Schrom
Berg	Hansen, Baldy	Perpich, G.		

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 532: A bill for an act relating to public health; Minnesota board of nursing; nursing schools; providing for registering,

licensing and disciplining registered and practical nurses; unauthorized practice of nursing; amending Minnesota Statutes 1974, Sections 148.181, Subdivisions 1 and 2; 148.191; 148.211, Subdivisions 1 and 3; 148.231, Subdivisions 1 and 2; 148.251; 148.261; 148.271; 148.281, Subdivision 1; 148.286, Subdivisions 1 and 3; 148.29, Subdivision 2; 148.291, Subdivisions 1 and 4; 148.292; 148.293, Subdivision 1; 148.294, Subdivisions 1 and 2; 148.296, Subdivision 1; 148.297; Chapter 148, by adding sections; repealing Minnesota Statutes 1974, Sections 148.282; and 148.291, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olson, H. D.	Spear
Aashbach	Dunn	Kowalczyk	Olson, J. L.	Stassen
Bang	Fitzsimons	Laufenburger	O'Neill	Stokowski
Bernhagen	Frederick	Lewis	Patton	Stumpf
Blatz	Gearty	McCutcheon	Perpich, A. J.	Tennessee
Brataas	Hansen, Mel	Merriam	Pillsbury	Ueland
Brown	Hanson, R.	Milton	Renneke	Wegener
Chenoweth	Hughes	Nelson	Schaaf	
Chmielewski	Humphrey	North	Schmitz	
Conzemiun	Keefe, J.	Olhoft	Sillers	
Davies	Keefe, S.	Olson, A. G.	Solon	

Messrs. Berg and Schrom voted in the negative.

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 142: A bill for an act adding a new route to the trunk highway system.

Mr. Laufenburger moved to amend H. F. No. 142 as follows:

Page 1, strike line 21 and insert "designated by the commissioner of highways."

Page 2, strike lines 1 through 3

The motion prevailed. So the amendment was adopted.

H. F. No. 142 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 9, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Nelson	Sillers
Bang	Frederick	Kowalczyk	North	Solon
Bernhagen	Gearty	Laufenburger	Olson, A. G.	Spear
Brataas	Hansen, Mel	Lewis	Olson, H. D.	Stassen
Brown	Hanson, R.	McCutcheon	O'Neill	Stokowski
Coleman	Hughes	Merriam	Perpich, A. J.	Stumpf
Conzemiun	Keefe, J.	Milton	Pillsbury	Tennessee
Davies	Keefe, S.	Moe	Renneke	Wegener

Those who voted in the negative were:

Berg	Doty	Olson, J. L.	Perpich, G.	Willet
Chmielewski	Josefson	Patton	Schmitz	

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 661: A bill for an act relating to elections; requiring the secretary of state to train all election officials.

Mr. Brown moved to amend S. F. No. 661 as follows:

Pages 1 and 2, underline all the new language

Page 2, after line 4, insert:

*"Sec. 2. [PRESIDENTIAL PRIMARY ELECTION.] There shall be held on the first Tuesday in April of each year in which a president and vice-president of the United States are to be nominated and elected a presidential primary election at which the voters shall express their popular choices for the party nominations for president of the United States.*

*Sec. 3. [CANDIDATES.] Subdivision 1. The name of every person who prior to 42 days before the date set for the presidential primary election has publicly declared himself to be a candidate for nomination for president of the United States from any political party as defined in Minnesota Statutes, Chapter 200, shall be placed upon the ballot of his party. The determination and certification of the names of such candidates shall be the responsibility of the secretary of state and the chairman of each political party meeting together within three days after such date. No later than 35 days prior to the date set for the presidential primary election the secretary of state shall notify each person so certified that his name shall be placed upon the ballot of his party unless no later than 28 days before such election he submits an affidavit stating that he is not a candidate for nomination for president of the United States and does not intend to seek such nomination. Any other person may have his name placed upon the ballot of a political party by filing an affidavit of candidacy no more than 42 days nor less than 28 days prior to the date set for the presidential primary election with the secretary of state, either in person or by proxy with his written authorization and paying a fee of \$150. No person shall have his name placed upon the ballot of more than one political party. A candidate may withdraw after filing provided that his affidavit of withdrawal has been received by the secretary of state no later than 28 days prior to the primary election.*

*Subd. 2. The state executive committee of any political party as defined in Minnesota Statutes, Chapter 200, may file with the secretary of state an affidavit of candidacy designated "Not committed to any candidate" according to the procedure set forth in subdivision 1. Such designation shall be included on the presidential primary election ballot as though it were the name of a candidate.*

**Sec. 4. [PRESIDENTIAL PRIMARY; HOW CONDUCTED.]** *Except as otherwise provided in this act, the presidential primary election shall be announced, held, conducted, and the results canvassed and returned in the manner provided by law for other primary elections and in accordance with the general election laws of the state, insofar as they are applicable. Nothing contained in this act shall alter or amend the existing primary election laws or the general election laws except as herein specifically provided. Paper ballots may be used for the presidential primary election in any precinct in which for other elections mechanical voting machines are used.*

**Sec. 5. [AUDITOR FURNISHED INFORMATION BY SECRETARY OF STATE.]** *Prior to February 1 of the year in which the presidential primary election is to be held, the secretary of state shall cause to be delivered to the auditor of each county a notice advising him of the date of the election. Each auditor, on receipt of the notice, shall cause a notice to be delivered to each town and city clerk in his county.*

**Sec. 6. [BALLOTS; VOTING PROCEDURE.]** *Subdivision 1. Except for ballots used in mechanical voting machines and electronic voting systems, the secretary of state shall prepare the ballots on white paper and voter's certificates for use in the presidential primary election. The ballots and voter's certificates for each political party shall bear on the face the name of the party in three-eighths inch upper case boldface type, or as close to this as practicable. On the back of the ballot below the signature of the election officials shall be printed, as specified in this subdivision, the name of the political party, so as to be visible when the ballot is properly folded for deposit. After verification of the voter's signature, the voter shall be given a ballot of the same party as his voter's certificate and no other.*

*Subd. 2. The provisions of Minnesota Statutes, Chapter 207, regulating balloting by absent and disabled voters, shall apply to the presidential primary election, except that the secretary of state shall modify the application for an absentee ballot to include a space for the voter to specify the political party for which he requests a ballot.*

**Sec. 7. [SELECTION AND ALLOCATION OF NATIONAL CONVENTION DELEGATES.]** *Subdivision 1. The state executive committee of each political party as defined in Minnesota Statutes, Chapter 200, shall, at least 56 days prior to the date of the presidential primary election, submit to the secretary of state the party's plan for the selection and allocation of national convention delegates. The plan shall include the number of delegates and alternate delegates to be selected and the method of apportionment if any delegates are to be selected from districts smaller than the state. The plan shall include the method of re-allocating delegates in the event that a candidate withdraws from competition following the primary election but before delegates are selected. The state executive committee of the party shall provide for the allocation of delegates to candidates to reflect the result of the presidential primary election.*

*Subd. 2. Within three days after the state canvassing board has certified the results of the presidential primary election, the secretary of state shall transmit to the state chairman of each political party for which at least one candidate was listed on the ballot the number of votes each presidential candidate received statewide and in each congressional district.*

*Subd. 3. Within 21 days after the state canvassing board has certified the results of the presidential primary election the chairman of each political party as defined in Minnesota Statutes, Chapter 200, shall submit to the secretary of state the number of delegates and alternate delegates allocated to each candidate and the apportionment of such delegates and alternate delegates if they are to be selected from districts smaller than the state.*

**Sec. 8. [ADDITIONAL JUDGES NOT REQUIRED.]** *The provisions of Laws 1975, Chapter 5, Section 78, Subdivision 3, requiring one judge for every 150 voters and additional qualified judges to count the votes after the polls close shall not apply to elections held under this act. The secretary of state shall determine the number of voters per judge required for this act.*

**Sec. 9. [USE OF BALLOT BOXES, VOTING BOOTHS.]** *Subdivision 1. For purposes of this act, any school district using paper ballots shall loan its ballot boxes and voting booths to any municipality within its boundaries which for other elections uses mechanical or electronic voting systems.*

*Subd. 2. For purposes of this act, any municipality which uses paper ballots may loan ballot boxes to any other municipality which for other elections uses mechanical or electronic voting systems.*

**Sec. 10.** *No person shall use or threaten to use physical force, job discrimination or financial reprisal against any other person because of the political party affiliation listed on his voter registration card, or to cause him to change the political party affiliation so listed. Any person violating this section shall, upon conviction thereof, be guilty of a gross misdemeanor.*

**Sec. 11.** Minnesota Statutes 1974, Section 201.071, Subdivision 1, is amended to read :

**201.071 [REGISTRATION CARDS.]** *Subdivision 1. Registration cards shall be manila or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:*

VOTERS REGISTRATION CARD

(Please print or type)

Date: .....

1. Name: .....  
Last First Middle Initial

2. Address: .....  
Street or Route No. (do not use P.O. Box)  
.....  
City (or township) County Zip

3. Birth Date .....

~~3.~~ 4. Telephone Number (optional): .....

~~4.~~ 5. Most Recent Prior Residence .....  
Street or Route Number  
.....  
City (or Township) Zip

~~5.~~ 6. Most Recent Prior Registration .....  
Street or Route Number  
.....  
City (or Township) Zip

7. Political Party Affiliation: .....

~~6.~~ 8. I certify that I will be at least 18 years old on election day and that the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$5,000, or both.

.....  
Signature of Voter

*For registration existing on the effective date of this act and for registration cards printed before the effective date of this act, it is sufficient for the election judge to enter the party affiliation of the voter on the card directly below the space marked OFFICE USE ONLY.*

Sec. 12. Minnesota Statutes 1974, Section 201.071, Subdivision 3, is amended to read:

Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address, prior residence, prior registration if any and signature, as in items 1, 2, ~~4~~, 5, 6 and ~~6~~ 8 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. A voter may list as his party affiliation one of the major political parties as defined in Minnesota Statutes, Chapter 200, Independent, or one of the minor parties. A voter may vote only in the primary election of the party appearing on his registration card. A voter who does not indicate his political party affiliation shall not be permitted to vote in a pri-

*mary election of any political party. A voter may change his registered party affiliation at any time except during the 20 days immediately preceding or on the day of a primary election, except that a voter who has voted in the presidential primary election of one political party may not vote in the September primary election of any other party in that year. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is duly and successfully challenged in accordance with provisions of chapter 201.*

Sec. 13. Minnesota Statutes 1974, Section 201.071, is amended by adding a subdivision to read:

*Subd. 5. A voter who has not indicated his party affiliation on his registration card may vote in a presidential primary election by stating to the judge of election on the presidential primary election day the party primary in which he wishes to vote. The judge of election shall enter the voter's party preference upon his registration card and shall transmit this information to the county auditor to be entered upon the voter's permanent registration card on file in the auditor's office.*

Sec. 14. Minnesota Statutes 1974, Section 206.01, Subdivision 8, is amended to read:

Subd. 8. The term "primary lever" means the lever which the voter election judge must operate in a political party primary to unlock the voting levers assigned to the candidates of the political party in the primary of which the voter wishes to vote.

Sec. 15. Minnesota Statutes 1974, Section 206.07, Subdivision 1, is amended to read:

206.07 [CANDIDATES, ARRANGEMENT OF NAMES.] Subdivision 1. [PLACEMENT.] Where voting machines are authorized and employed, the titles of offices may be arranged horizontally with the names of the candidates arranged vertically under the title of the office, or the titles of the offices may be arranged vertically with the names of the candidates arranged horizontally opposite the respective titles. On the "~~Consolidated Primary Election Ballot~~" primary ballot prepared for primary elections, and on the white ballot prepared for the general election, the order of the names of nominees, or names of candidates for election, as the case may be, shall be the same as is required for paper ballots. More than one column or row may be used for the same office or party. Questions, constitutional amendments, or other propositions shall be placed on the machines in the space provided for that purpose and shall be arranged in the manner which the construction of the machine requires.

Sec. 16. Minnesota Statutes 1974, Section 206.07, Subdivision 4, is amended to read:

Subd. 4. [VOTING MACHINES.] The machine adopted or employed must be so constructed as to insure to every elector an opportunity to vote in secret; to permit him to vote once

and only once for all the candidates and upon all the propositions for whom or upon which he is legally entitled to vote; to permit him to vote by means of some devices connected with the mechanism of the machine, for any person for any office elective by the voters of his precinct at such election, although such person has not been regularly nominated for such office by any political party, and his name does not appear upon the ballot form on or in such machines as a candidate for such office; to prevent the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event to limit him to the number to be elected to that office; to prevent him at a primary election ; from voting for the nomination of candidates of ~~more than one~~ *any party not shown on his voter registration card or voter's certificate* , or for any person whose name is not on the official ballot at such election; to prevent him from voting for any candidate or upon any proposed amendment, question or proposition, for whom or upon which he is not lawfully entitled to vote; to permit him to change or retract any vote he has attempted to cast for any candidate for any office or upon any proposition up to the time his vote has been completed, and his vote in favor of such person or proposition has been registered thereon. No machine which does not comply with these requirements shall be approved, authorized or employed; except that machines may be used which are not so constructed as to permit a voter to change from one party to another in a party primary or to retract a vote cast on the irregular ballot device. In such cases the voter shall be required to first return all voting levers to the unvoted position and remove, cross out or erase any vote recorded on the irregular ballot device, as the case may be, and shall then call upon the election officials to witness that it has been done, and they shall then cause the voting machine to be returned to the original unvoted position and shall permit the voter to begin from the beginning once more. Such operation of the voting machine under such conditions as in this paragraph mentioned shall be designated as a spoiled voting machine ballot and the election officials present shall make out and sign a certificate stating the facts for each such case which shall be returned with the official returns of the election.

Sec. 17. Laws 1975, Chapter 5, Section 51, Subdivision 1, is amended to read:

Sec. 51. [203A.22] [BALLOTS.] Subdivision 1. [PARTISAN AND NONPARTISAN CANDIDATES.] All voting at the primary election shall be by ballot. There shall be one ballot for ~~all partisan~~ *the candidates ; grouped by parties of each party* , and a separate ballot for all candidates to be nominated without party designation.

Sec. 18. Laws 1975, Chapter 5, Section 52, Subdivision 1, is amended to read:

Sec. 52. [203A.23] [PRIMARY BALLOTS, PREPARATION.] Subdivision 1. [FORM.] Except as provided in this section, the primary election ballots shall be printed in the same general manner as is provided for the general election ballots, so far as

practicable. The auditor of each county shall have printed a sufficient number of separate primary election ballots, varied as may be necessary for the several precincts and wards. The ~~consolidated~~ primary election ~~ballet~~ ballots shall be on white paper, the nonpartisan primary ballot shall be on canary paper, and any municipal primary ballot shall be on light green paper.

Sec. 19. Laws 1975, Chapter 5, Section 52, Subdivision 7, is amended to read:

Subd. 7. [PRIMARY PARTY BALLOT.] The party ballot shall be headed by the words, "~~Consolidated Primary Election Ballot.~~" name of the party in three-eighths inch upper case bold-face type, or as close to this as practicable. Each political party shall have a separate ticket on the ~~consolidated~~ ballot, under which the names of all the candidates of the political party shall be grouped. Each political party ticket shall be headed by the words, "~~.....~~ Party Ticket," giving the party name. Below the party name shall be printed the words, "You cannot split your ballot. If you vote for candidates of more than one party, your ballot will be rejected." Each party ticket shall be separated by a 12 point solid rule line. On the ~~consolidated~~ ballot The candidates for senator in congress shall be first, candidates for representatives in congress shall be second, candidates for senator in the legislature shall be third, and candidates for representative in the legislature shall be fourth. The candidates for state office shall follow the candidates for representative in the legislature.

Sec. 20. Laws 1975, Chapter 5, Section 90, is amended by adding a subdivision to read:

Subd. 1a. [VOTER'S CERTIFICATE, FORM FOR PRIMARY.] For primary elections only there shall be separate voter's certificates printed for the voters of each political party and for independent and minor party voters. The name of the party or the words "Independent or Minor Party" shall appear on the face of the certificates in three-eighths inch upper case bold face type, or as close to this as practicable. The certificates for independent or minor party voters shall also include a line on which the voter shall indicate his party. Unless the name of the party appearing on the voter's certificate is the same as that appearing on the voter's registration card, the voter shall not be permitted to vote in the primary of any party.

Sec. 21. Laws 1975, Chapter 5, Section 52, Subdivision 8, and Section 93, Subdivision 2, are repealed.

Sec. 22. [APPROPRIATION.] There is hereby appropriated from the general fund to the secretary of state for the purposes of this act the sum of \$1,000,000 for the biennium ending June 30, 1977. This appropriation shall cover all of the administrative expenses incurred by the secretary of state in carrying out the purposes of this act; the reimbursement for salaries of election judges at a rate not to exceed \$35 per judge; costs incurred by the secretary of state in training election judges; reimbursement for purchase of ballot boxes and voting booths for precincts which for other elections use mechanical voting systems and which cannot obtain such boxes and booths from any other source; costs incurred in converting mechanical voting machines

*to comply with the provisions of this act; and reimbursement to counties for the cost of registration in excess of the costs normally incurred in the year of a presidential election. In the event that this appropriation is not sufficient to completely reimburse the local units of government, the secretary of state shall not request a deficiency appropriation, but the amounts reimbursed to the local units of government shall be prorated on the basis of the number of votes cast in said election in the local units."*

Renumber the sections in sequence

Amend the title by striking it in its entirety and insert:

"A bill for an act relating to elections; requiring the secretary of state to train all election officials; permitting public officials time off to attend meetings of their public offices; prohibiting retaliatory action by employers; providing for party registration; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money; amending Minnesota Statutes 1974, Sections 201.-071, Subdivisions 1 and 3, and by adding a subdivision; 206.01, Subdivision 8; 206.07, Subdivisions 1 and 4; and Laws 1975, Chapter 5, Section 51, Subdivision 1; Section 52, Subdivisions 1 and 7; and Section 90 by adding a subdivision; repealing Laws 1975, Chapter 5, Section 52, Subdivision 8; and Section 93, Subdivision 2."

### CALL OF THE SENATE

Mr. Brown imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Keefe, J.	Nelson	Schmitz
Arnold	Dunn	Keefe, S.	Olhoft	Schrom
Ashbach	Fitzsimons	Kirchner	Olson, A. G.	Spear
Bang	Gearty	Knutson	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Larson	O'Neill	Stumpf
Blatz	Hanson, R.	Laufenburger	Patton	Ueland
Brataas	Hughes	Lewis	Perpich, G.	
Brown	Humphrey	Merriam	Pillsbury	
Chmielewski	Jensen	Milton	Renneke	
Coleman	Josefson	Moe	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Hansen, Baldy	Kirchner	North
Berg	Conzemius	Hansen, Mel	Kleinbaum	Olson, J. L.
Bernhagen	Doty	Hanson, R.	Kowalczyk	Perpich, G.
Blatz	Dunn	Josefson	Larson	Renneke
Brown	Gearty	Keefe, J.	Nelson	Willet

Those who voted in the negative were:

Anderson	Fitzsimons	McCutcheon	O'Neill	Stassen
Arnold	Hughes	Merriam	Patton	Stokowski
Ashbach	Humphrey	Milton	Perpich, A. J.	Stumpf
Borden	Jensen	Moe	Pillsbury	Tennessee
Brataas	Keefe, S.	Ogdahl	Schaaf	Ueland
Chenoweth	Knutson	Olhoft	Schmitz	
Coleman	Laufenburger	Olson, A. G.	Schrom	
Davies	Lewis	Olson, H. D.	Spear	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 661 was then progressed.

### SPECIAL ORDER

H. F. No. 597: A bill for an act relating to the Minnesota society for the prevention of cruelty; eliminating jurisdiction of society over matters of cruelty to children; amending Minnesota Statutes 1974, Sections 343.01, Subdivision 1; 343.04; 343.05; 343.06; 343.07; 343.08; 343.10; 343.11; and 343.12.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Kirchner	Ogdahl	Schaaf
Ashbach	Fitzsimons	Knutson	Olhoft	Schmitz
Bang	Frederick	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Gearty	Larson	Olson, H. D.	Stumpf
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Brataas	Hanson, R.	Lewis	O'Neill	Willett
Brown	Hughes	Merriam	Patton	
Chenoweth	Humphrey	Milton	Perpich, A. J.	
Coleman	Jensen	Moe	Perpich, G.	
Davies	Josefson	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1328: A bill for an act relating to real estate; abstracters; increasing fees and amount of bonds; changing enforcement procedures; providing for greater access to public records; changing registration requirement; amending Minnesota Statutes 1974, Sections 386.62; 386.66; 386.68; 386.70; 386.71; and Chapter 386, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Schrom
Arnold	Doty	Keefe, J.	Olson, A. G.	Spear
Ashbach	Dunn	Kirchner	Olson, H. D.	Stokowski
Bang	Fitzsimons	Knutson	Olson, J. L.	Stumpf
Berg	Gearty	Kowalczyk	Patton	Tennessee
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Wegener
Blatz	Hansen, Mel	Lewis	Perpich, G.	Willet
Brataas	Hanson, R.	Merriam	Pillsbury	
Brown	Hughes	Milton	Renneke	
Chenoweth	Humphrey	Moe	Schaaf	
Chmielewski	Jensen	Nelson	Schmitz	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 795: A bill for an act relating to Chisago county; requiring the Chisago county attorney to prosecute misdemeanors occurring within municipalities in Chisago county; providing for the disposition of fines.

Mr. Anderson moved to amend H. F. No. 795 as follows:

Page 1, after line 19, insert

"Sec. 3. The governing bodies of the city of Lindstrom, the county of Chisago and Independent School District No. 141 are hereby authorized to contract for the construction, installation, and maintenance by the city of sewer and water service lines extending from the city to school facilities located outside the city, and the manner of payment therefor shall not be subject to the provisions of Minnesota Statutes, Sections 475.51, Subdivision 3, and 475.58."

Renumber the sections in sequence

Page 1, line 20, before "This" insert "Subdivision 1. Sections 1 and 2 of"

Page 1, line 20, strike "is" and insert "are"

Page 1, after line 22, insert

"Subd. 2. Section 3 of this act is effective upon its approval by the governing bodies of Chisago county, the city of Lindstrom, and Independent School District No. 141, and upon compliance with section 645.021."

Amend the title as follows:

Page 1, line 2, after "to" insert "local government in"

Page 1, line 5, after "fines" insert "; authorizing the city of Lindstrom, the county of Chisago and Independent School District No. 141 to contract for certain purposes"

The motion prevailed. So the amendment was adopted.

H. F. No. 795 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 46 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson, R.	Moe	Sillers
Arnold	Conzemius	Hughes	Nelson	Stokowski
Ashbach	Davies	Humphrey	North	Stumpf
Bang	Doty	Josefson	Olson, A. G.	Tennessen
Berg	Dunn	Kirchner	Olson, H. D.	Wegener
Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Willet
Blatz	Frederick	Kowalczyk	Patton	
Brown	Gearty	Laufenburger	Perpich, G.	
Chenoweth	Hansen, Baldy	Merriam	Pillsbury	
Chmielewski	Hansen, Mel	Milton	Schrom	

Mr. Keefe, J. voted in the negative.

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 720: A bill for an act relating to district courts; providing for the appointment and compensation of law clerks.

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 7, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	Olhoff	Spear
Arnold	Davies	Kleinbaum	Olson, A. G.	Stassen
Ashbach	Doty	Knutson	O'Neill	Stokowski
Bang	Gearty	Laufenburger	Patton	Stumpf
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Borden	Hanson, R.	Merriam	Perpich, G.	Wegener
Brataas	Hughes	Milton	Pillsbury	Willet
Chenoweth	Humphrey	Moe	Schaaf	
Chmielewski	Josefson	Nelson	Schmitz	
Coleman	Keefe, S.	North	Schrom	

Those who voted in the negative were:

Berg	Frederick	Ogdahl	Olson, J. L.	Sillers
Dunn	Larson			

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 605: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; prohibiting driving under the influence of a controlled substance; providing penalties; amending Minnesota Statutes 1974, Section 169.121, 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 50 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoff	Schaaf
Arnold	Frederick	Knutson	Olson, A. G.	Schmitz
Ashbach	Gearty	Laufenburger	Olson, J. L.	Schrom
Bang	Hansen, Baldy	Lewis	O'Neill	Sillers
Berg	Hansen, Mel	Merriam	Patton	Spear
Bernhagen	Hanson, R.	Milton	Perpich, A. J.	Stassen
Brataas	Hughes	Moe	Perpich, G.	Stumpf
Conzemius	Josefson	Nelson	Pillsbury	Tennessee
Davies	Keefe, S.	North	Purfeerst	Wegener
Doty	Kirchner	Ogdahl	Renneke	Willet

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 218: A bill for an act relating to labor; regulating the powers, duties and procedures of the department of labor and industry; regulating the divisions of the department of labor and industry; amending Minnesota Statutes 1974, Sections 175.08; 175.16; 175.171; 175.20; and 175.27; repealing Minnesota Statutes 1974, Sections 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; 175.29; 175.30; 175.31; and 175.32.

Mr. Frederick moved to amend H. F. No. 218 as follows:

Page 4, line 7, strike "*question employees and*"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 218 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Stumpf moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 32 and nays 32, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Laufenburger	Olson, A. G.	Stokowski
Borden	Gearty	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Hansen, Mel	Merriam	Perpich, G.	Tennessee
Chmielewski	Hughes	Milton	Purfeerst	Willet
Coleman	Humphrey	Moe	Schaaf	
Conzemius	Keefe, S.	North	Schrom	
Davies	Kleinbaum	Olhoff	Spear	

Those who voted in the negative were:

Ashbach	Brataas	Hansen, Baldy	Kirchner	Nelson
Bang	Brown	Hanson, R.	Knutson	Ogdahl
Berg	Dunn	Jensen	Kowalczyk	Olson, H. D.
Bernhagen	Fitzsimons	Josefson	Larson	Olson, J. L.
Blatz	Frederick	Keefe, J.	McCutcheon	O'Neill

Patton  
PillsburyRenneke  
Schmitz

Sillers

Ueland

Wegener

So the bill failed to pass.

### RECONSIDERATION

Mr. Frederick moved that the vote whereby H. F. No. 218 failed to pass the Senate on May 19, 1975, be now reconsidered. The motion prevailed.

Mr. Davies moved that the vote whereby the Frederick amendment to H. F. No. 218 was not adopted on May 19, 1975, be now reconsidered. The motion prevailed.

H. F. No. 218: A bill for an act relating to labor; regulating the powers, duties and procedures of the department of labor and industry; regulating the divisions of the department of labor and industry; amending Minnesota Statutes 1974, Sections 175.08; 175.16; 175.171; 175.20; and 175.27; repealing Minnesota Statutes 1974, Sections 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; 175.29; 175.30; 175.31; and 175.32.

Mr. Frederick moved to amend H. F. No. 218 as follows:

Page 4, line 7, strike "*question employees*"

The motion prevailed. So the amendment was adopted.

H. F. No. 218 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:

Arnold	Dunn	Keefe, S.	North	Schmitz
Ashbach	Fitzsimons	Kirchner	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olhoft	Sillers
Berg	Gearty	Knutson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brataas	Hanson, R.	Lewis	Patton	Stumpf
Brown	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Merriam	Pillsbury	Ueland
Chmielewski	Jensen	Milton	Purfeerst	Willet
Davies	Josefson	Moe	Renneke	
Doty	Keefe, J.	Nelson	Schaaf	

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1309: A bill for an act relating to the operation of state government; authorizing the commissioner of administration to establish on a demonstration basis a regional service center comprising selected state agencies and to enter into a lease for purposes of acquiring suitable space for the center.

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:

Ashbach	Dunn	Kirchner	Olhoff	Schrom
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Berg	Gearty	Knutson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brataas	Hanson, R.	McCutcheon	Patton	Stumpf
Chmielewski	Hughes	Milton	Perpich, A. J.	Tennessee
Conzemius	Josefson	Nelson	Pillsbury	Ueland
Davies	Keefe, J.	North	Renneke	Willet
Doty	Keefe, S.	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 1331: A bill for an act relating to the soil and water conservation commission; providing for the membership of the commission; amending Minnesota Statutes 1974, Section 40.03, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Laufenburger	Olson, J. L.	Solon
Arnold	Gearty	Lewis	O'Neill	Spear
Bang	Hansen, Baldy	McCutcheon	Patton	Stassen
Berg	Hansen, Mel	Milton	Perpich, A. J.	Stokowski
Bernhagen	Hanson, R.	Moe	Perpich, G.	Stumpf
Brataas	Hughes	Nelson	Pillsbury	Tennessee
Chmielewski	Josefson	North	Purfeerst	Ueland
Conzemius	Keefe, J.	Ogdahl	Renneke	Willet
Davies	Kirchner	Olhoff	Schmitz	
Doty	Kleinbaum	Olson, A. G.	Schrom	
Dunn	Kowalczyk	Olson, H. D.	Sillers	

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 629: A bill for an act relating to commerce; industrial loan and thrift companies; extending the period of maturity and increasing the size of loans in ratio to committed reserves; amending Minnesota Statutes 1974, Sections 53.04; and 53.05.

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 45 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Nelson	Sillers
Arnold	Dunn	Kleinbaum	North	Solon
Bang	Fitzsimons	Knutson	Ogdahl	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Stokowski
Brataas	Hansen, Mel	Lewis	Perpich, G.	Stumpf
Chmielewski	Hughes	McCutcheon	Pillsbury	Tennessee
Coleman	Josefson	Milton	Purfeerst	Ueland
Conzemius	Keefe, J.	Moe	Schrom	Willet

Messrs. Davies and Olson, A. G. voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 1441: A bill for an act relating to municipalities; industrial development; authorizing municipalities to enter into certain loan agreements and sale contracts; amending Minnesota Statutes 1974, Sections 474.01, Subdivisions 1, 5, 6, 7 and 8; 474.02, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 474.03; 474.04; 474.05; 474.08; 474.09; 474.10, Subdivisions 1 and 4; 474.11; 474.12; 474.13; Chapter 474, by adding a section; repealing Minnesota Statutes 1974, Section 474.02, Subdivisions 1a and 1b.

Mr. Milton moved to amend H. F. No. 1441, as amended pursuant to Rule 49, adopted by the Senate May 13, 1975, as follows:

Pages 4 and 5, strike all of section 6

Renumber the sections in sequence

Page 9, line 26, after the semicolon insert "*provided, no municipality or redevelopment agency shall enter into or perform any contract or agreement with any school district under which the municipality or redevelopment agency issues its revenue bonds or otherwise provides for the construction of school facilities and the school leases or otherwise acquires these facilities;*"

Page 13, line 13, after the underlined comma insert "*or 1a, or 1b*"

Page 13, strike the new language in lines 14 to 16

Page 20, strike lines 6 and 7

Renumber the sections

Amend the title as follows:

Page 1, line 7, strike "1,"

Page 1, line 11, strike ";; repealing Minnesota Statutes 1974,"

Page 1, line 12, strike "Section 474.02, Subdivisions 1a and 1b"

The motion prevailed. So the amendment was adopted.

H. F. No. 1441 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Nelson	Schrom
Arnold	Dunn	Kirchner	North	Solon
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Patton	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Perpich, A. J.	Stumpf
Brataas	Hansen, R.	McCutcheon	Perpich, G.	Ueland
Brown	Hughes	Merriam	Pillsbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Davies	Josefson	Moe	Renneke	

Messrs. Knutson and Ogdahl voted in the negative.

So the bill, as amended, passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 999: A bill for an act relating to state banks; authorizing state banks to take second liens on real estate; amending Minnesota Statutes 1974, Section 48.19, Subdivision 1, and by adding a subdivision; and repealing Minnesota Statutes 1974, Section 48.19, Subdivision 3.

Mr. Kirchner moved that the amendment made to H. F. No. 999 by the Committee on Rules and Administration in the report adopted May 13, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 999 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Ogdahl	Schaaf
Arnold	Frederick	Knutson	Olhoft	Schmitz
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Schrom
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Blatz	Hansen, R.	McCutcheon	Patton	Stokowski
Brataas	Hughes	Merriam	Perpich, A. J.	Stumpf
Brown	Humphrey	Milton	Perpich, G.	Wegener
Chmielewski	Jensen	Moe	Pillsbury	Willet
Davies	Josefson	Nelson	Purfeerst	
Dunn	Keefe, S.	North	Renneke	

Messrs. Doty, Spear and Tennessen voted in the negative.

So the bill, as amended, passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1647: A bill for an act relating to natural resources; transferring forest pest control jurisdiction from the commissioner of agriculture to commissioner of natural resources; expanding volunteer programs; eliminating certain restrictions on acquisition of public access; changing license fees for commercial fishing on Lake Superior; prohibiting decoys and erection of blinds on public lands; prescribing penalties for certain violations; amending Minnesota Statutes 1974, Sections 18.341, Subdivision 3; 18.391, Subdivision 1; 85.041, Subdivision 1; 97.48, Subdivision 15; 97.55, Subdivisions 1, 2, 3 and 4; 98.46, Subdivision 12; 98.47, Subdivision 9; 100.29, Subdivision 18; and 102.28, Subdivisions 2, 3 and 4; repealing Laws 1963, Chapter 70, 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 48 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Jensen	Nelson	Schrom
Bang	Davies	Keefe, S.	Olhoft	Sillers
Berg	Doty	Kirchner	Olson, A. G.	Spear
Bernhagen	Fitzsimons	Kleinbaum	Olson, J. L.	Stassen
Blatz	Frederick	Knutson	Patton	Stokowski
Borden	Gearty	Kowalczyk	Perpich, A. J.	Stumpf
Brataas	Hansen, Baldy	Lewis	Pillsbury	Wegener
Brown	Hansen, Mel	McCutcheon	Purfeerst	Willet
Chenoweth	Hughes	Merriam	Renneke	
Chmielewski	Humphrey	Milton	Schmitz	

Mr. Olson, H. D. voted in the negative.

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

H. F. No. 1146: A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; security deposits; withholding rent for last payment period; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 504.20, by adding a subdivision; Chapter 504, by adding sections; Chapter 566, by adding a section.

Mr. Doty moved to amend H. F. No. 1146, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 3, line 3, before the period, insert "*, or to landlords who are housing authorities, created or authorized to be created by sections 462.415 to 462.711, and their agents and employees, in possession of a tenant's personal property, except that housing authorities must allow the tenant to retake possession of the property in accordance with this subdivision.*"

Section 9, added by the amendment, pursuant to Rule 49, after "agreement" insert "*, except an oral or written month to month resi-*

*dential rental agreement concerning which neither the tenant nor landlord has served a notice to quit,"*

The motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend H. F. No. 1146, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Strike the amendments to pages 5 and 8, adopted by the Senate May 14, 1975, pursuant to Rule 49

The motion prevailed. So the amendment was adopted.

H. F. No. 1146 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Knutson	Patton	Spear
Bang	Hansen, Mel	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hanson, R.	Lewis	Perpich, G.	Stumpf
Blatz	Hughes	Merriam	Purfeerst	Tennessee
Borden	Humphrey	Milton	Schaaf	Ueland
Brataas	Keefe, J.	Moe	Schmitz	Willet
Chenoweth	Keefe, S.	Nelson	Schrom	
Davies	Kirchner	Olhoft	Solon	
Doty	Kleinbaum	Olson, A. G.	Sillers	

So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 654: A bill for an act relating to crimes; specifying the acts constituting sexual offenses; admissibility of evidence in sex offense prosecutions; providing penalties; amending Minnesota Statutes 1974, Section 609.185; and Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.295; 609.296; 609.34; and 609.36.

Mr. Davies moved to amend H. F. No. 654, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 2, after line 27, insert a new subdivision to read:

*"Subd. 8. "Personal injury" means bodily harm as defined in section 609.02, subdivision 7, or severe mental anguish or pregnancy."*

Renumber the subdivisions in sequence

Page 4, line 26, after "causes" strike "bodily harm" and insert "personal injury"

Page 4, line 26, after the comma strike "as"

Page 4, line 27, strike "defined in section 609.02, subdivision 7,"

Page 6, line 7, after "causes" strike "bodily harm" and insert insert "personal injury"

Page 6, line 7, after the comma strike "as"

Page 6, line 8, strike "defined in section 609.02, subdivision 1,"

Page 7, line 30, after "is" strike "more" and insert "no less"

Page 9, line 24, after "conduct" strike "tends" and insert "tending"

Page 9, line 25, after "similar" insert "sexual"

Page 9, line 25, after "conduct" insert "under circumstances similar to the case at issue"

Page 9, line 26, after "relevant" insert "and material"

Page 11, line 26, after "were" insert "adults"

Page 11, line 27, after "cohabiting" insert "in an ongoing voluntary sexual relationship"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 654, as amended pursuant to Rule 49, adopted by the Senate May 14, 1975, as follows:

Page 12, line 23, strike "609.293;"

Page 12, line 23, after "609.295;" insert "and"

Page 12, line 23, strike "609.34; and"

Page 12, line 24, strike "609.36"

Amend the title as follows:

Page 1, line 8, strike "609.293;"

Page 1, line 9, after "609.295;" insert "and"

Page 1, line 9, strike "609.34; and 609.36"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 35 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Humphrey	Larson	Patton
Bang	Fitzsimons	Jensen	North	Renneke
Berg	Gearty	Josefson	Ogdahl	Schmitz
Bernhagen	Hansen, Baldy	Keefe, J.	Olhoff	Schrom
Blatz	Hansen, Mel	Kirchner	Olson, H. D.	Stassen
Brown	Hanson, R.	Knutson	Olson, J. L.	Stokowski
Chmielewski	Hughes	Kowalczyk	O'Neill	Willet

Those who voted in the negative were:

Arnold	Coleman	Merriam	Perpich, A. J.	Spear
Borden	Davies	Moe	Pillsbury	Stumpf
Brataas	Keefe, S.	Olson, A. G.	Schaaf	Tennessee

The motion prevailed. So the amendment was adopted.

H. F. No. 654 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olson, A. G.	Spear
Arnold	Dunn	Kowalczyk	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Larson	Olson, J. L.	Stokowski
Berg	Gearty	Laufenburger	Patton	Stumpf
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brataas	Hanson, R.	Merriam	Pillsbury	Wegener
Brown	Hughes	Milton	Purfeerst	Willet
Chenoweth	Humphrey	Moe	Schaaf	
Coleman	Jensen	Nelson	Schmitz	
Conzernius	Keefe, J.	North	Sillers	
Davies	Keefe, S.	Olhoft	Solon	

So the bill, as amended, passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that H. F. No. 1140 be withdrawn from the Committee on Finance and placed on General Orders. The motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance designated H. F. No. 1140 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1140: A bill for an act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Olhoft	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bang	Frederick	Knutson	Olson, H. D.	Spear
Berg	Gearty	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Laufenburger	Patton	Stumpf
Borden	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brataas	Hughes	McCutcheon	Perpich, G.	Ueland
Brown	Humphrey	Merriam	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schmitz	

So the bill passed and its title was agreed to.

### RECESS

Mr. Coleman moved that the Senate do now recess until 4:40 o'clock p.m. The motion prevailed.

The hour of 4:40 o'clock p.m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of this evening's proceedings. The following Senators answered to their names:

Arnold	Davies	Kirchner	Ogdahl	Stassen
Ashbach	Doty	Kleinbaum	Olhoft	Stokowski
Bang	Dunn	Knutson	Olson, A. G.	Stumpf
Bernhagen	Fitzsimons	Larson	Olson, H. D.	Tennessee
Blatz	Gearty	Laufenburger	O'Neill	Ueland
Borden	Hansen, Baldy	Lewis	Patton	Wegener
Brataas	Hansen, Mel	McCutcheon	Perpich, G.	Willet
Brown	Hanson, R.	Merriam	Pillsbury	
Chmielewski	Hughes	Milton	Purfeerst	
Coleman	Humphrey	Moe	Schaaf	
Conzemius	Keefe, S.	North	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessee moved that H. F. No. 1810 be taken from the table. The motion prevailed.

H. F. No. 1810: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota for the construction or alteration of school buildings related to desegregation and for the acquisition and preparation of land for the expansion of metropolitan community college; creating the vocational-technical building fund and authorizing the issuance of state bonds to provide money for appropriation therefor for grants to school districts for the acquisition and

betterment of public land, buildings, and capital improvements needed for the area vocational-technical education program; appropriating money from the general fund for payment of the bonds; providing for the acquisition of certain property by St. Cloud state college; appropriating money.

The question recurred on the Brown amendment. Mr. Brown withdrew his amendment.

Mr. Nelson moved to amend H. F. No. 1810 as follows:

Page 2, strike lines 4 to 20

Page 2, line 21, strike "sections" and insert "section"

Page 2, line 22, strike ", 2 and 3"

Page 2, line 23, strike "sections" and insert "section"

Page 2, line 23, strike ", 2 and 3"

Page 2, line 26, strike "\$16,875,000" and insert "\$12,300,000"

Strike pages 3 to 8

Page 9, strike lines 1 to 18

Renumber the remaining sections

Further amend the title as follows:

Page 1, line 5, strike "for the construction or"

Page 1, strike lines 6 to 18

Page 1, line 19 strike "college"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 17 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Kowalczyk	Pillsbury
Berg	Chmielewski	Josefson	Nelson	Sillers
Bernhagen	Doty	Knutson	Olhoff	Wegener
Brataas	Frederick			

Those who voted in the negative were:

Anderson	Davies	Kirchner	Olson, A. G.	Schmitz
Arnold	Dunn	Kleinbaum	Olson, J. L.	Schrom
Bang	Gearty	Larson	O'Neill	Spear
Blatz	Hansen, Baldy	Merriam	Patton	Stokowski
Borden	Hughes	Milton	Perpich, A. J.	Stumpf
Chenoweth	Humphrey	Moe	Perpich, G.	Tennessee
Coleman	Jensen	North	Purfeerst	Willet
Conzemius	Keefe, S.	Ogdahl	Renneke	

The motion did not prevail. So the amendment was not adopted.

Mr. Sillers moved to amend H. F. No. 1810 as follows:

Page 2, after line 20, insert:

"Sec. 4. [MOORHEAD STATE COLLEGE.] The sum of \$2,593,800 is appropriated from the Minnesota state building fund in the state

treasury to the commissioner of administration to correct certain deficiencies at the Moorhead state college campus. Included within the above appropriation is a sum of \$70,000 to correct deficiencies in college tennis courts, a sum of \$110,000 to correct deficiencies in college track facilities and a sum of \$2,413,800 to provide for the expansion of the college arts center."

Page 2, line 26, strike "\$16,875,000" and insert "\$19,968,800"

Renumber the sections in sequence

Correct the internal references in the bill

Amend the title as follows:

Page 1, line 9, after "college" insert "and Moorhead state college"

The motion did not prevail. So the amendment was not adopted.

Mr. Sillers then moved to amend H. F. No. 1810 as follows:

Page 9, after line 18, insert:

"Sec. 12. Subdivision 1. There is hereby appropriated from the general fund to the state college board the sum of \$70,000 or so much thereof as may be necessary to reconstruct six tennis courts at Moorhead State College.

Subd. 2. There is hereby appropriated from the general fund to the state college board the sum of \$110,000 or so much thereof as may be necessary to install an all-weather track at Moorhead State College."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 19, after the semicolon, insert "providing for the construction of tennis courts at Moorhead State College; providing for the installation of an all-weather track at Moorhead State College;"

The motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 1810 as follows:

Pages 1 and 2, strike all of section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, strike "for construction"

Page 1, strike line 4

Page 1, line 5, strike "university of Minnesota" and insert a semicolon

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 40, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Laufenburger	Olhoft	Schrom
Berg	Davies	Lewis	Olson, H. D.	Sillers
Bernhagen	Frederick	Milton	Pillsbury	Wegener
Brataas	Gearty	Moe	Schaaf	Willet
Brown	Knutson	North		

Those who voted in the negative were:

Anderson	Fitzsimons	Keefe, S.	Ogdahl	Schmitz
Blatz	Hansen, Baldy	Kirchner	Olson, J. L.	Solon
Borden	Hansen, Mel	Kleinbaum	O'Neill	Spear
Chenoweth	Hanson, R.	Kowalczyk	Patton	Stassen
Chmielewski	Humphrey	Larson	Perpich, A. J.	Stokowski
Coleman	Jensen	McCutcheon	Perpich, G.	Stumpf
Doty	Josefson	Merriam	Purfeerst	Tennessee
Dunn	Keefe, J.	Nelson	Renneke	Ueland

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1810 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 25, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Olson, J. L.	Spear
Arnold	Dunn	Kirchner	O'Neill	Stassen
Ashbach	Fitzsimons	Kleinbaum	Patton	Stokowski
Bernhagen	Gearty	Larson	Perpich, A. J.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	Perpich, G.	Ueland
Borden	Hansen, Mel	Merriam	Purfeerst	
Brataas	Hughes	Moe	Renneke	
Chenoweth	Humphrey	Ogdahl	Schmitz	
Chmielewski	Jensen	Olson, A. G.	Solon	

Those who voted in the negative were:

Bang	Doty	Kowalczyk	North	Schrom
Berg	Frederick	Lewis	Olhoft	Sillers
Brown	Josefson	McCutcheon	Olson, H. D.	Stumpf
Conzemius	Keefe, J.	Milton	Pillsbury	Wegener
Davies	Knutson	Nelson	Schaaf	Willet

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman 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 that the House refuses to concur in the Senate amendments to House File No. 943:

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

McCarron, Kelly, W., and Osthoff have been appointed as such committee on the part of the House.

House File No. 943 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 943, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

There has been appointed as such committee on the part of the House: Voss; Anderson, I. and Sabo.

Senate File No. 250 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 19, 1975

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 733: A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

There has been appointed as such committee on the part of the House: Brinkman, Mann, and McCauley.

Senate File No. 733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 19, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 476, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 476: A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

Senate File No. 476 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 19, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1425, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 19, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 469, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26,

and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

S. F. No. 469 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned May 19, 1975

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. 235, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 235: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers to school districts, the state board of education, and the state board for vocational education; providing state aid for extraordinary tax delinquency to Independent School District No. 272; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1 and by adding a subdivision; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2 and 6; 121.89; 123.80; 124.04; 124.11; 124.14, Subdivision 1 and by adding a subdivision; 124.17, Subdivisions 1, 2, and 2a; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, and by adding subdivisions; 124.222, Subdivisions 1, 3, and by adding a subdivision; 124.223; 124.26; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7, and 8; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 128.04; 275.125, Subdivisions 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1975, Chapter 13, Section 110, Subdivision 1 and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

House File No. 235 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 235**

A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers to school districts, the state board of education, and the state board for vocational education; providing state aid for extraordinary tax delinquency to Independent School District No. 272; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1 and by adding a subdivision; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2 and 6; 121.89; 123.80; 124.04; 124.11; 124.14, Subdivision 1 and by adding a subdivision; 124.17, Subdivisions 1, 2, and 2a; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, and by adding subdivisions; 124.222, Subdivisions 1, 3, and by adding a subdivision; 124.223; 124.26; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7, and 8; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 128.04; 275.125, Subdivisions 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapters 775, Section 4, Subdivision 2, as amended; 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1975, Chapter 13, Section 110, Subdivision 1 and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.222, Subdivision 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 275.125, Subdivision 2a; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapters 945, Section 3; and 1060, Section 8.

May 16, 1975

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. 235 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. 235 be amended as follows:

Strike everything after the enacting clause and insert the following:

*“Section 1. Notwithstanding Laws 1974, Chapter 521, Section 33, districts qualifying for increased foundation aid calculated pursuant to the provisions of Laws 1974, Chapter 521, Section 18, shall be eligible to receive such foundation aid for the 1973-74 school year, and only pupil units in section 124.17, clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit for the 1973-1974 school year.*”

Sec. 2. *Notwithstanding section 124.17, subdivision 2, pupils enrolled in the Minnesota National Guard junior enlistment program shall be construed to be in attendance for purposes of computing average daily membership during any period of the regular school year, but not to include summer school, during which the pupil is attending military active duty training pursuant to that program. During that period of military active duty training, the pupil shall earn all aid for the district of residence or attendance which would be otherwise earned by his presence. This section shall expire October 15, 1975.*

Sec. 3. *The commissioner of education shall gather and report to the committees on education of the senate and house of representatives from presently available reports or from new reports it may require of school districts, the following types of information: the number of classroom teachers in every district at each training, experience and salary level; the ratio of pupils to full time equivalent certified classroom teachers in every district; and any other district characteristics of fiscal import. This information shall be gathered in such a manner as to render it capable of district by district, regional and statewide comparison and analysis.*

Sec. 4. [STATE AID FOR EXTRAORDINARY TAX DELINQUENCY.] *Subdivision 1. For any calendar year in which:*

*(1) a school district's tax delinquency, which for purposes of this section shall equal the difference between*

*(a) the amount the school district receives in real property tax proceeds of any kind, including interest, penalties and collections of delinquencies from previous years, resulting from levies certified pursuant to section 275.125, subdivision 2a, clause (1) or (2), and its predecessor and successor general school purpose levy authorization statutes, and*

*(b) the amount certified in October of the preceding calendar year pursuant to section 275.125, subdivision 2a, clause (1) or (2),*

*is greater than two and one half percent of the sum of the amounts authorized for the school district by Minnesota Statutes 1974, Section 275.125, Subdivision 2a, Clause (1) or (2), and section 28 of this act for the 1975-1976 school year, and the successor statutory provisions for succeeding school years;*

*(2) these receipts are less than this certified levy; and*

*(3) the maximum permissible amounts were certified in October of the preceding year pursuant to section 275.125, subdivision 2a, clause (1) or (2), and Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), or its successor excess levy authorization statutes; the school district may apply to the commissioner of education within 30 days after the end of the calendar year and the commissioner shall pay aid to the school district by the following February 28, in the amount by which the tax delinquency exceeds the two and one half percent figure.*

*For purposes of the calculation of a district's tax delinquency in clause (1), if the assessed valuation of the school district was*

reduced after the taxes were spread by the county auditor in October of the preceding calendar year, the amount certified in October of the preceding calendar year shall be reduced by any difference between the amount certified and the amount of taxes collected upon such reduced valuation, for which the district is authorized to make an additional levy pursuant to section 275.48. If a district's adjusted assessed valuation is under contest and it is receiving foundation aid computed on the basis of the uncontested portion of its valuation, taxes levied against the contested portion of its valuation shall not be included in the amount certified in October of the preceding calendar year for purposes of the calculation of the tax delinquency in clause (1).

*Subd. 2.* If the school district has received aid pursuant to subdivision 1 and in any subsequent calendar year its tax delinquency is less than two and one half percent of the sum described in subdivision 1, clause (1), the foundation aid for the school district shall be reduced in the fiscal year which begins in that calendar year by the difference between such delinquency and two and one half percent of such sum or the amount of state aid previously paid pursuant to subdivision 1 and still outstanding, whichever is lesser. Any reduction in state aid shall be applied to the state aid paid earliest in time pursuant to subdivision 1 and shall be made as equally as possible in the four aid installments commencing in February.

*Subd. 3.* Any aid so paid shall constitute an advance to the district without interest and in the fiscal year six years after the fiscal year in which state aid has been paid to the school district pursuant to subdivision 1, foundation aid for the school district shall be reduced by the amount of such state aid paid six years previous, to the extent the aid payment has not been offset by any prepayment made by the school district.

*Subd. 4.* The application, aid payments, and repayments made pursuant to this section shall be based upon the best information available, subject to correction by the department of education in the next succeeding year. The provisions of subdivision 1 shall expire June 30, 1981, but shall be effective with respect to real property taxes received in calendar year 1975 and thereafter.

Sec. 5. Minnesota Statutes 1974, Section 3.924, is amended by adding a subdivision to read:

*Subd. 2.* [COMPENSATION.] Members of the council on quality education shall be compensated at the rate of \$35 per day spent at council meetings or other meetings authorized by the council, plus expenses in the same manner and amount as received by state employees.

Sec. 6. Minnesota Statutes 1974, Section 3.9271, Subdivision 1, is amended to read:

3.9271 [EARLY CHILDHOOD IDENTIFICATION AND EDUCATION PROGRAMS.] Subdivision 1. For the ~~1974-75~~ 1975-76 and 1976-1977 school year years, the council on quality education shall make grants to no fewer than ~~six~~ ten pilot early

childhood identification and education programs. Early childhood identification and education programs are programs for children before kindergarten and below age six which may include the following: identification of potential barriers to learning, education of parents on child development, libraries of educational materials, family services, education for parenthood programs in secondary schools, in-center activity, home-based programs, and referral services.

Notwithstanding section 3.926, subdivision 2, every early childhood identification and education program proposal shall be submitted to the council on quality education not less than six weeks before the planned commencement of the program. These programs or grants shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area. Each pilot program shall serve one elementary school attendance area in the local school district.

The council on quality education shall prescribe the form and manner of application and shall determine the participating pilot programs. In the determination of pilot programs, programs shall be given preference for their ability to coordinate their services with existing programs and other governmental agencies. The council on quality education shall report on the programs annually to the committees on education of the senate and house of representatives.

Sec. 7. Minnesota Statutes 1974, Section 120.03, Subdivision 3, is amended to read:

Subd. 3. Every child who by reason of an emotional disturbance, or a learning disability, or a special behavior problem needs special instruction and services, but who is educable, as determined by the standards of the state board is a handicapped child.

Sec. 8. Minnesota Statutes 1974, Section 120.17, Subdivision 1, is amended to read:

120.17 [HANDICAPPED CHILDREN.] Subdivision 1. [SPECIAL INSTRUCTION FOR HANDICAPPED CHILDREN OF SCHOOL AGE.] Every district and unorganized territory shall provide special instruction and services, either within the district or in another district, for handicapped children of school age who are residents of the district and who are handicapped as set forth in section 120.03, subdivisions 1, 2, and 3, and after July 1, 1972 programs shall be provided either within the district or in another district for trainable mentally retarded as defined in section 120.03, subdivision 4 4. When the provision of instruction, training, and services may result in hardship or injury to the child, the school board may appeal the mandatory provisions of Laws 1971, Chapter 689 to the commissioner of education who shall determine what provisions shall be made by the district for the education of the child. Through July 1, 1972 every district and unorganized territory may provide special training and services for school age residents of the district who are handicapped as set forth in section 120.03, subdivision 4. School age means the

ages of four years to 21 years for children who are deaf, blind, crippled or have speech defects; and five years to 21 years for mentally retarded children; and shall not extend beyond secondary school or its equivalent. Every district and ~~unorganized territory~~ may provide special instruction and services for handicapped children who have not attained school age. Districts with less than the minimum number of eligible handicapped children as determined by the state board shall cooperate with other districts to maintain a full sequence of programs for education, training and services for handicapped children as defined in section 120.03, subdivisions 1 to 3. A district that decides to maintain programs for trainable handicapped children is encouraged to cooperate with other districts to maintain a full sequence of programs.

Sec. 9. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 1a. School districts may provide special instruction and services through the school year in which the pupil reaches age 25 for trainable mentally retarded pupils as defined in section 120.03, subdivision 4, who have attended public school less than nine years prior to September, 1975.*

Sec. 10. Minnesota Statutes 1974, Section 120.17, is amended by adding a subdivision to read:

*Subd. 5a. Every district may provide summer programs for handicapped children living within the district, including non-resident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 or 7. Prior to March 31, the providing district shall give notice to the district of residence of any non-resident children temporarily placed in the district pursuant to section 120.17, subdivisions 6 or 7, of its intention to provide these programs. Notwithstanding any contrary provisions in subdivisions 6 and 7, the school district providing the special instruction and services shall apply for all state aid for the summer program, including special state aid pursuant to section 124.32, foundation aid and transportation aid. For the purposes of computing foundation aid for these programs, all pupils enrolled in these programs shall be construed to be residents of the district providing the programs. The unreimbursed actual cost of providing the program for nonresident handicapped children may be billed to the district of the child's residence and shall be paid by the resident district. This section shall be effective March 1, 1976.*

Sec. 11. Minnesota Statutes 1974, Section 120.76, is amended to read:

**120.76 [POST-SECONDARY INSTRUCTIONAL PROGRAMS.]** Sections 120.71 to 120.76 shall not be construed to prohibit a school board from charging reasonable fees for goods and services provided in connection with any post-secondary instructional program, including but not limited to vocational-technical, adult veterans, continuing education, community services, evening school and general educational development programs vet-

*eran farmer cooperative training, and community school programs, and continuing education and evening school programs other than those conducted pursuant to section 124.26 .*

Sec. 12. Minnesota Statutes 1974, Section 120.80, Subdivision 1, is amended to read:

120.80 [EARLY GRADUATION.] Subdivision 1. Notwithstanding any law to the contrary, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to section 124.212, plus that portion of the amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under section 275.125, subdivision 3, clause (5) 75, subdivision 6, of this act shall continue to be earned by the district.

Sec. 13. Minnesota Statutes 1974, Section 121.21, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of such petition, the state board shall examine the petition and any supporting evidence which it may require. The state board ~~may~~ shall conduct hearings, and may investigate school records and such other facts relating to vocational-technical training as it may deem appropriate.

Sec. 14. Minnesota Statutes 1974, Section 121.21, Subdivision 4, is amended to read:

Subd. 4. If the petition is approved, the school shall be established by the district and classified by the state board as an area vocational-technical school and conducted under the general supervision of the state board in accordance with the rules and regulations of the state board. *Notwithstanding the provisions of subdivision 3 and of this subdivision, after June 30, 1975 no area vocational-technical school shall be established unless specific legislation has authorized its establishment.*

Sec. 15. Minnesota Statutes 1974, Section 121.21, Subdivision 6, is amended to read:

Subd. 6. The commissioner, subject to approval by the state board, for vocational education shall ~~make~~ promulgate, pursuant to chapter 15, such rules and regulations governing the operation and maintenance of schools so classified as will afford the people of the state an equal opportunity to acquire public vocational and technical education.

The rules shall provide for, but are not limited to, the following:

(a) The area to be served by each school, which may include one or more districts or parts thereof, including unorganized territory ; ;

(b) Curriculum and standards of instruction and scholarship ; ;

(c) Attendance requirements, age limits of trainees, *Minnesota non-resident attendance, tuition payments by non-residents, the determination of the actual costs of providing individual programs, and attendance for which no tuition shall be charged, all to be determined in accordance with the provisions of sections 63 to 67 of this act;*

(d) *The distribution and apportionment to the local districts of all funds, whether state or federal or other funds, which may be made available to the state board for vocational education for carrying out the purposes of post-secondary vocational-technical education as provided by this section, shall be apportioned and distributed by the state board for vocational education to the various local school districts as additional aid for use in helping such local school districts in defraying the cost involved in maintaining and operating approved vocational training courses or departments, subject to such reasonable rules and regulations as may be prescribed by the state board for vocational education and in accordance with law and the approved state plan for vocational education;*

(e) Transportation requirements and payment of aid therefor ; ;

(f) *Attendance by graduates of secondary schools and by adults, for which no tuition shall be charged. If no tuition is charged for such non-resident student, the district maintaining the school shall be entitled to any aid calculated on a pupil basis for such student, Payment by the state board of tuition to school districts or post-secondary vocational-technical schools in another state; and*

(g) General administrative matters.

Sec. 16. Minnesota Statutes 1974, Section 123.34, Subdivision 1, is amended to read:

123.34 [OFFICERS OF INDEPENDENT SCHOOL DISTRICTS.] Subdivision 1. Within ten days after the election of the first board in independent districts and annually thereafter on the first Saturday in July 1 , or as soon thereafter as practicable, the board shall meet and organize by selecting a chairman, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify. The persons who perform the duties of the clerk and treasurer need not be members of the board and the board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs. They may appoint a superintendent who shall be ex officio a member of the board, but not entitled to vote therein. In districts in which board members are elected at the general election in November, the annual meeting of the board shall be held on the first Monday of January or as soon thereafter as practicable.

Sec. 17. Minnesota Statutes 1974, Section 123.80, is amended to read:

123.80 [SAFETY EDUCATION FOR TRANSPORTED STUDENTS.] *Subdivision 1.* Not later than January 1, 1975 the state board of education shall provide by rule or regulation a program of safety education for students who are transported to school. Each district receiving aid under the provisions of section 124.222 shall implement the program for the school year beginning in September 1975. In drafting said regulations, the board shall give particular attention to procedures for loading, unloading, vehicle lane crossing and emergency evacuation procedures as they affect school buses.

*Subd. 2.* Not later than January 1, 1976, the state board of education shall promulgate rules which will assure the safe and efficient transportation of handicapped pupils who because of their special handicapping conditions require special transportation arrangements. In drafting these rules, the board shall give particular attention to standards for vehicles used in transporting handicapped pupils, equipment to assure the safety of these pupils, and the qualifications of the drivers and aides providing transportation services.

Sec. 18. Minnesota Statutes 1974, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount such that the sum of the levy and attached machinery aid for capital outlay purposes calculated pursuant to section 273.138, subdivision 3, clause (1), shall not exceed ~~\$65~~ \$70 per pupil unit or, in districts where the pupil unit count is increased pursuant to section 124.17, subdivision 1, clause (7), \$75 per pupil unit. No levy under this section shall exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of six mills not to exceed \$65 per pupil unit in 1974. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and , to equip, re-equip, repair and improve buildings and permanent attached fixtures , and to pay leasing fees for computers and computer services . Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 19. Minnesota Statutes 1974, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated *elementary and secondary* foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be made in the following August. *Estimated post-secondary vocational foundation aid shall be paid to districts in 12 equal monthly payments beginning July 15, 1976. The estimated post-secondary vocational foundation aid shall be paid on the basis of the prior year's average daily membership except that the average daily membership and the payments based thereon may be adjusted in September, December, March and June to reflect any increases or decreases in enrollment. The September payment in each fiscal year shall be increased or decreased to reflect any deficit or excess in post-secondary vocational foundation aid received in the prior fiscal year.* If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the commissioner of finance and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to six percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the commissioner of finance, with the six percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated *elementary and secondary* foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final *elementary and secondary* final pupil unit figures shall be made in the August payment of aids.

Sec. 20. Minnesota Statutes 1974, Section 124.14, Subdivision 1, is amended to read:

124.14 [DISTRIBUTION OF SCHOOL AIDS; APPROPRIATION.] Subdivision 1. The state board shall supervise distribution of the school aids in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids. *It shall require that the pupil unit count of a minimum of 25 school districts be audited each fiscal year. The audits shall be conducted at random throughout the state with no prior notice to any district. Disparities between pupil unit counts reported by the school districts and those found by the auditors shall be reported to the commissioner who shall order an increase or reduction of foundation aids accordingly. A reduction of foundation*

aid under this section may be appealed to the state board of education and its decision shall be final. Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the state auditor, or the state board.

Sec. 21. Minnesota Statutes 1974, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, ~~pupils in junior high school or a six-year school and all other pupils in secondary schools~~, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle~~ any school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units. *This clause shall expire June 30, 1976.*

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in clauses (1) and (2) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. *By May 1 of each year the department of public welfare is directed to furnish to the department of education, and to each school district to the extent the information pertains to it, that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.*

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~nine~~ five percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional ~~35/100~~ one-tenth of a pupil unit; ~~for those districts where the number of such pupils is more than eight percent but not more than nine percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit for each percent of concentration over five percent of~~

*such pupils in the district. The percent of concentration shall be rounded down to the nearest whole percent for purposes of this clause, provided that in districts where the percent of concentration is less than six, no additional pupil units shall be counted under this clause for pupils from families receiving aid to dependent children or its successor program and provided further that no such pupil shall be counted as more than one and one-tenth additional pupil units pursuant to clauses (4) and (5). Such weighing weighting shall be in addition to the weighing weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents. Each district receiving aids on account of both clauses (4) and (5) shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all such aids received.*

(6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units ~~for such district~~ shall equal the average of actual pupil units for the prior and current years *in a district with boundaries coterminous with the boundaries of a city of the first class and shall be increased by .6 times the difference between the actual pupil units for the two years in any other district.*

(7) Where the actual number of pupil units has increased from the prior year by more than three percent, a number of pupil units equal to one-fourth of the difference between the units as computed in clauses (1) and (2) for the two years shall be added to the other units for the district *In districts maintaining classified secondary schools where the actual number of pupil units has increased from the prior year by two percent or more, the additional pupil units over the prior year, as computed in clauses (1) and (2), shall be multiplied times one-tenth for each percent of increase over the prior year and a number of pupil units equal to the product shall be added to the other units for the district. The percent of increase shall be rounded up to the next whole percent for purposes of this clause, provided that in districts where the percent of increase is less than two, no additional pupil units shall be added to the other units for the district and provided further that the number of pupil units of increase over the prior year shall under no circumstances be multiplied by more than five-tenths .*

(8) Only pupil units in clauses (1) and (2) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 22. Minnesota Statutes 1974, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve ; ~~for pupils in area vocational-technical schools and for handicapped prekindergarten pupils shall mean the number of~~

pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. ~~Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction.~~ *Foundation aid for shared time pupils shall equal the amount which would accrue if shared time pupil units, counted pursuant to this section, were added to the district's total pupil units used in determining its foundation aid.* A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provided for transportation aid to such student. *This section of this act shall be effective July 1, 1975 as applied to share time foundation aid and July 1, 1976 as applied to pupils in area vocational-technical schools.*

Sec. 23. Minnesota Statutes 1974, Section 124.18, Subdivision 2, is amended to read:

Subd. 2. [TUITION.] Every district which provides instruction in other districts and which receives foundation program aid ; ~~and the county which pays tuition aid~~ shall pay to the district furnishing *this* elementary and secondary ~~or area vocational-technical~~ school instruction ~~on account of such instruction~~, the actual cost thereof chargeable to maintenance exclusive of transportation costs ~~or the legal maximum prescribed in section 124.211, subdivision 2, clause (1)~~ .

There shall also be paid for capital outlay and debt service to the district providing such instruction \$10 per pupil unit in average daily ~~attendance membership~~ for each non-resident pupil unit, except that every district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount per pupil unit in average daily ~~attendance membership~~ based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily ~~attendance membership~~ in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the district

receiving such funds may use them for any purpose for which it is authorized to spend money. Provided further that, if a district invests capital moneys to remodel existing facilities or to build new facilities for the primary purpose of providing *provides* instruction for *nonresident* handicapped and trainable children, *tuition shall be* as specified in Minnesota Statutes, 1961, Sections Section 120.17 and 120.19, *Subdivision 4* such district may charge and include in its tuition for capital outlay and debt service an amount per pupil unit in average daily attendance determined by dividing such expenditure over a period of years mutually agreeable to the districts concerned, and by dividing each annual amount so determined by the total number of pupil units in average daily attendance enrolled in this area of handicap instruction in the district.

Sec. 24. Minnesota Statutes 1974, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] *State Foundation* aid for (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, and (2) inter-session classes of flexible school year programs and *summer school classes* in elementary and secondary schools, and (3) summer school instruction in *area vocational schools* or teachers college laboratory schools or in the university laboratory school, shall be paid at a proportionate rate for *foundation aids paid during* for the preceding regular school term year, provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs. *Payments of aid for summer classes at a proportionate rate to foundation aid pursuant to this section in 1972 and preceding years are hereby sanctioned. The provision in this section for payment of aid for summer classes at a proportionate rate to foundation aid for the preceding school year shall apply to summer classes in 1973 and subsequent years.*

Sec. 25. Minnesota Statutes 1974, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for school years 1973-1974 1975-1976 and 1974-1975 1976-1977 shall be governed by the terms and provisions of this section.

Sec. 26. Minnesota Statutes 1974, Section 124.212, Subdivision 2, is amended to read:

Subd. 2. Except as may otherwise be provided in this section, the following words and phrases when used in this section shall have the meanings herein ascribed to them.

(1) "Adjusted maintenance cost" means the state and local current expense for pupils in elementary and secondary schools, exclusive of transportation, veterans training program, community services, and after reduction for receipts from the sale of *other* authorized items sold to the individual pupil by the school such

as lunches, paper, workbooks, and other materials used in the instructional program items of personal use, or other items specifically authorized by law or under the procedures set forth in sections 120.71 to 120.76, and after reduction for receipts from quasi-school activities when the school board has assumed direction and control of same. For purposes of determining the adjusted maintenance costs, the state department of education shall use only figures from the annual financial reports of the districts for the prior year and any supplementary documents received by it on or before August 1 of the current year; ~~(November 1, in 1971 only)~~. For any district which has not transmitted to the department of education before August 1, ~~(November 1, in 1971 only)~~ its annual financial report for the prior year, the figures from the most recent financial report of that district received on or before August 1, ~~(November 1, in 1971 only)~~ shall be used for purposes of calculating its certified levy and foundation aid. ~~In calculating the adjusted maintenance cost in 1970-1971, a district may include for calculating its certified levy and foundation aid under this article salaries paid in the 1971-1972 school year which are for services rendered in 1970-1971.~~

(2) "Adjusted assessed valuation" shall mean the assessed valuation of the taxable property notwithstanding the provisions of section 275.49 of the school district as adjusted by the equalization aid review committee.

Sec. 27. Minnesota Statutes 1974, Section 124.212, Subdivision 3a, is amended to read:

Subd. 3a. Notwithstanding any of the other provisions of this section, for the ~~1973-1974~~ 1975-1976 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes ~~1971~~ 1974, Section 275.125, Subdivision 2 2a, Clause (2) and for the ~~1974-1975~~ 1976-1977 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for ~~1973~~ 1975 by section 275.125, subdivision 2a, clause (1), shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units, *except units computed in section 124.17, subdivision 1, clause (3)*. For purposes of this computation pupil units used as a divisor shall include only those units identified in section 124.17, subdivision 1, clauses (1) ~~to (3)~~ and (2).

Sec. 28. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 6b. For the 1975-1976 school year a district shall receive*

*in foundation aid the lesser of (1) \$900 per pupil unit less 30 mills times the 1973 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to Minnesota Statutes 1974, Section 124.212, Subdivision 7a, Clause (2), and the greater of (a) one half of the difference that results when such greater sum is subtracted from \$900, or (b) \$75, bears to \$900.*

Sec. 29. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 7b. For the 1976-1977 school year a district shall receive in foundation aid the lesser of (1) \$960 per pupil unit less 29 mills times the 1974 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 28, clause (2), of this act, and the greater of (a) two-thirds of the difference that results when such greater sum is subtracted from \$960, or (b) \$60, bears to \$960.*

Sec. 30. Minnesota Statutes 1974, Section 124.212, Subdivision 8a, is amended to read:

*Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving which received payments under sections ~~298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28;~~ 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed 35 45 percent in 1973-1974 1975-1976 and 40 50 percent in 1974-1975 1976-1977 of the previous year's payment. For districts which received payments under sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; any law imposing a tax upon severed mineral values, or under any other distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced in the August adjustment payment by the previous fiscal year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125 for collection in the calendar year ending during the aforementioned fiscal year, but not to exceed 40 percent in the August 1975 adjustment, 45 percent in the August 1976 adjustment, and 50 percent in the August 1977 adjustment of the previous fiscal year's payment.*

Sec. 31. Minnesota Statutes 1974, Section 124.212, Subdivision 11, is amended to read:

Subd. 11. (a) The committee shall not increase the adjusted assessed valuation, exclusive of property valuation added, improved, reclassified, or reassessed since the prior assessment, of taxable property for 1962 or any subsequent year in any school district by more than eight percent over the certified valuation established for the year immediately preceding.

(b) Whenever the adjusted assessed valuation of any district is more than eight percent less than the adjusted assessed valuation of the preceding year, the state board of education may, upon application by the district prior to June 30 of such school year, authorize payment of additional foundation aid in the August adjustment following such school year in the amount of 30 mills times the difference in the said two successive adjusted assessed valuations.

(c) (b) The sales ratio studies, or any part thereof, or any copy of the same, or records accumulated in preparation thereof, which are prepared by the commissioner of revenue for the equalization aid review committee for use in determining school aids pursuant to this section shall not be admissible in evidence in any proceeding, except actions for review of the determination of the school aids payable under this section.

Sec. 32. Minnesota Statutes 1974, Section 124.212, is amended by adding a subdivision to read:

*Subd. 11a. If in any year the assessed value of any district is less than the assessed value of the immediate preceding year, the equalization aid review committee shall, upon notification by the county assessor prior to October 16 of that assessment year, redetermine for all purposes the adjusted assessed value of the immediate preceding year taking into account the decrease in assessed value. On or before November 1 of the assessment year, the equalization aid review committee shall file the redetermined adjusted assessed value with the commissioner of education who shall thereupon certify to the county auditors and school districts affected the redetermined adjusted assessed value and the appropriate levy limits of the school districts affected pursuant to section 75, subdivision 10, of this act. Notwithstanding section 275.07, the districts affected may certify the taxes voted to the county auditor on or before December 1.*

Sec. 33. Minnesota Statutes 1974, Section 124.212, Subdivision 12, is amended to read:

Subd. 12. Should any district within 60 days after receipt of a copy of a report filed with the commissioner of education made pursuant to subdivision 11, or notice of redetermination made pursuant to subdivision 12 10 or section 32 of this act, be of the opinion that the equalization aid review committee has made an error in the determination of the school district's market value, it may appeal from the report or portion thereof relating to the school district to the tax court, as provided in subdivisions 14 to 18 13 to 18.

Sec. 34. Minnesota Statutes 1974, Section 124.215, Subdivision 2a, is amended to read:

Subd. 2a. In addition to regular foundation aid payments, there shall be paid from the appropriation for foundation aid to any district whose schools are attended by children residing upon non-taxable land under the control of the armed forces of the United States, an amount equal to the number of pupil units represented by such children times the dollar amount derived by dividing the total levy of the district as spread upon the property of the district by the number of its other resident pupil units in average daily membership. *In fiscal year 1976, the district shall receive 66 $\frac{2}{3}$  percent of the amount which it would otherwise be entitled to receive pursuant to this subdivision and in fiscal year 1977, 33 $\frac{1}{3}$  percent of such amount. This subdivision shall expire on June 30, 1977.*

Sec. 35. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

*Subd. 1a. [COMPUTATION.] For the 1975-1976 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:*

*(1) The lesser product of either:*

*(a) The actual net operating cost per eligible pupil transported during the 1976 fiscal year times the number of eligible pupils transported during the 1976 fiscal year; or*

*(b) One hundred eighteen percent of the actual net operating cost per eligible pupil transported during the 1974 fiscal year, times the number of eligible pupils transported during the 1976 fiscal year;*

*(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1975;*

*(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12 $\frac{1}{2}$  percent per year of the cost of the fleet. The net cost after salvage of all equipment added to or installed in a school bus specifically to meet special needs of handicapped individuals shall be added to the remaining undepreciated value of that bus and depreciated over the remainder of the depreciation term for that bus.*

Sec. 36. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

*Subd. 1b. [COMPUTATION.] For the 1976-1977 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid:*

(1) *The lesser product of either:*

(a) *The actual net operating cost per eligible pupil transported during the 1977 fiscal year times the number of eligible pupils transported during the 1977 fiscal year; or*

(b) *One hundred twenty-four percent of the actual net operating cost per eligible pupil transported during the 1974 fiscal year, times the number of eligible pupils transported during the 1977 fiscal year;*

(2) *Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1976;*

(3) *Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of 12½ percent per year of the cost of the fleet. The net cost after salvage of all equipment added to or installed in a school bus specifically to meet special needs of handicapped individuals shall be added to the remaining undepreciated value of that bus and depreciated over the remainder of the depreciation term for that bus.*

Sec. 37. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

*Subd. 2a. (1) In addition to the amounts authorized in section 35, of this act, if the actual net operating cost per eligible handicapped pupil transported during the 1976 fiscal year exceeds 128 percent of the actual net operating cost per eligible handicapped pupil transported during the 1974 fiscal year, the state shall pay to the district 80 percent of the cost for this handicapped transportation in excess of this 128 percent.*

*(2) In addition to the amounts authorized in section 36, of this act, actual net operating cost per eligible handicapped pupil transported during the 1977 fiscal year exceeds 134 percent of the actual net operating cost per eligible handicapped pupil transported during the 1974 fiscal year, the state shall pay to the district 80 percent of the costs for this handicapped transportation in excess of this 134 percent.*

Sec. 38. Minnesota Statutes 1974, Section 124.222, Subdivision 3, is amended to read:

**Subd. 3. [PAYMENT SCHEDULE.]** Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Sec. 39. Minnesota Statutes 1974, Section 124.222, is amended by adding a subdivision to read:

*Subd. 5. The commissioner shall study the need to adjust the base cost per eligible pupil transported in the 1974 fiscal year for purposes of payment of transportation aids in 1976 and 1977 fiscal years. The study shall be limited to adjustments needed as a consequence of alterations of district boundaries, changes in the ownership of the bus fleet, the use of other transportation facilities which receive public subsidy, changes in the number of school class shifts, and exceptional changes in the transportation of handicapped pupils. He shall report no later than January 15, 1976, to the committees on education of the senate and house of representatives his suggestions for these adjustments on a district by district basis and his calculation of the amount needed to fund these changes for the school years 1975-1976 and 1976-1977.*

Sec. 40. Minnesota Statutes 1974, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; ~~provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;~~

(2) Transportation to *and from* or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to *and from* a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to *and from* a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

~~(5) Transportation of resident handicapped persons who fulfill the eligibility requirements of section 252.23 (1) to licensed day-time activity centers attended by these persons;~~

~~(6)~~ (5) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(6) *Transportation for resident pupils to and from an instructional community-based employment station which is part of an approved occupational experience secondary vocational program;*

(7) *Transportation from one educational facility to another within the district for resident pupils enrolled on a shared time basis in educational programs approved by the commissioner of education;*

~~(7)~~ (8) *Services described in clauses (1) to ~~(6)~~ (7) when provided in conjunction with a state board approved summer school program.*

Sec. 41. Minnesota Statutes 1974, Section 124.25, is amended to read:

124.25 [AID TO DISTRICTS EDUCATING PERSONS RESIDENT ON NONTAXABLE LAND.] *When elementary or secondary pupils living on land owned by the university of Minnesota as a research center or as a housing project located outside a city of the first class attend school in a district in which such research center or housing project is located, the state shall pay state aid to such district at the same rate per pupil unit in average daily membership exclusive of transportation as is paid by a district for the education of its residents in another district on a non-resident basis.*

*The state aid referred to in this section shall be paid from the special state aid fund based upon an annual application submitted to the commissioner. In fiscal year 1976, the state shall pay to the district 66 $\frac{2}{3}$  percent of the amount which it would otherwise be entitled to receive pursuant to this section and in fiscal year 1977, 33 $\frac{1}{3}$  percent of such amount. This section shall expire on June 30, 1977.*

Sec. 42. Minnesota Statutes 1974, Section 124.26, is amended to read:

124.26 [EDUCATION PROGRAMS FOR ADULTS.] *Subdivision 1. For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. Beginning July 1, 1975, the state shall not reimburse expenditures from the 1974-75 school year programs, but shall pay aids for the 1975-76 school year programs and for each year thereafter on a current funding basis. The portion of such compensation from state appropriation shall not exceed three-fourths be 90 percent of the compensation paid each teacher for his services in such programs up to \$5,300 \$8,000 per year based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section; but this and there shall not preclude charging a reasonable fee for registration, fee and charging for necessary materials and supplies, or G.E.D. tests. Evening*

school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

*Subd. 2. Each district providing evening school and continuing education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these programs. All aid received pursuant to this section shall be utilized solely for the purposes of evening school and continuing education programs. In no case shall a district pursuant to this section receive more than the actual cost of providing these programs.*

*Subd. 3. The state department of education shall reimburse each G.E.D. testing center the sum of \$10 for each battery of G.E.D. tests or \$2 for each individual test administered by that center.*

Sec. 43. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.271] [COMMUNITY SCHOOL PROGRAMS AID.] *Subdivision 1. In fiscal year 1976, the state shall pay an amount which is equal to the greater of \$5,000 or 25 cents per capita to each school district which is operating a community school program in compliance with the rules and regulations established by the state board of education and which has levied in 1974 the maximum permissible amount for community services pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (8), for use in the 1975-1976 school year. In fiscal year 1976, the state shall not reimburse school districts for past expenditures for salaries of community school directors and coordinators employed by the districts in the 1974-1975 school year.*

*Subd. 2. In fiscal year 1977 and each year thereafter, the state shall pay 50 cents per capita to each school district which is operating a community school program in compliance with the rules and regulations established by the state board and which has levied at least \$1 per capita for community services pursuant to section 75, subdivision 8, of this act, for use in that year.*

*Subd. 3. The population of the district for purposes of this section is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.*

*Subd. 4. Each district providing community school programs pursuant to sections 121.85 to 121.88 shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these community school programs. All funds received pursuant to this section and to the levy authorized in section 75, subdivision 8, of this act shall be utilized solely for the purposes of community school programs.*

*Subd. 5. All community school programs aid shall be distributed*

*by the state aids, statistics and research section of the state department of education. Aid shall be distributed prior to November 1, 1976 and each year thereafter.*

Sec. 44. Minnesota Statutes 1974, Section 124.28, Subdivision 2, is amended to read:

Subd. 2. Any district entitled to a tax refund under the provisions of this section shall apply to the commissioner of ~~finance~~ *education* on or before July 1 of each year for such a refund and the commissioner of ~~finance~~ *education* shall immediately secure the necessary information on the valuation of the railroad property located in such a district from the department of public service subject to taxation under the gross earnings tax act, except rolling stock and the main tracks, and the local school tax rate in such a district, and compute the amount of the refund. For the purposes of this section the railroad valuation shall be taken as of December 31 of the year preceding the application, the taxable valuation as of the first Monday of January of the year of the application, the tax rates of the year of the application and the enrollments as of June 1 of the year of application. The commissioner of ~~finance~~ *education* shall forthwith draw a warrant on the state treasurer for such a refund to be paid from the appropriation otherwise made for that purpose. Provided, however, that *for refunds receivable during fiscal 1974 and thereafter*, no school district qualifying for a refund under this section shall receive more money than would be produced by a tax rate of  $53\frac{1}{2}$  160 mills applied to the railroad property assessed at 30 percent of its full value as reported by the department of public service; nor shall any school district receive a larger refund the second fiscal year of the biennium than it receives the first fiscal year of the biennium by reason of the school district raising its mill rate for school purposes by more than ~~1.5%~~ *five mills*. *Provided further, that payments made pursuant to this section during fiscal 1974 and 1975 are hereby sanctioned and deemed to have been made in accordance with the intent of this section.*

If the appropriation made for the purposes of this section is insufficient to pay all the school districts eligible for refund under this section the appropriation shall be prorated among the school districts entitled thereto.

Sec. 45. Minnesota Statutes 1974, Section 124.30, Subdivision 3, is amended to read:

Subd. 3. For purposes of this section, each county auditor shall ~~supply certify~~ to the commissioner of ~~finance~~ *education* ~~plats with checkings thereon indicating the location and description of education such data as he may require concerning the tax exempt lands situated within the districts of the county. Payment of aid without receipt of plats for fiscal year 1973 and subsequent years is hereby authorized.~~

Sec. 46. Minnesota Statutes 1974, Section 124.30, Subdivision 4, is amended to read:

Subd. 4. There is hereby annually appropriated from the general fund ~~200,000~~ to be distributed by the commissioner of finance under the terms of this section, and in the event that said sum *If the amount appropriated* shall be insufficient to pay the full amount to which said districts shall be entitled, the commissioner of ~~finance~~ *education* shall apportion said sum pro rata to each entitled district.

Sec. 47. Minnesota Statutes 1974, Section 124.30, is amended by adding a subdivision to read:

*Subd. 5. In fiscal year 1976, each district shall receive 66½ percent of the amount which it would otherwise be entitled to receive pursuant to this section and in fiscal year 1977, 33½ percent of such amount. This section shall expire on June 30, 1977.*

Sec. 48. Minnesota Statutes 1974, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, ~~60~~ 65 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,000~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, ~~60~~ 65 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,000~~ \$10,000 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 49. Minnesota Statutes 1974, Section 124.32, is amended by adding a subdivision to read:

*Subd. 3a. The purpose of this subdivision is to change the method of funding of educational programs for handicapped children from reimbursement based on past expenditures to a current funding basis. Beginning July 1, 1976, the state shall not reimburse expenditures from the 1975-1976 school year programs, including 1976 summer school programs, but shall pay aids for the 1976-1977 school year programs and for each year thereafter on a current funding basis.*

Sec. 50. Minnesota Statutes 1974, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed ~~60~~ 65 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than \$300,000

\$400,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 51. Minnesota Statutes 1974, Section 124.38, Subdivision 4, is amended to read:

Subd. 4. "~~Sinking~~ *Debt service fund*" means the aggregate of all funds maintained by a district which are appropriated to payment of principal of and interest on its debts as required by Minnesota Statutes, Chapter 475.

Sec. 52. Minnesota Statutes 1974, Section 124.38, Subdivision 5, is amended to read:

Subd. 5. "*Debt service levy*" means the levy for all ~~sinking~~ *debt service* fund purposes in accordance with Minnesota Statutes, Chapter 475.

Sec. 53. Minnesota Statutes 1974, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. "*Maximum effort debt service levy*" means a levy in a total dollar amount computed as ~~2-1~~ 20 mills on the ~~market~~ *adjusted assessed* value; except that the maximum effort debt service levy of any school district having received a debt service or capital loan from the state before January 1, 1965, shall be computed as ~~1-30~~<sup>2</sup> 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967; and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, shall be computed as 5½ mills on the market value in each year, until and unless the district receives an additional loan ; *and except that the maximum effort debt service levy of any school district granted a debt service or capital loan between July 1, 1969 and July 1, 1975 shall be computed as 6.3 mills on market value in each year until and unless the district has received an additional loan .*

Sec. 54. Minnesota Statutes 1974, Section 124.38, Subdivision 8, is amended to read:

Subd. 8. *“Adjusted assessed valuation” means, as of any date, the valuation of all taxable property most recently determined by the equalization aid review committee in accordance with the provisions of 124.212. “Market value” means the value of all taxable property in the district on which its net debt limit is based as provided in section 475.53, subdivision 4.*

Sec. 55. Minnesota Statutes 1974, Section 124.42, Subdivision 1, is amended to read:

124.42 [DEBT SERVICE LOANS.] Subdivision 1. Any school district in which the required levy for debt service in any year will exceed its maximum effort debt service levy by ten percent or by \$5,000, whichever is less, is qualified for a debt service loan hereunder in an amount not exceeding the amount applied for, and not exceeding one percent of the sum of the net debt of the district and the aggregate amount of all state loans to the district outstanding on the date granted, and not exceeding the difference between the required and the maximum effort debt service levy in such year. Applications shall be filed with the committee in each calendar year up to and including September 15. The committee shall determine whether the applicant is entitled to such loan and the amount thereof, and on or before October 1 shall certify to each applicant district the amount granted and its due date. A copy of each such certificate shall be filed with the commissioner. Upon receipt by the commissioner of a copy of the committee's certificate that the loan is granted, the commissioner shall notify the county auditor or county auditors in which the district is located that the amount so certified is available and appropriated for payment of principal and interest on its outstanding bonds and such auditors shall reduce by that amount the taxes otherwise leviable as the district's debt service levy on the tax rolls for such year; ~~which taxes shall nevertheless be increased by the amount necessary to pay interest on this and any other state loans, as herein provided.~~ Each debt service loan shall be for a term of 30 years, prepayable at par at any time, and shall bear interest from its date at a rate determined by the commissioner of finance; ~~not less annually, at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district from time to time outstanding,~~ but in no event less than 3½ percent per annum on the principal amount from time to time remaining unpaid, payable on December 15 of the year next following that in which the loan is received and annually thereafter.

Sec. 56. Minnesota Statutes 1974, Section 124.42, Subdivision 2, is amended to read:

Subd. 2. Each debt service loan shall be evidenced by a note which shall be executed in behalf of the district by the signatures of its chairman or vice chairman and the school district clerk, shall be dated November 1 of the year in which executed, and

shall state its principal amount, due date, interest rate, and that it is payable at the commissioner's office. It shall have printed thereon, or the commissioner shall attach thereto, a grill for entry of the date and amount of each payment and allocations of each payment to accrued interest or principal, and a certificate to be executed by the county auditor of each county in which any portion of the school district is situated, prior to the delivery of the note, stating that such county auditor has entered the debt service loan evidenced thereby in his bond register. Such notes shall be delivered to the committee not later than November 15 of the year in which executed. The secretary shall cause a record to be made and preserved showing the obligor district and the date, and principal amount, and due date of each note, and shall then deliver it to the commissioner who shall make suitable record thereof.

Sec. 57. Minnesota Statutes 1974, Section 124.42, Subdivision 4, is amended to read:

Subd. 4. Each district receiving a debt service loan shall levy in that year for debt service its required debt service levy as reduced by the amount of the loan in that year and each year thereafter in which it shall not have received a debt service loan, until all its debts to the fund are paid, the district is hereby obligated to levy for debt service (a) the amount of its maximum effort debt service levy, or (b) the amount of its required debt service levy less the amount of any debt service loan in that year, whichever is greater. Whenever the maximum effort debt service levy is greater the district shall remit to the commissioner, within ten days after its receipt of the last regular tax distribution in the year in which it is collected, that portion of the maximum effort debt service tax collections, including penalties and interest, which exceeded exceeds the principal and interest payable on its bonded debt in the period for which the levy was made required debt service levy. In addition to the foregoing, the district shall levy in each year, commencing in the year a debt service loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its debt service note, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest. On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all debt service notes and capital loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan.

Sec. 58. Minnesota Statutes 1974, Section 124.43, Subdivision 1, is amended to read:

124.43 [CAPITAL LOANS.] Subdivision 1. To the extent moneys are from time to time available hereunder, the committee is authorized, *after review and recommendation by the state board of education*, to effect capital loans to school districts. Proceeds of such loans shall be used only for sites for school houses buildings and for acquiring, bettering, furnishing, or equipping school houses buildings under contracts to be entered into within 12 months from and after the date on which each loan is granted. Applications with the accompanying data specified in subdivision 2 shall be filed between October 1 of any year and June 1 next following. *No application shall be approved unless the state board of education certifies that the loan is needed to replace facilities dangerous to the health and safety of pupils, or to provide for pupils for whom no adequate facilities exist; that such facilities could not be made available by consolidating the district with an adjacent district without substantially lowering the fiscal capacity of that district or so increasing its area that it would no longer be viable; and that existing institutions or facilities within the area could not be acquired or leased to provide the needed facilities safely and at a lower cost. The state board shall make recommendations to the committee.* No loan shall be approved for any district exceeding an amount computed as follows:

- (1) The amount voted by the district under subdivision 2;
- (2) Plus the aggregate principal amount of general obligation bonds of the district outstanding on the date of approval, not exceeding the limitation on net debt of the district in section 475.53, subdivision 4;
- (3) Less the maximum net debt permissible for the district on the date of approval, under the limitation in section 475.53, subdivision 4; and
- (4) Less any amount by which the amount voted exceeds the total cost of the facilities for which the loan is granted, as estimated in accordance with subdivision 4, provided that the loan may be approved in an amount computed as provided in clauses (1) to (3), subject to subsequent reduction in accordance with this clause (4).

Sec. 59. Minnesota Statutes 1974, Section 124.43, Subdivision 2, is amended to read:

Subd. 2. The school board of any district desiring a loan shall adopt a resolution stating the amount proposed to be borrowed, the purpose for which the debt is to be incurred, and an estimate of the dates when the facilities for which the loan is requested will be contracted for and completed. The question of authorizing the borrowing shall then be submitted to the voters of the district at a regular or special election. The question submitted shall state the entire amount to be borrowed and that application will be made for a loan from the maximum effort school loan fund of such amount as may be available and allowable to the district and the remainder will be borrowed on bonds sold at a public sale within the limitations prescribed by law. A majority of those voting on

the question shall be sufficient to authorize the district to effect the state loan and also to issue the bonds on public sale in accordance with chapter 475. Applications for loans shall be accompanied by (a) a copy of such resolution, (b) a certificate by the clerk showing the vote at the election, (c) a certificate by the clerk and treasurer showing the then outstanding indebtedness of the district, and (d) a certificate by the county auditor of each county in which a portion of the district lies showing the information in his official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4. The clerk's and treasurer's certificate shall show, as to each outstanding bond issue, the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution, and the interest rates and due dates and amounts of principal thereon. Applications shall be in such form and accompanied by such additional data as the committee *and state board of education* shall prescribe, which may include a statement from the state department of education as to the district's need of the proposed schoolhouses in comparison with needs of other districts. When an application is received, the committee shall obtain from the commissioner of revenue, and from the public service commission when required, the information in their official records which is required to be used in computing the debt limit of the district under section 475.53, subdivision 4.

Sec. 60. Minnesota Statutes 1974, Section 124.43, Subdivision 3, is amended to read:

Subd. 3. The committee shall examine and consider all applications for capital loans *which have been recommended by the state board of education*, and if any applicant district is found not qualified it shall be promptly notified thereof. On January 1 and July 1 of each year, the committee shall make its determination on all pending applications which have been on file with it more than one month. If an applicant is qualified in the opinion of the committee and the aggregate of the amounts applied for does not exceed the amount available or which can be made available in the capital loan account, all loans so applied for shall be granted, subject to acceptance by the respective districts as specified below. If the aggregate exceeds the amount which is or can be made available, the committee shall allot the available amount among the qualified applicant districts, or any of them, according to the committee's judgment and discretion based upon their respective needs. The committee shall promptly certify to each qualified applicant district the amount, if any, of the capital loan granted to it, subject to adjustment under subdivision 1, clause (4).

Sec. 61. Minnesota Statutes 1974, Section 124.43, Subdivision 4, is amended to read:

Subd. 4. Each capital loan shall be for a term of 30 years and evidenced by a contract between the school district and the state acting through the committee. It shall obligate the state to pay to the district, out of the maximum effort school loan fund, an amount computed as provided in subdivision 1, upon receipt by

the committee of a certified resolution of the school board reciting that contracts for construction of the facilities for which the loan is granted have been awarded and that bonds of the district have been issued and sold in the amount necessary to pay all costs thereof in excess of the amount of the loan, and estimating such costs. It shall obligate the district ~~on its full faith and credit to repay the entire principal of the state loan out of the excesses of its maximum effort debt service levy over its required debt service levy, and also to pay including interest at a rate determined annually by the commissioner of finance, not less at the multiple of one-tenth of one percent per annum next higher than the average annual rate payable on Minnesota state school loan bonds most recently issued prior to the disbursement of the loan to the district, but in no event less than 3½ percent per annum on the principal amount from time to time unpaid.~~ The district shall each year, as long as it is indebted to the state, levy for debt service (a) the amount of its maximum effort debt service levy or (b) the amount of its required debt service levy, whichever is greater, except as such required debt service levy may be reduced by a loan under section 124.42. Whenever the maximum effort debt service levy is greater, the district shall remit to the commissioner within ten days after its receipt of the last regular tax distribution in each year, that portion of the debt service tax collections, including penalties and interest, which exceeded the required debt service levy. The commissioner shall supervise the collection of outstanding accounts due the fund and may, by notice to the proper county auditor require the maximum levy to be made as required hereunder. Interest on capital loans shall be paid on December 15 of the year next following that in which the loan is granted and annually thereafter. ~~In addition to the levies otherwise required by this subdivision, the district shall levy in each year, commencing in the year a capital loan is granted and continuing until the entire loan is paid, a sum sufficient to produce full payment of the interest payable in the ensuing year on its capital loan contract, and the proceeds of such levy shall in each year be remitted to the commissioner for payment of such interest.~~ On or before November 1 in each year the commissioner shall notify the county auditor of each county containing taxable property situated within the school district of the amount of the maximum effort debt service levy of the district for that year, ~~and the additional amount necessary to be levied to produce a sum five percent in excess of the total amount of interest to become due in the ensuing year on all capital and debt service loans of the district, and said county auditor or auditors shall extend upon the tax rolls an ad valorem tax upon all taxable property within the district in the aggregate amount so certified. If any interest is not paid when due, the commissioner shall add the amount thereof to the amount of interest so certified in the following year, with one year's interest on such amount at the rate borne by the loan.~~ *In the event that any capital loan is not paid within 30 years after it is granted from maximum effort debt service levies in excess of required debt service levies, the liability of the school district thereon shall be satisfied and discharged and interest thereon shall cease. After a district's capital loan has been*

*outstanding for 20 years, the district shall not issue bonds on the public market except for the purpose of refunding such a loan.*

Sec. 62. Minnesota Statutes 1974, Section 124.45, is amended to read:

124.45 [APPLICATIONS OF PAYMENT.] The commissioner shall apply payments received from collections of maximum effort debt service levies in excess of required debt service levies of a district on its debt service notes and capital loan contracts as follows: First, to payment of interest accrued on its notes, if any; second, to interest on its contracts, if any; third, toward principal on of its notes, if any; and last, toward payment of principal of its contracts, if any. While more than one note or more than one contract is held, priority of application payment of interest shall be given to the one of earliest date of the instrument, and after interest accrued on all notes is paid, similar priority shall be given in the application of any remaining amount to the payment of principal. In any year when the receipts from a district are not sufficient to pay the interest accrued on any of its notes or contracts, the deficiency shall be added to the principal, and the commissioner shall notify the district and each county auditor concerned of the new amount of principal of the note or contract.

Sec. 63. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.561] [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] *The purpose of sections 63 to 67 of this act is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.*

Subd. 2. [CURRENT AID.] *Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. Beginning July 1, 1976, all post-secondary vocational foundation aid and post-secondary vocational categorical, capital expenditure and debt service aid shall be paid for the current fiscal year in accordance with sections 63 to 67 of this act.*

Subd. 3. [BUDGETS.] *Before January 1, 1976, and before January 1 of each year thereafter post-secondary vocational-technical school budgets for the following fiscal year shall be submitted to the state board for vocational education. The state board for vocational education shall approve the budgets for each district at a consolidated public hearing held pursuant to Minnesota Statutes, Chapter 15, which shall be held prior to June 1 of each year and which shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. The total amount of reimbursement payments approved for fiscal year 1975 payable in fiscal year 1976 shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for payment in fiscal year 1975. No district shall increase its operating deficit during*

fiscal year 1976 unless authorized to do so by the state board for vocational education. The state board for vocational education shall before September 1, 1975 promulgate rules and regulations which establish the approval criteria for budgets, including responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; and other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which area vocational-technical institutes shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational-technical education. This procedure shall be used to determine the local operating deficit or surplus in each district as of July 1, 1975 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before September 1, 1975 and September 1 of each year thereafter.

Sec. 64. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.562] [POST-SECONDARY VOCATIONAL FOUNDATION AID.] Subdivision 1. For the 1976-77 school year a district shall receive post-secondary vocational foundation aid in the amount of \$2,000 times the number of post-secondary vocational-technical pupils in average daily membership, as defined in subdivision 2, less the sum of (1) any amounts received as tuition and fees for post-secondary vocational-technical pupils, (2) the amount raised by the minimum levy required in 1975 by section 76 of this act, and (3) any amounts received for post-secondary vocational programs as federal vocational categorical aid and as special grants from state allocations of federal vocational funds, unless these grants are used to fund additional services beyond the normal program.

Subd. 2. Membership for pupils in post-secondary vocational-technical schools shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that he has left or has been legally excused; provided that any pupil, regardless of age, who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. No pupil who is counted in average daily membership pursuant to this section shall be counted in average daily membership in any district pursuant to section 124.17, subdivision 2. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in a district divided by 175. Average daily membership for pupils who are enrolled on a part time basis, but not including

adult vocational pupils, shall equal (a) the sum for all pupils of the number of days of the school year each pupil is enrolled in a post-secondary vocational-technical school in the district times the number of hours per day each student is enrolled divided by the number of hours the school is in session per day (b) divided by 175. For a post-secondary vocational-technical school, the normal school year shall be at least the number of session days required by Minnesota Statutes, Section 124.19, Subdivision 1. In all post-secondary vocational-technical schools, the minimum length of the school day for each pupil, exclusive of the noon intermission, shall be six hours. Exceptions may be made by the local school administration for approved programs to meet individual student needs.

*Subd. 3. All funds, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. All post-secondary vocational foundation and categorical aids shall be paid to the school district where the pupil is in attendance.*

*Subd. 4. Each district providing post-secondary vocational-technical education programs shall establish and maintain accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs. All post-secondary vocational foundation and categorical aids and all funds received pursuant to the levy authorized by section 76 of this act, shall be utilized solely for the purposes of post-secondary vocational-technical education programs.*

*Subd. 5. None of the provisions of Minnesota Statutes, Chapter 16, shall apply to appropriations enacted to carry out the provisions of this section.*

*Subd. 6. This section shall be effective July 1, 1976.*

Sec. 65. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.563] [POST-SECONDARY VOCATIONAL AND CAPITAL EXPENDITURE CATEGORICAL AID.] *Subdivision 1. "Post-secondary vocational categorical aid" means all state and federal funds, exclusive of post-secondary vocational foundation, capital expenditure and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of assisting in the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational categorical aid unless it has certified the minimum levy required by section 76 of this act. This aid shall be given to districts conducting high cost programs which require funds in addition to the post-secondary vocational foundation aid provided.*

*Subd. 2. "Post-secondary vocational capital expenditure aid" means state and federal funds exclusive of post-secondary vocational foundation, categorical and debt service aid, apportioned by the state board for vocational education to local school districts for the purpose of improving or repairing school sites or equipping, re-equipping, repairing or improving buildings and permanent attached fixtures, as necessary for the conduct of post-secondary vocational-technical training. No district shall qualify for post-secondary vocational capital expenditure aid unless it has certified the minimum levy required by section 76 of this act. Post-secondary vocational capital expenditure aid shall be utilized solely for the purposes enumerated in this subdivision.*

*Subd. 3. Post-secondary vocational categorical and capital expenditure aid shall be apportioned by the state board for vocational education at the consolidated public hearing held pursuant to section 63, subdivision 3, of this act. All post-secondary vocational categorical and capital expenditure aid approved at this public hearing shall be distributed to the districts on or before August 1, December 1, March 1, and June 1 of each year. Additional post-secondary vocational categorical and capital expenditure aid may be distributed on or before March 1 and June 1 if it is apportioned at a consolidated public hearing held in February pursuant to Minnesota Statutes, Chapter 15. On the date of each post-secondary vocational categorical and capital expenditure aid payment, the state board shall report to the appropriate committees of the legislature on the distribution of post-secondary vocational categorical and capital expenditure aid. The report shall include (a) the recipient of the aid; (b) the amounts distributed, and (c) the reasons for these distributions.*

*Subd. 4. This section shall be effective July 1, 1976.*

Sec. 66. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.564] [POST-SECONDARY VOCATIONAL DEBT SERVICE AID.] *The state board for vocational education shall pay to qualifying districts post-secondary vocational debt service aid equal to the state portion of debt service costs. The state portion of debt service costs shall equal the amount necessary to make payments for bonds issued to finance post-secondary vocational facilities and for interest thereon multiplied by the average of the district's nonresident reimbursement percentage pursuant to Minnesota Statutes 1974, Section 121.21, subdivision 5, in fiscal years 1973, 1974 and 1975. The local portion of debt service costs shall equal the amount necessary to make these payments, less the state portion of debt service costs. No district shall qualify for this post-secondary vocational debt service aid unless it has certified a levy equal in amount to the local portion of debt service costs, pursuant to section 75, subdivision 4, of this act. Post-secondary vocational debt service aid shall be utilized solely for payments for bonds issued to finance post-secondary vocational facilities and for interest thereon, and these bond and interest payments shall be made solely with proceeds from this aid and the local debt service levy. In addition, the state board for vocational education shall pay to districts which expended cash balances to finance the construction of new post-secondary vocational facilities and which*

*the state board prior to May 15, 1975 agreed to repay for these expenditures the amount of the repayment specified in the agreement. Funds received in repayment shall revert to the fund of origin in the district. This section shall be effective July 1, 1976.*

Sec. 67. Minnesota Statutes 1974, Chapter 124, is amended by adding a section to read:

[124.565] [POST-SECONDARY VOCATIONAL EDUCATION TUITION.] *Subdivision 1. Any Minnesota resident who is under 21 years of age may attend a post-secondary vocational-technical school without tuition, provided that the individual meets the entrance requirements for the training course in which enrollment is sought and the school has the room and the facility to receive him.*

*Subd. 2. Any person who has attained his 21st birthday and who would, but for that fact, qualify under subdivision 1 to attend a post-secondary vocational-technical school without tuition, may attend the school without tuition subject to the other provisions of this subdivision, if he entered active military service in any branch of the armed forces of the United States before his 21st birthday, and who has then been separated or discharged from active military service under conditions other than dishonorable, and if he applies for admission to the school before his 29th birthday. Time after separation or discharge from military service spent as an in-patient in a hospital or similar institution for treatment of an illness or disability or in recovery from an illness or disability that prevents gainful occupation or study shall be added to the time allowed for application.*

*Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil who does not come within the exemptions provided in subdivisions 1 and 2, shall be two dollars per day for each school day the pupil is enrolled.*

*Subd. 4. Unless covered by a higher education reciprocity agreement relating to nonresident tuition, entered into by the Minnesota higher education coordinating commission and approved by the state board for vocational education, tuition at a post-secondary vocational-technical school for a pupil who is not a resident of Minnesota shall be five dollars per day for each school day the pupil is enrolled.*

*Subd. 5. The state board for vocational education may pay a school district or post-secondary vocational-technical school in another state for tuition charges for Minnesota pupils who meet the qualifications of subdivisions 1 and 2 and who are enrolled in post-secondary vocational-technical schools in that state. This payment may not exceed the amount specified for post-secondary vocational foundation aid in section 64 of this act. This subdivision shall expire June 30, 1976.*

Sec. 68. Minnesota Statutes 1974, Section 124.57, is amended to read:

124.57 [AID FOR VOCATIONAL EDUCATION.] *Whenever any district shall have established a vocational school, department, or classes in accordance with the rules and regulations established by the state board adopted by that board, and the plan for vocational education, and approved by the United States office of education or other federal agency to which its functions are assigned, the state*

board shall reimburse such district or state tax supported institution for its expenditures for salaries and necessary travel of vocational teachers or other reimbursable expenditures from federal funds and may supplement such federal funds with such state aid as it may deem desirable under such rules as it may adopt, provided, however, that in the event of such funds not being sufficient to make such reimbursement in full, the state board shall prorate the respective amounts available to the various districts entitled to receive reimbursement. All instruction may be given at the place of the abode of the pupils, and adults may be given instruction in adjoining or nearby districts.

In like manner the state board shall have power to reimburse other governmental agencies for expenditures for salaries and necessary travel expenses of vocational teachers from federal funds, according to rules and regulations adopted by the state board.

When local districts desire but cannot provide vocational instruction for the related training required by apprentices and other learners in the trade, industrial, and distributive fields, the state board is empowered upon request of such local district or districts to employ itinerant vocational teachers to provide this service and pay the salary and necessary travel expense from authorized federal and state vocational aid funds under such rules as it may adopt. An itinerant vocational teacher in this section is defined as a vocational teacher employed to give part-time or periodic vocational instruction in one or more districts.

*This section shall apply only to secondary and adult vocational education programs. Sections 63 to 67 of this act shall not apply to secondary and adult vocational education programs. This section of this act shall be effective July 1, 1976.*

Sec. 69. [124.611] [ELIGIBLE TEACHER PROGRAM.] *Subdivision 1. Any teacher who has been or will be placed on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b, as a result of a discontinued position, lack of pupils or financial limitations, may apply by May 1, 1976, to the state board of education to be classified as an eligible teacher. The state board shall approve applications of teachers on unrequested leave of absence from districts which, according to criteria established by the state board, are experiencing cost limitations because of severely declining enrollments. By June 1, 1976, the state board shall issue a list of approved eligible teachers.*

*Subd. 2. Any district which has not placed or will not place any teachers on unrequested leave of absence pursuant to section 125.12, subdivision 6a or 6b, may petition the state board of education by July 1, 1976 to be eligible to receive aid for hiring an eligible teacher.*

*The state board of education shall approve or disapprove each petition by August 1, 1976, giving priority to districts which have a high proportion of inexperienced teachers, increasing enrollments and cost limitations which prevent the employment of experienced teachers. Eligible teacher aid shall be paid in the 1976-77 school year to the hiring school district in an amount equal to 80% of the difference between the B.A. minimum salary in the hiring district and the salary*

*which the teacher would receive in that year in the hiring district based upon his training, credits and experience. In the 1977-78 school year the hiring district shall receive eligible teacher aid equal to 60% of the amount calculated in the first year; in the 1978-79 school year the hiring district shall receive eligible teacher aid equal to 40% of the amount calculated for the first year, and in the 1979-80 school year and thereafter such aids shall terminate.*

*Subd. 3. The state board shall approve petitions and pay aid pursuant to this section only to the extent that funds are available. The amount appropriated for this purpose shall not be prorated.*

Sec. 70. Minnesota Statutes 1974, Section 125.12, Subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF CONTRACT AFTER PROBATIONARY PERIOD.] A teacher who has completed his probationary period in any school district, and who has not been discharged or advised of a refusal to renew his contract pursuant to subdivision 3, shall have a continuing contract with such district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board, upon one of the grounds specified in subdivisions 6 or 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April 1; provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to 179.77 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day following the adoption of said contract in compliance with section 179.70, subdivision 2. Such written resignation by the teacher shall be effective as of June 30 if submitted prior to that date ~~or, if submitted thereafter, shall be effective August 15~~, and the teachers' right of resignation for the school year then beginning shall cease on ~~August~~ July 15. Before a teacher's contract is terminated by the board, the board shall notify the teacher in writing and state its ground for the proposed termination in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 days after receipt of such notification. Within 14 days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. If no hearing is requested within such period, it shall be deemed acquiescence by the teacher to the board's action. Such termination shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid. Such contract may be terminated at any time by mutual consent of the board and the teacher and this section shall not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

Sec. 71. [126.151] [VOCATIONAL EDUCATION STUDENT ORGANIZATIONS.] *Any pupil enrolled in a vocational-technical*

*education program approved by the state board of education may belong to a vocational student organization which is operated as an integral part of the program. The commissioner of education may provide assistance and leadership to these organizations.*

Sec. 72. Minnesota Statutes 1974, Section 128.04, is amended to read:

128.04 [DUTIES OF BOARD.] It shall be the duty of the board to furnish school facilities to every child of school age residing in any part of the county district, either by building school houses, leasing schoolrooms, transporting the children to the nearest school, boarding the children within convenient distance of school at the expense of the board, or otherwise, and to provide necessary supplies and text and library books.

The annual meeting as held in ~~ten or more townships independent~~ districts need not be held, but the clerk of the board shall publish once in a legal newspaper published in the county the annual report required by law to be made by the district treasurer.

When not otherwise provided in sections 128.01 to 128.06, the school board of any such county district shall have and exercise all of the powers and be subject to the same laws and regulations as boards of ~~ten or more townships independent~~ districts, and all laws applicable to ~~ten or more townships independent~~ districts; ~~and all laws applicable to state aid for equalizing educational opportunities in unorganized territory shall apply to the county district including Laws 1921, Chapter 467.~~

Sec. 73. Minnesota Statutes 1974, Section 273.138, Subdivision 3, is amended to read:

Subd. 3. Each school district shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its 1972 assessed value of real property exempted from taxation by section 272.02, subdivision 1 times the sum of its mill rates for the following levies:

- (1) A levy for capital outlay, pursuant to section 124.04;
- (2) A levy to pay the principal and interest on bonded indebtedness, including the levy to pay the principal and interest on bonds issued pursuant to *Minnesota Statutes 1974, Section 275.125, Subdivision 3* ~~(6)~~ (7) (c);
- (3) A levy to pay the principal and interest on debt service loans, pursuant to section 124.42;
- (4) A levy to pay the principal and interest on capital loans, pursuant to section 124.43;
- (5) A levy to pay amounts required in support of a teacher retirement fund, pursuant to section 422.13;

(6) A levy for additional maintenance cost in excess of 30 mills times the adjusted assessed valuation of the school district, pursuant to ~~section 275.125, subdivision 3~~ ~~(4)~~ *section 75, subdivision 6, of this act.*

For the purpose of this subdivision, a school district mill rate for any of the forementioned levies which was not applied to the total taxable value of such school district shall be added to the forementioned sum of mill rates as if it had been applied to the entire taxable value of the school district.

Sec. 74. Minnesota Statutes 1974, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In ~~1973~~ 1975 , a school district may levy for all general and special school purposes, an amount equal to the amount raised by the ~~1972~~ 1974 adjusted assessed valuation of the district times the number of mills, not to exceed ~~30~~ 29 , that bears the same relation to ~~30~~ 29 , as the greater sum computed pursuant to section ~~124.212~~, subdivision 7a 29 , clause (2), of this act, bears to ~~\$820~~ \$960 .

(2) In ~~1974~~ 1976 , a school district may levy for all general and special school purposes, an amount equal to the amount raised by the ~~1973~~ 1975 adjusted assessed valuation of the district times the number of mills, not to exceed ~~30~~ 29 , that bears the same relation to ~~30~~ 29 , as the sum of the greater sum computed pursuant to section ~~124.212~~, subdivision 7a 29 , clause (2), of this act, and the greater of (a) ~~one-half~~ five-sixths of the difference that results when such greater sum is subtracted from ~~\$875~~ \$1015 , or (b) ~~\$50~~ \$55 , bears to ~~\$875~~ \$1015 .

(3) *For any district levying less than the maximum levy allowable in clauses (1) and (2), beginning with the levy certified in 1976, payable in 1977, the foundation aid to the district for the 1977-78 and subsequent school years, calculated pursuant to section 124.212, shall be reduced by the amount of the difference between the actual levy and the maximum levy allowable under clauses (1) and (2). In the application of this clause, the maximum levy allowable under clauses (1) and (2) shall be reduced by any reduction of this levy which is required by section 75, subdivision 9 of this act or any other law.*

~~(3)~~ (4) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall

be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 75. Minnesota Statutes 1974, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a, a qualifying district may levy additional amounts as follows: *provided in subdivisions 3 to 14 of this section.*

(1) *Subd. 4. The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision section 275.125, subdivision 3, as it read in Minnesota Statutes 1974, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04, and the amount authorized for liabilities of dissolved districts pursuant to section 122.45 and the amounts necessary to pay the district's obligations under section 268.06, subdivision 25.*

(2) *Subd. 5. For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause subdivision for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation; and provided further that beginning with the levy certified in 1974-1975, a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid necessary because of extraordinary traffic hazards but for which no state aid is receivable for the current fiscal year pursuant to section 124.223, clause (1).*

(3) *For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the*

adjusted assessed valuation of the district shall be allowed to levy 1.9 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) *Subd. 6. For the 1971 levy, collectible in 1975,*

(1) In 1975 any district, in which the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership was greater than \$663 per pupil unit, may levy an amount per pupil unit which is equal to or less than the difference between the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership and \$663 per pupil unit, reduced by two and one-half percent. No district may levy under this clause an amount which exceeds the sum of the levy permitted under section 275.125, subdivision 3 (3) and the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year. Provided, however, that a district with boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy 2.0 mills an amount per pupil unit which is equal to 2.0 mills times the 1974 adjusted assessed valuation of the district, divided by the number of pupil units in the district in 1975-1976.

(2) In 1976, any district which qualified in 1975 for an extra levy under clause (1) shall be allowed to levy the same amount per pupil unit allowed by that clause.

(3) In 1977 and each year thereafter, any district which qualified in 1976 for an extra levy under clause (2) shall be allowed to levy the same amount per pupil unit allowed by that clause, reduced by two and one half percent each year.

(4) For purposes of computing allowable levies under this subdivision, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (6) and (7). The provisions of this clause shall not affect or modify any district's 1970-1971 adjusted maintenance cost per pupil unit in average daily membership.

*Subd. 7. (1) In addition to the excess levy authorized in subdivision 6, any district in Hennepin county or Ramsey county,*

*other than a district with boundaries coterminous with the boundaries of a city of the first class, whose excess levy per pupil unit pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), was among the lowest 20 percent of these levies in such districts shall be allowed in 1975 to make an excess levy if the district has had a decrease in actual pupil units for the previous three years. This additional permitted excess levy per pupil unit shall equal the difference between the excess levy per pupil unit for the district and the average excess levy per pupil unit for the districts in Hennepin and Ramsey counties, other than districts with boundaries coterminous with the boundaries of a city of the first class, allowed pursuant to Minnesota Statutes 1974, Section 275.125, Subdivision 3, Clause (5), or 2.0 mills times the 1974 adjusted assessed valuation of the property in the district, whichever is less.*

*(2) In 1976 any district which in 1975 qualified for an additional levy under the provisions of clause (1) and which continues to decline in enrollment may levy that same amount per pupil unit plus an amount equal to 2.0 mills times the 1975 adjusted assessed valuation of the taxable property in the district.*

*(3) In 1977 and each year thereafter, any district which in 1976 qualified for an additional levy under the provisions of clause (2) and which continues to decline in enrollment may levy the same amount per pupil unit reduced by two and one half percent each year.*

*(6) For districts in cities of the first class, maintaining post secondary vocational schools, one half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by these laws, as amended.*

*(7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.*

*(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the*

amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) *Subd. 8.* In 1973 1975, and each year thereafter, for a district with a population of more than 15,000 persons which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, may levy an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of *EARC* mills not to exceed the number of *EARC* mills necessary in 1973 to raise \$1 per capita in 1973. In 1975, and each year thereafter, a district with a population of fewer than 15,000 persons which has established a community school advisory council pursuant to section 121.88, may levy an amount of money raised by the greater of (A) \$2 per capita, or (B) the number of *EARC* mills not to exceed the number of *EARC* mills necessary in 1975 to raise \$2 per capita in 1975. These levies shall be used for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to ~~121.89~~ 121.88.

A district which provides 95 percent or more of the cost of the recreation program for the municipalities and townships in which the district or any part thereof is located may, with the approval of the commissioner, levy an additional amount, not to exceed one mill times the adjusted assessed valuation of the district for the preceding year, to be used for the costs of the recreation program.

A school district shall be authorized to make a levy pursuant to this subdivision only after it has filed a certificate of compliance with the commissioner of education, certifying that members of the school board have met with members of the governing bodies of the county, municipality or township in which the school district, or any part thereof, is located, in order to discuss methods of increasing mutual cooperation between such bodies.

The population of the district for purposes of this clause *subdivision* is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

~~(9)~~ *Subd. 9.* Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, shall reduce the permissible levies authorized by ~~this subdivision~~ *subdivisions 3 to 14 of this section* by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

*Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by section 275.125 to be spread in the calendar year in which the deduction from foundation aid is made pursuant to section 124.212, subdivision 8a, by the portion of the previous fiscal year's payment which was not deducted from foundation aid in that calendar year pursuant to section 124.212, subdivision 8a.*

~~(10)~~ *Subd. 10.* The commissioner shall certify to the county auditors the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 15 as well as adjustments to final pupil unit counts.

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

The county auditor shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years.

~~(11)~~ *Subd. 11.* The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids

received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

(12) *Subd. 12.* When a district finds it economically advantageous to rent or lease existing school buildings for instructional purposes, and the proceeds of the levy permitted under section 124.04 are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building for approved purposes.

Sec. 76. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

*Subd. 13. Districts maintaining a post-secondary vocational-technical school shall levy for post-secondary vocational-technical purposes as follows:*

(1) *For districts in cities of the first class, a minimum of one-half mill up to a maximum of one mill, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

(2) *For districts formed pursuant to Laws 1967, Chapter 822, as amended, and Laws 1969, Chapters 775 and 1060 as amended, a minimum of one-half mill up to a maximum of one mill, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

(3) *For other districts maintaining post-secondary vocational schools, a minimum of one mill up to a maximum of three mills, exclusive of debt service, times the adjusted assessed valuation of the taxable property of the district for the preceding year as determined by the equalization aid review committee.*

Sec. 77. Minnesota Statutes 1974, Section 275.125, is amended by adding a subdivision to read:

*Subd. 14. Districts maintaining a post-secondary vocational-technical school may levy additional amounts as follows:*

*(1) A district maintaining a post-secondary vocational-technical school shall assume responsibility for a local share of the district post-secondary vocational deficit. The local share shall be 30 percent, or 15 percent in Independent School District Nos. 595 and 793, of the district post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education pursuant to section 63, subdivision 4 of this act.*

*(2) For the purpose of eliminating the local share of its post-secondary vocational deficit, a district may petition the commissioner of education for authority to make an additional levy. Before such a levy may be made, it must be approved by the commissioner. The approval shall specify the years in which the additional levy may be made and shall specify its dollar amount. No levy so approved shall be made in more than four successive years, beginning with the levy certified in 1975, and shall not annually exceed .25 mills in a district in a city of the first class, 1.5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or three mills in any other district maintaining a post-secondary vocational-technical school times the adjusted assessed valuation of the district for the preceding year as determined by the equalization aid review committee. Under no circumstances may a district levy a total amount greater than the local share of its post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education.*

*(3) If the additional levy allowed in clause (2) of this subdivision would be insufficient to eliminate the local share of the district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education, it may petition the commissioner of education for authority to issue general obligation bonds in an amount sufficient to meet the deficiency. Before the bonds may be issued, they must be authorized by the commissioner. The authorization shall specify a term not to exceed seven years and the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not annually exceed .25 mills in a district in a city of the first class, .5 mills in districts formed pursuant to Laws 1969, Chapter 1060, as amended; Laws 1969, Chapter 775, as amended; or Laws 1967, Chapter 822, as amended, or six mills in any other district maintaining a post-secondary vocational-technical school times the 1974 adjusted assessed valuation of the district as determined by the equalization aid review committee; provided, however, that the mill limitation is subject to the provisions of Minnesota Statutes, Section 475.74. The bonds authorized by this section shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as otherwise provided herein. The bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.*

*(4) A district may not be authorized an additional levy under both clauses (2) and (3) of this subdivision.*

*(5) The state shall assume responsibility for 70 percent, or in In-*

*dependent School District Nos. 595 and 793 for 85 percent, of a district's post-secondary vocational deficit as of July 1, 1975, as certified to the commissioner of education. The state portion of the deficit shall be paid to each district in fiscal years 1977 and 1978 in two equal payments, provided that the levy for the district's portion of the deficit has been approved by the commissioner and the required portion for the 1975 levy has been certified to the county auditor.*

Sec. 78. Minnesota Statutes 1974, Section 275.125, Subdivision 4, is amended to read:

Subd. 4. 15. Any district which in any year levies an amount which is greater than the amount allowed by subdivisions 2 and 3 sections 74 to 77 of this act, shall lose an amount of state foundation aid equal to one-half of the excess in the levy, provided that any levy which is found to be excessive as a result of a decision of the tax court or a redetermination by the equalization aid review committee under section 124.212, subdivisions 11 to 20 18, shall not be compensated for in the next levy of the district. The amount of aid lost shall be deducted from the aid which would otherwise have been received for the school year which commences in the calendar year during which the excessive levy is being collected. Any foundation aid so withheld shall be withheld in accordance with the procedures specified in section 124.15. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31, Article 20 shall be reviewed, and may be modified, by the appropriate authority of the district for the purpose of reducing such levy to conform to the limitation imposed by Extra Session Laws 1971, Chapter 31, Article 20. Any reduction in such levy made prior to December 15, 1971 shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy.

Sec. 79. Minnesota Statutes 1974, Section 275.125, Subdivision 5, is amended to read:

Subd. 5 16. For the purposes of this section, the number ~~by~~ of pupil units in average daily membership shall be computed in accordance with section 124.17, provided that the district may use an estimated average daily membership for the current school year. Any district which increased its pupil units, exclusive of consolidation, or merger of districts, or change of definition of pupil units by more than five percent from one year to another may use an estimated pupil unit count for the next succeeding school year for determining a levy certified in the current year. If as a result of such estimate the levy is different from the amount that could actually have been levied under this section had such levy been based upon the pupil units computed under section 124.17 for that school year, then in that event the authorized levy for the following year shall be adjusted for the difference.

Sec. 80. Minnesota Statutes 1974, Section 275.125, Subdivision 6, is amended to read:

Subd. 6 17. Notwithstanding any other charter provision, general or special laws to the contrary, every school district in the state shall abide by the terms and provisions of this section.

Sec. 81. Minnesota Statutes 1974, Section 275.125, Subdivision 7, is amended to read:

Subd. 7 18. By November 1 of each year each district shall submit to the commissioner of education a certificate of compliance with the levy limitations of this section. The commissioner of education shall prescribe the form of this certificate.

Sec. 82. Minnesota Statutes 1974, Section 275.48, is amended to read:

275.48 [ADDITIONAL TAX LEVIES IN CERTAIN MUNICIPALITIES.] Whenever *by virtue of chapter 278, sections 270.07, 375.192, or otherwise*, the assessed valuation of any city, township or school district for any taxable year is reduced after the taxes for such year have been spread by the county auditor and whenever the mill rate as determined by the county auditor based upon the original assessed valuation is applied upon such reduced valuations and does not produce the full amount of taxes as actually levied and certified for such taxable year upon the original assessed valuations, such city, township or school district may include in its tax levy made following *final determination and notice* of such reduction in assessed valuation, an amount equal to the difference between the total amount of taxes actually levied and certified for such taxable year upon the original assessed valuation, not exceeding the maximum amount which could be raised upon such assessed valuation as reduced, within existing mill limitations, if any, and the amount of taxes collected for such taxable year upon such reduced valuations.

The amount of taxes so included shall be levied separately and shall be levied in addition to all limitations permitted by section 275.11, as other applicable laws limiting levies in cities, towns or school districts imposed by law; and further shall not result in any penalty in the nature of a reduction in state aid of any kind .

Sec. 83. Minnesota Statutes 1974, Section 475.54, Subdivision 2, is amended to read:

Subd. 2. A serial maturity schedule conforming to subdivision 1 may be established for each new issue of obligations of a municipality, or the governing body may in its discretion adjust such schedule so that the combined maturities of the new issue and any other designated issue or issues will conform to subdivision 1, provided that all such issues are general obligations or all are payable from a common fund. Notwithstanding the provisions of any other general or special law, any school district having an outstanding state loan or loans, if it issues and sells bonds on the public market for any purpose other than refunding such loans, or *refunding outstanding bonds as provided in this subdivision* shall adjust the schedule of the maturities thereof so that the total amount of principal and interest to become due on these bonds and on all other bonds of the school district, during each of the 30 fiscal or calendar years next following, will be as nearly equal as practicable, provided that the annual amounts of maturing principal may be fixed at multiples of \$5,000. *A school district which has an outstanding state loan or loans may refund outstanding bonds, provided that the*

*school loan committee established in section 124.41 approves such refunding. The committee shall approve refunding outstanding bonds only if such refunding results in lower annual debt service payments than the district made prior to the refunding.*

Sec. 84. Laws 1967, Chapter 822, Section 7, as amended by Laws 1969, Chapter 945, Section 2, is amended to read:

Sec. 7. [TAX LEVIES.] ~~If so provided in the agreement,~~ The joint school board ~~may~~ shall each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district ~~a~~ the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in section 76, clause (2) of this act. Additional tax levies may be certified which shall not in any year exceed ~~two~~ .6 mills on each dollar of adjusted assessed valuation for expenses for the following: special education and .7 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education; and driving of motor vehicles. Of the amount so levied, however, not to exceed one half of one mill shall be for the driving of motor vehicles, it being contemplated that 50 percent of the cost thereof be paid by the student. Each participating school district shall include such tax levy levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section ~~275.12~~ 275.125. The board may, any time after such levy has levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy levies, but in aggregate amounts such as will not exceed the portion of the levy levies which is are then not collected and not delinquent.

Sec. 85. Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended by Laws 1971, Chapter 267, Section 3, is amended to read:

Subd. 2. The intermediate school board ~~may~~ shall in each year for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred certify to each county auditor of each county in which said intermediate school district shall lie, as a single taxing district, a the tax levy which shall never in any year exceed five mills, exclusive of debt service, on each dollar of assessed valuation of all taxable property within said intermediate school district specified in section 76, clause (2) of this act. Additional tax levies may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education and .5 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education. Said annual tax levy levies shall be certified pursuant to Minnesota Statutes ~~1969~~, Section 124.02. Upon such certification the county auditor or auditors and other appropriate county officials shall levy and collect such levies and remit the

proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levy levies shall not be included in computing the limitations, if any, upon the levy of the intermediate district or any of the participating districts under Minnesota Statutes 1967, Section 275.12 275.125. After such levies have been certified to the appropriate county officials the intermediate school board may issue and sell by negotiation or at public sale its certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amount such as will not exceed the portion of such tax levy which is then not collected and not delinquent.

Sec. 86. Laws 1969, Chapter 1060, Section 7, is amended to read:

Sec. 7. [TAX LEVIES.] ~~If so provided in the agreement,~~ The joint school board ~~may shall~~ each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred for area vocational-technical schools, certify to each participating school district ~~a the tax levy which shall never in any year exceed four mills on each dollar of assessed valuation of all taxable property specified in section 76, clause (2) of this act. Additional tax levies may be certified which shall not in any year exceed .6 mills on each dollar of adjusted assessed valuation for expenses for special education and .5 mills on each dollar of adjusted assessed valuation for expenses for secondary vocational education .~~ Each participating school district shall include such tax levy levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levy levies to the board promptly when received. Such levies shall not be included in computing the limitations upon the levy of any district under Minnesota Statutes, Section 275.12 275.125. The board may, any time after such levy has levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levy levies, but in aggregate amounts such as will not exceed the portion of the levy levies which is are then not collected and not delinquent.

Sec. 87. Laws 1971, Chapter 722, Section 1, is amended to read:

Section 1. [SPECIAL SCHOOL DISTRICT NO. 1; TAX LEVY.] To provide moneys to pay any administrative, operational, planning or capital expenses of an area vocational-technical school established pursuant to the provisions of Minnesota Statutes, Section 121.21, the board of directors of special school district No. 1 of Minneapolis ~~may shall~~ levy annually upon all taxable property in the district ~~a the tax specified in section 76, clause (1) of this act in excess of the limitation contained in Minnesota Statutes, Section 275.12 .~~

Sec. 88. Laws 1973, Chapter 683, Section 26, Subdivision 17, is amended to read:

Subd. 17. The provisions of this section shall expire July 1, 1977 1979. At any time the experimental school may be termi-

nated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Sec. 89. Laws 1974, Chapter 521, Section 9, is amended to read:

Sec. 9. Notwithstanding any law to the contrary, in Independent School Districts No. 93 and No. 99 where the adjusted assessed valuation is under contest in a Minnesota court as of February 1, 1974, foundation aid payments for the 1972-73 and 1973-74 school years *and for any future school years until such time as the valuation is finally decided* shall be made on the basis of the uncontested portion of the valuation of these districts. If as a result of the pending litigation these districts experience an increase in the adjusted assessed value as determined by the equalization aid review committee and recover tax revenues in excess of those which would have been raised on the uncontested adjusted assessed value as determined by the equalization aid review committee, any excess in foundation aid payments which resulted from the use of this uncontested adjusted assessed value in the aid determination shall be returned to the state by these districts.

Sec. 90. Laws 1974, Chapter 561, Section 7, is amended to read:

Sec. 7. [EFFECTIVE DATE.] This act shall be effective on ~~July~~ *August 25*, 1975.

Sec. 91. Laws 1975, Chapter 13, Section 110, Subdivision 1, is amended to read:

Sec. 110. [473.633] [SCHOOL DISTRICTS, AID TO.] Subdivision 1. [ALLOCATION FROM PROCEEDS OF INCOME TAXES.] ~~Allocation from proceeds of income taxes.~~ When the properties of any school district in this state are detached from such school district because they comprise a part of or are located on a major airport *or if such properties are once detached or subsequently reattached to said district by resolution pursuant to Extra Session Laws, 1971, Chapter 31*, such district shall receive annually an allocation from the proceeds of income taxes in the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district. *In fiscal year 1976, the district shall receive 66 $\frac{2}{3}$  percent of the amount that would be produced by a tax on such detached properties at the current tax rate for school purposes in the school district, and in fiscal year 1977, 33 $\frac{1}{3}$  percent of such amount.*

Sec. 92. Laws 1975, Chapter 13, Section 110, is amended by adding a subdivision to read:

*Subd. 6. This section shall expire on June 30, 1977.*

Sec. 93. Laws 1975, Chapter 13, Section 111, is amended to read:

Sec. 111. [473.635] [APPROPRIATION IN LIEU OF TAXES ON AIRPORT PROPERTY.] *In fiscal year 1976, there is hereby appropriated annually to Independent School District No. 16 of Anoka county the sum of ~~€15,000~~ \$10,000, of which \$9,750 65 percent of this amount is appropriated from the state airports account within the special revenue fund in the state treasury and \$5,250 35 percent of this amount is appropriated from the general fund in the state treasury, all as payment in lieu of taxes upon real property owned by the Minneapolis-St. Paul metropolitan airports commission. In fiscal year 1977, there is appropriated \$5,000 to Independent School District No. 16 with the same percentages appropriated from the same funds. This section shall expire June 30, 1977.*

Sec. 94. *There is appropriated to the department of education from the general fund in the state treasury the sum of \$190,000 to be paid to Independent School District 381. If as a result of any litigation Independent School District No. 381 recovers tax revenues raised in 1973 on that portion of Independent School District No. 381 which is situated outside of Lake county, the amount recovered shall be paid to the state by Independent School District No. 381.*

Sec. 95. [APPROPRIATIONS.] *Subdivision 1. [SHARED TIME REIMBURSEMENT AID.] The sum of \$170,000 is appropriated to the department of education from the general fund in the state treasury for payment of a deficiency in funds available for reimbursement aids to school districts for shared time instructional programs for the biennium ending June 30, 1975.*

*Subd. 2. [REPORTING SYSTEM AIDS.] The sum of \$10,200 is appropriated to the department of education for the fiscal year ending June 30, 1975 to complete the implementation of Laws 1973, Chapter 683, Section 22.*

Sec. 96. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

	<i>For the year ending June 30</i>	
	<i>1976</i>	<i>1977</i>
<i>(1) Foundation Aid</i>	<i>\$600,400,000</i>	<i>\$613,000,000</i>

*The appropriation in (1) includes not to exceed \$300,000 in 1976 for emergency aid. The appropriation in (1) also includes \$400,000 for 1976 to be expended pursuant to Laws 1965, Chapter 719, as amend-*

For the year ending June 30

1976

1977

*ed, and if the appropriation for this purpose is insufficient, the aid shall be prorated among all qualifying districts.*

(2) Transportation Aid . . . . .	\$ 62,310,000	\$ 67,173,000
<p><i>The appropriation in (2) includes not to exceed \$125,000 in each year indicated for transportation aid pursuant to section 40, clause (6) of this act. The appropriation in (2) also includes \$125,000 for 1976 and \$150,000 for 1977 for transportation aid pursuant to section 40, clause (7) of this act. The appropriation in (2) also includes \$200,000 for 1976 and \$300,000 for 1977 for transportation aid pursuant to section 37 of this act. If the appropriation for any of these purposes in either year is insufficient, the aid for that purpose shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriation for that purpose.</i></p>		
(3) Special Education Aid . . . . .	\$ 38,600,000	\$ 46,750,000
(4) Secondary Vocational Aid . .	\$ 13,700,000	\$ 16,300,000
(5) Adult Vocational Aid . . . . .	\$ 3,625,000	\$ 4,375,000
(6) Veteran Farmer Cooperative Training Programs . . . . .	\$ 950,000	\$ 1,050,000
(7) Post-Secondary Vocational Foundation Aid . . . . .	\$ 0	\$ 50,800,000
(8) Post-Secondary Vocational Categorical Aid . . . . .	\$ 36,500,000	\$ 10,800,000
(9) Post-Secondary Vocational Debt Service Aid . . . . .	\$ 0	\$ 7,000,000
(10) Post-Secondary Vocational Capital Expenditure Aid . . . . .	\$ 0	\$ 6,000,000
(11) Post-Secondary Vocational Deficit Payment . . . . .	\$ 0	\$ 1,600,000

For the year ending June 30

1976

1977

(12) Post-Secondary Vocational Construction .....	\$ 17,000,000	\$ 0
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*The appropriation in (12) shall be expended for post-secondary vocational construction in the following school districts: Special School District No. 1; Independent School District No. 11; Dakota County Area Vocational-Technical Institute District No. 917; Independent School District Nos. 423; 701; 535; 583; and 206. If a law enacted at the 1975 session identified as House File No. 1810 or any other law enacted at this session provides any funds for post-secondary vocational construction or for vocational-technical building bonds, the amount of the funds provided in that law shall be subtracted from the appropriation in (12).*

(13) Adult Education Aid .....	\$ 306,000	\$ 324,000
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(14) Eligible Teacher Program..	\$ 0	\$ 150,000
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(15) G.E.D. Reimbursement Aid.	\$ 60,000	\$ 60,000
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*If the appropriation for this purpose in either year is insufficient, the reimbursement shall be prorated among all qualifying testing centers.*

(16) Council on quality education .....	\$ 500,000	\$ 500,000
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*The appropriation in (16) shall be used for funding no fewer than ten early childhood identification and education programs pursuant to sections 3.9271 to 3.9275. No more than \$30,000 may be expended each year for dissemination of information and administration of these programs by the council on quality education, of which no more than \$15,000 may be expended each year for evaluation of these programs.*

*For the year ending June 30*

	<i>1976</i>	<i>1977</i>
<i>(17) Community Education Aid.</i>	<i>\$ 1,200,000</i>	<i>\$ 1,600,000</i>
<i>(18) Flexible School Year Planning Grants .....</i>	<i>\$ 100,000</i>	
<i>The appropriation in (18) may be used by the state board of education as planning grants for school districts which intend to begin operation of flexible school year programs pursuant to sections 120.59 to 120.67, after July 1, 1975.</i>		
<i>Any unexpended balance remaining from the appropriations in (1) to (18) for 1976 shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) to (18)</i>		
<i>(19) Extraordinary Tax Delinquency Advances to School Districts .....</i>	<i>\$ 70,000</i>	<i>\$ 95,000</i>
<i>(20) For Gross Earnings Aid pursuant to section 124.28 .....</i>	<i>\$ 800,000</i>	<i>\$ 700,000</i>
<i>(21) Exempt Land Special School Aid pursuant to section 124.30 .....</i>	<i>\$ 267,000</i>	<i>\$ 133,000</i>
<i>(22) For Aid to School Districts pursuant to Laws 1975, Chapter 13, Section 110 .....</i>	<i>\$ 96,670</i>	<i>\$ 48,330</i>
<i>(23) School Aid - Counties A/C of Non Tax Areas .....</i>	<i>\$ 32,000</i>	<i>\$ 16,000</i>

*The amount appropriated in (23) shall be expended in 1976 and 1977, as provided in Laws 1971, Chapter 966, Section 16, for 1971 and 1972.*

*If any appropriation made in (19) to (23) in either year is insufficient, the aid shall be prorated among all qualifying districts and the state shall not be obligated for any amount in excess of the appropriation for that purpose.*

*For the year ending June 30*

1976

1977

*None of the amounts appropriated in (1) to (23) of this section shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) to (23).*

Sec. 97. [REPEALER.] *Laws 1919, Chapter 271; Laws 1951, Chapter 659; Minnesota Statutes 1974, Sections 121.21, Subdivisions 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; and 190.31, are repealed.*

Sec. 98. [REPEALER.] *Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; Minnesota Statutes 1974, Sections 121.21, Subdivision 5; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; and 124.806, are repealed. This section shall be effective June 30, 1976.*

Sec. 99. [REPEALER.] *Laws 1971, Chapter 966, Section 16, is repealed. This section shall be effective June 30, 1977.*

Sec. 100. [EFFECTIVE DATE.] *Sections 1, 2, 16, 24, 44, 45, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 70, 71, 83, 89, 90, 94 and 95 shall be effective the day following final enactment. Section 19 shall be effective July 1, 1976."*

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, the state board of education, and the state board for vocational education; providing for changes in the maximum effort school aid law; providing a July 15 date for resignation of teachers; providing state aid for extraordinary tax delinquency in certain school districts; appropriating money; amending Minnesota Statutes 1974, Sections 3.924, by adding a subdivision; 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1, and by adding subdivisions; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2, 4 and 6; 123.34, Subdivision 1; 123.80; 124.04; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, 12, and by adding subdivisions; 124.215, Subdivision 2a; 124.222, Subdivision 3, and by adding subdivisions; 124.223; 124.25; 124.26; 124.28, Subdivision 2; 124.30, Subdivisions 3 and 4, and by adding a subdivision; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7 and 8; 124.42, Subdivisions 1, 2 and 4; 124.43, Subdivisions 1, 2, 3 and 4; 124.45; 124.57; 125.12, Subdivision 4; 128.04; 273.138, Subdivision 3;

275.125, Subdivisions 2a, 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1974, Chapter 561, Section 7; Laws 1975, Chapter 13, Section 110, Subdivision 1, and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 190.31; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; and Laws 1971, Chapter 966, Section 16."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Joseph P. Graba, Carl M. Johnson, Salisbury Adams, Tom K. Berg, Bruce F. Vento.

Senate Conferees: (Signed) Jerald C. Anderson, Jerome M. Hughes, H. H. Humphrey III, Joseph T. O'Neill, Douglas H. Silvers.

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on H. F. No. 235 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. 235: A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of adult education, special education, post-secondary vocational-technical education, and community school education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, the state board of education, and the state board for vocational education; providing for changes in the maximum effort school aid law; providing a July 15 date for resignation of teachers; providing state aid for extraordinary tax delinquency in certain school districts; appropriating money; amending Minnesota Statutes 1974, Sections 3.924, by adding a subdivision; 3.9271, Subdivision 1; 120.03, Subdivision 3; 120.17, Subdivision 1, and by adding subdivisions; 120.76; 120.80, Subdivision 1; 121.21, Subdivisions 2, 4 and 6; 123.34, Subdivision 1; 123.80; 124.04; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 2, 3a, 8a, 11, 12, and by adding subdivisions; 124.215, Subdivision 2a; 124.222, Subdivision 3, and by adding subdivisions; 124.223; 124.25; 124.26; 124.28, Subdivision 2; 124.30, Subdivisions 3 and 4, and by adding a subdivision; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 124.38, Subdivisions 4, 5, 7 and 8; 124.42, Subdivisions 1, 2 and 4; 124.43, Subdivisions 1, 2, 3 and 4; 124.45; 124.57; 125.12, Subdivision 4; 128.04; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 3, 4, 5, 6, 7, and by adding subdivisions; 275.48; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended;

Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; Laws 1973, Chapter 683, Section 26, Subdivision 17; Laws 1974, Chapter 521, Section 9; Laws 1974, Chapter 561, Section 7; Laws 1975, Chapter 13, Section 110, Subdivision 1, and by adding a subdivision; Laws 1975, Chapter 13, Section 111; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9 and 10; 121.211; 121.89; 124.212, Subdivisions 6a and 7a; 124.222, Subdivisions 1 and 2; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; 190.31; Laws 1919, Chapter 271; Laws 1951, Chapter 659; Laws 1969, Chapter 945, Section 3; Laws 1969, Chapter 1060, Section 8; and Laws 1971, Chapter 966, Section 16.”

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 9, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Schmitz
Arnold	Frederick	Knutson	Olhoft	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Solon
Borden	Hansen, Baldy	Larson	Olson, H. D.	Spear
Chenoweth	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chmielewski	Hanson, R.	Lewis	O'Neill	Stumpf
Coleman	Humphrey	McCutcheon	Patton	Tennessee
Conzemius	Jensen	Merriam	Perpich, A. J.	Ueland
Davies	Josefson	Milton	Perpich, G.	Wegener
Doty	Keefe, S.	Moe	Purfeerst	Willet
Dunn	Kirchner	North	Renneke	

Those who voted in the negative were:

Ashbach	Berg	Brataas	Nelson	Stassen
Bang	Blatz	Keefe, J.	Pillsbury	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 229, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.-086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

House File No. 229 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

### SUSPENSION OF RULES

Mr. Perpich, A. J. moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 229. The motion prevailed.

### CONFERENCE COMMITTEE REPORT ON H. F. NO. 229

A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22, and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

May 16, 1975

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. 229 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments to H. F. No. 229 and that H. F. No. 229 be amended as follows:

Page 5, strike lines 17 through 22

Page 7, strike lines 7 through 15

Page 22, line 20, after "*that the*" insert "*recipient*"

Page 28, strike line 32

Page 29, strike lines 1 through 32

Page 38, strike lines 14 through 32

Page 39, strike lines 1 through 8

Page 42, line 31, strike ", 27 and 28" and insert "26"

Re-number the sections accordingly

Further amend the title as follows:

Line 11, strike ", 3 and 5" and insert "and 3"

Line 14, strike "290.983, Subdivision 1;"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Neil B. Dieterich, James R. Casserly, Mike Jaros, John D. Tomlinson, Joel Jacobs.

Senate Conferees: (Signed) Edward J. Gearty, Jack I. Kleinbaum, Otto T. Bang, George R. Conzemius.

Mr. Perpich, A. J. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 229 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. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22, and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2 and 3; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

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 45 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	North	Schmitz
Arnold	Doty	Josefson	Ogdahl	Schrom
Ashbach	Dunn	Keefe, S.	Olhoft	Sillers
Bang	Fitzsimons	Kirchner	Olson, H. D.	Solon
Borden	Frederick	Kleinbaum	O'Neill	Stassen
Brown	Gearty	Laufenburger	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Hughes	Milton	Purfeerst	Tennessee
Coleman	Humphrey	Moe	Renneke	Willet

Those who voted in the negative were:

Berg	Hansen, Baldy	Kowalczyk	Nelson	Patton
Blatz	Hansen, Mel	Larson	Olson, J. L.	Pillsbury
Brataas	Knutson	Merriam		

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743 at 7:00 p.m.:

Messrs. Perpich, G.; Olson, J. L.; Moe; Renneke and Doty. The motion prevailed.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the rec-

ommendation and report of the Conference Committee on House File No. 1, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

House File No. 1 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1

A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

May 16, 1975

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. 1 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. 1 be amended as follows:

Page 19, line 9, after "*exceeds*" insert "*the lesser of \$6,500 or*"

Page 24, delete lines 6 to 21 and insert:

"Sec. 8. Minnesota Statutes 1974, Section 268.06, Subdivision 8, is amended to read:

Subd. 8. [DETERMINATION OF CONTRIBUTION RATES.]  
For the year ~~1974~~ 1976 and for each calendar year thereafter the commissioner shall determine the contribution rate of each employer by adding the ~~experience ratio to the minimum rate~~ *minimum rate to the experience ratio, except that if the ratio for the current calendar year exceeds the experience ratio for the preceding calendar year by more than one and one half percentage points, the increase for the current year shall be limited to one and one half percentage points*. The minimum rate for all employers shall be nine tenths of one percent if the amount in the unemployment compensation fund is less than \$90,000,000 on June 30 of the preceding calendar year; or eight tenths of one percent if the fund is more than \$90,000,000 but less than \$110,000,000; or seven tenths of one percent if the fund is more than \$110,000,000 but less than \$130,000,000; or six tenths of one percent if the fund is more than \$130,000,000 but less than \$150,000,000; or five tenths of one percent if the fund is more than \$150,000,000 but less than \$170,000,000; or three tenths of one percent if the fund is more than \$170,000,000 but less than \$200,000,000; or one tenth of one percent if the fund is \$200,000,000 or more; provided that no employer shall have a contribution rate of more than five percent *except that in the case of an employer whose experience ratio in each of the immediately preceding three calendar years was in excess of five percent, the maximum contribution rate shall be six percent.*"

Page 27, line 6, strike "50 percent" and insert "*60 percent of the first \$85, 40 percent of the next \$85 and 50 percent of the remainder*"

Page 27, line 9, delete "66.666" and insert "*the lesser of \$116 or 62*"

Page 28, line 9, restore the stricken "June 30,"

Page 28, line 9, delete "July 6,"

Page 33, line 10, after "unemployment" insert "*in a benefit year*"

Page 33, line 12, strike "full time"

Page 36, line 25, after "occurs" insert "*because of a voluntary separation as described in this clause or*"

Page 36, strike lines 27 to 29

Page 36, line 30, strike "(c)" and insert "(b)"

Page 46, delete lines 6 to 28

Renumber the remaining sections in sequence

Further, amend the title as follows:

Page 1, line 16, delete "21" and insert "8"

Page 1, line 20, delete "6,"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Harry Sieben, Stanley Enebo, Leo Adams, Arne Carlson, Thomas Osthoff.

Senate Conferees: (Signed) Gene Merriam, Steve Keefe, Roger Laufenburger, Roger Hanson, Nancy Brataas.

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1 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. 1: A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 8 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

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 55 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Schaaf
Arnold	Fitzsimons	Knutson	Olhoff	Schmitz
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Schrom
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Brataas	Hansen, Mel	Lewis	Olson, J. L.	Spear
Brown	Hanson, R.	McCutcheon	O'Neill	Stassen
Chenoweth	Hughes	Merriam	Patton	Stokowski
Chmielewski	Humphrey	Milton	Perpich, A. J.	Stumpf
Coleman	Josefson	Moe	Perpich, G.	Ueland
Conzemius	Keefe, J.	Nelson	Pillsbury	Wegener
Doty	Keefe, S.	North	Purfeerst	Willet

Messrs. Bang, Bernhagen, Jensen, and Renneke voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 929, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 929: A bill for an act relating to banks, savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

House File No. 929 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 929

A bill for an act relating to banks; savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

May 16, 1975

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. 929 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. 929 be amended as follows:

Strike everything after the enacting clause and insert:

*“Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 10 the terms defined in this section have the meanings ascribed to them:*

*Subd. 2. “Bank” means a bank or savings bank organized under the laws of this state as defined in Minnesota Statutes, Section 47.02, or any national banking association having its principal office in this state.*

*Subd. 3. “Consumer banking facility” means any manned or un-manned device located separate and apart from a bank’s principal office or detached facility as authorized by Minnesota Statutes, Sections 47.51 to 47.57, which meets all of the following specifications:*

*(a) A consumer banking facility shall perform only services which may legally be provided by banks for their customers. However, a*

*consumer banking facility located on the business premises of a person engaged in the sale of goods may be used to perform internal non-banking functions for such persons.*

*(b) Banking services, when performed by a consumer banking facility, must be pursuant to the terms of an existing contractual arrangement between the bank providing its services and its customers.*

*(c) The person maintaining a consumer banking facility shall make it available for use by a bank located in Minnesota on a fair, equitable and non-discriminatory basis consistent with the provisions of this act.*

*Subd. 4. "Municipality" means the geographical area within the legal boundaries of any city or organized town located in Minnesota.*

**Sec. 2. [AUTHORIZATION.]** *Subdivision 1. Thirty days after written notice has been filed with the commissioner of banks, any bank may establish and maintain at a specific location, one or more consumer banking facilities for use by its customers, or may provide for the use of such facility to its customers by entering into agreement with any person or persons maintaining one or more consumer banking facilities. The commissioner of banks shall adopt rules and regulations specifying the contents of such notice. Written notification shall not be deemed filed until all information required by the commissioner of banks has been received by his office, which shall make such information available to any other bank requesting the use of any or all consumer banking facilities which are the subject of such notice.*

*Subd. 2. Subject to the notification procedures adopted by the commissioner of banks, a consumer banking facility may be established and maintained anywhere within a municipality in which no banks or detached facilities are located, or anywhere within a municipality in which at least one bank is located, provided a bank in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facilities located in one or more municipalities. The location and placement of consumer banking facilities shall not be designed to give or promote an unfair competitive advantage to any bank in Minnesota.*

**Sec. 3. [FUNCTIONS OF A CONSUMER BANKING FACILITY.]** *Subdivision 1. Banking transactions which may be performed through the use of a consumer banking facility shall be limited to only lawful banking services, provided the services performed are pursuant to the terms of a preexisting contractual agreement between the bank and its customers. In particular and not in limitation of the foregoing, deposits and withdrawals may be made through the use of a consumer banking facility, but accounts may not be opened at such facilities.*

*Subd. 2. The method by which a consumer banking facility performs banking transactions may include, but are not limited to, the utilization of electronic based systems.*

*Subd. 3. A consumer banking facility may be operated exclusively by bank customers or it may perform banking transactions through the assistance of any person provided that person is not employed by any bank, bank holding company or subsidiary. Such assistance shall*

*not be deemed to be engaging in the business of banking. Persons assisting bank customers at the site of a consumer banking facility may be trained by bank employees and nothing in this section shall be construed to prohibit periodic servicing of a consumer banking facility by a bank employee.*

Sec. 4. [ESTABLISHMENT AND MAINTENANCE OF A CONSUMER BANKING FACILITY.] *Subdivision 1. One or more consumer banking facilities may be established and maintained by a bank, or a group or combination of banks or by a third party if the party establishing and maintaining a consumer banking facility, exclusive of any supporting equipment, structure or system, limits its use to the performance of banking transactions for customers of Minnesota banks.*

*Subd. 2. All banks shall comply with the notification procedures adopted by the commissioner of banks prior to providing the services of a consumer banking facility to its customers. Nothing in sections 1 to 10 shall be construed to provide authority for a party, other than a bank, to engage in the business of banking. The activities of third parties referred to in sections 1 to 10 are limited to the ownership, operation and maintenance of consumer banking facilities and any supporting equipment, structures or systems.*

*Subd. 3. A bank, group or combination of banks or third party establishing and maintaining a consumer banking facility shall, upon written request, make the services available to any bank on a fair, equitable and nondiscriminatory basis approved by the commissioner of banks which includes a pricing structure limited to the owner's direct costs, including a reasonable return on the capital expenditures incurred by the owner in establishing and maintaining consumer banking facilities.*

*Subd. 4. Sections 1 to 10 shall be construed as permitting the use of a consumer banking facility only to facilitate, between a bank and a customer thereof, banking transactions deemed a part of the authorized business of such bank as conducted at its principal office. Content, use and distribution of any information, advertising material, or the use of any other promotional effort, to the contrary, is prohibited. Consistent with the foregoing, any advertisement, either on or off a consumer banking facility, promoting the use or the location of a consumer banking facility which identifies any bank, group or combination of banks or any third parties owning or providing for the use of its services, is prohibited. Provided, however, the following shall be expressly permitted:*

*(a) A simple directory listing placed at the site of a consumer banking facility identifying the particular banks using its services;*

*(b) The use and the name, either on or off the consumer banking facility, which does not promote or identify any particular bank, group or combination of banks or any third party;*

*(c) A direct mailing of any information from a bank to its customers identifying the location and use of any consumer banking facility which said banks will provide, under the provisions of sections 1 to 10, for its customers.*

Sec. 5. [VIOLATIONS; PENALTIES.] *A violation of sections 1 to 10 shall be subject to penalties applicable to violations of laws affecting banks. In addition, a violation of sections 1 to 10 may be enjoined by a civil action for injunction by any aggrieved bank.*

Sec. 6. *The authorization for banks to establish, maintain or use the services of a consumer banking facility granted in sections 1 to 10 is rescinded upon a ruling by a federal court that any of the restrictions contained in sections 1 to 10 which regulate consumer banking facilities including the prohibition on opening new accounts at a consumer banking facility, the prohibition on advertising a consumer banking facility in a manner which identified it as belonging to a particular bank and the requirement that a consumer banking facility be available to all banks on a nondiscriminatory basis, do not apply to national banking associations.*

Sec. 7. [CONSUMER PRIVACY.] *To protect the privacy of customers using consumer banking facilities, a consumer banking facility, financial institution, or commercial business, except as provided by law, rule of the commissioner of banks, or consent of a customer, shall not provide any information about a customer transaction or a customer account to any unauthorized party.*

Sec. 8. [ANTI-TRUST.] *No financial institution, bank or bank holding company or service corporation engaged in consumer banking facility activities shall contract, combine or conspire to restrain trade in the market for consumer banking facilities or engage in anti-competitive practices to the detriment of the public interest.*

Sec. 9. [EXAMINATION.] *A service corporation that provides any services to a consumer bank facility may be examined whenever the commissioner of banks deems it necessary. The service corporation shall pay examination fees as determined by the commissioner of banks.*

Sec. 10. [RULES AND REGULATIONS.] *The commissioner of banks may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of this act pursuant to Minnesota Statutes 1974, Chapter 15.*

Sec. 11. Minnesota Statutes 1974, Chapter 52, is amended by adding a section to read:

[52.041] *Subdivision 1. [DEFINITIONS.] (a) A "credit union" means a cooperative association organized in accordance with the provisions of this chapter or Title 12 of the United States Code. (b) A "credit union consumer facility" means any manned or unmanned electronic based system, device or machine located separate and apart from the credit union offices through which a credit union member may communicate and obtain from his credit union any authorized service pursuant to terms of an existing contractual arrangement between a credit union and its member. The device may receive or dispense cash or transfer funds for a member's benefit, subject to verification of the credit union.*

Subd. 2. [CREDIT UNION CONSUMER FACILITY; AU-

THORITY.] *A credit union having its principal office in this state may own, establish, maintain or use one or more credit union consumer facilities.*

*Subd. 3. [SHARED FACILITIES.] A credit union may participate in the ownership, establishment, maintenance or use of one or more credit union consumer facilities with one or more credit unions. Approval to own, establish, maintain or use a credit union consumer facility shall be given by the commissioner of banks upon application of a credit union if it shall appear that the facility will benefit the members of the credit union and is consistent with purposes of Minnesota Statutes, Chapter 52.*

*Subd. 4. [RULES AND REGULATIONS.] Pursuant to Minnesota Statutes, Chapter 15, the commissioner of banks shall promulgate rules and regulations consistent with all applicable provisions of this act that are reasonably necessary to carry out and make effective the provisions and purposes of this section.*

*Sec. 12. This act is effective the day following its final enactment."*

Further, strike the title in its entirety and insert the following:

*"A bill for an act relating to banks; authorizing consumer banking facilities; credit union communication facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section."*

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Walter Hanson, Willis Eken, Randy Kelly.

Senate Conferees: (Signed) Alec G. Olson, Al Kowalczyk, Roger Laufenburger.

Mr. Olson, A. G., moved that the foregoing recommendations and Conference Committee Report on H. F. No. 929 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. 929: A bill for an act relating to banks; authorizing consumer banking facilities; credit union communication facilities; providing penalties; amending Minnesota Statutes 1974, Chapter 52, by adding a section.

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 43 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Keefe, S.	Olson, A. G.	Solon
Ashbach	Conzemius	Kirchner	Patton	Spear
Bang	Dunn	Kleinbaum	Perpich, A. J.	Stassen
Bernhagen	Fitzsimons	Knutson	Pillsbury	Stokowski
Borden	Gearty	Laufenburger	Purfeerst	Stumpf
Brataas	Hansen, Mel	McCutcheon	Schaaf	Ueland
Brown	Hughes	Merriam	Schmitz	Wegener
Chenoweth	Humphrey	Milton	Schrom	
Chmielewski	Keefe, J.	North	Sillers	

Messrs. Hansen, Baldy; Josefson; Olhoft and Willet voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 511, and re-passed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

H. F. No. 511 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 511

A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

May 17, 1975

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. 511 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Bernard Brinkman, O. J. Heinitz, Michael George, Ted Suss, M. J. McCauley.

Senate Conferees: (Signed) Winston Borden, Otto Bang, Roger Laufenburger, Roger D. Moe, Harmon T. Ogdahl.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 511 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. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

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 49 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Humphrey	Milton	Schrom
Arnold	Coleman	Josefson	North	Sillers
Aashbach	Davies	Keefe, J.	Ogdahl	Solon
Bang	Dunn	Keefe, S.	Olhoft	Spear
Berg	Fitzsimons	Kirchner	O'Neill	Stassen
Bernhagen	Gearty	Kleinbaum	Patton	Stokowski
Blatz	Hansen, Baldy	Larson	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Laufenburger	Purfeerst	Ueland
Brataas	Hanson, R.	McCutcheon	Schaaf	Wegener
Chenoweth	Hughes	Merriam	Schmitz	

Mr. Willet voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1769, and repassed said bill in accordance with the report of the Committee, so adopted:

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivi-

sion 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

House File No. 1769 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

### SUSPENSION OF RULES

Mr. McCutcheon moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1769. The motion prevailed.

### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1769

A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

May 19, 1975

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. 1769 report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H. F. No. 1769, as amended pursuant to Rule 49, be further amended as follows:

Page 6, line 1, strike "*dollar*" and insert "*cent*"

Page 6, line 2, of the McCutcheon amendment, after "*classes*" insert "*assigned to salary schedule B*"

Page 8, lines 18 to 20, strike the new language

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) J. Lindstrom, H. Sieben, P. Fugina.

Senate Conferees: (Signed) B. McCutcheon, H. Ogdahl, E. Gearty.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1769 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Stassen moved that the Senate reject the Conference Committee Report on H. F. No. 1769 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on the adoption of the motion of Mr. Stassen,

And the roll being called, there were yeas 25 and nays 30, as follows:

Those who voted in the affirmative were:

Bang	Brown	Keefe, J.	Nelson	Sillers
Berg	Dunn	Kirchner	O'Neill	Spear
Bernhagen	Fitzsimons	Knutson	Patton	Stassen
Blatz	Frederick	Kowalczyk	Pillsbury	Ueland
Brataas	Josefson	Milton	Schaaf	Wegener

Those who voted in the negative were:

Anderson	Davies	Larson	Olhoff	Schrom
Arnold	Gearty	Laufenburger	Olson, A. G.	Solon
Borden	Hansen, Baldy	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Hughes	Merriam	Perpich, A. J.	Stumpf
Chmielewski	Humphrey	North	Purfeerst	Tennessee
Coleman	Kleinbaum	Ogdahl	Schmitz	Willet

The motion did not prevail.

The question recurred on the motion of Mr. McCutcheon to adopt the recommendations and Conference Committee Report on H. F. No. 1769. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

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 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, J.	North	Sillers
Arnold	Davies	Keefe, S.	Ogdahl	Solon
Ashbach	Dunn	Kirchner	Oilhoft	Spear
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Berg	Frederick	Knutson	O'Neill	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Stumpf
Blatz	Hansen, Baldy	Larson	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	Laufenburger	Pillsbury	Ueland
Brataas	Hanson, R.	Lewis	Purfeerst	Wegener
Brown	Hughes	McCutcheon	Schaaf	Willet
Chenoweth	Humphrey	Merriam	Schmitz	
Chmielewski	Josefson	Nelson	Schrom	

Mr. Milton voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1758, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

H. F. No. 1758 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

#### SUSPENSION OF RULES

Mr. Davies moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1758.

The question being taken on the adoption of the motion of Mr. Davies,

And the roll being called, there were yeas 29 and nays 25, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Merriam	Purfeerst	Stumpf
Chenoweth	Hughes	Milton	Schaaf	Tennessee
Chmielewski	Humphrey	North	Schmitz	Wegener
Coleman	Keefe, S.	Olhoff	Solon	Willet
Davies	Kleinbaum	Olson, H. D.	Spear	

Those who voted in the negative were:

Ashbach	Brataas	Hansen, Mel	Knutson	Pillsbury
Bang	Brown	Hanson, R.	Kowalczyk	Schrom
Berg	Dunn	Jensen	Nelson	Sillers
Bernhagen	Fitzsimons	Josefson	O'Neill	Stassen
Blatz	Frederick	Kirchner	Patton	Ueland

The motion did not prevail.

Mr. Davies moved that H. F. No. 1758 and the Conference Committee report thereon be laid on the table. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

May 19, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 733 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment to page 1, line 17 and that the house recede from its amendment to the title.

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Baldy Hansen, Lew W. Larson, B. Robert Lewis.

House Conferees: (Signed) Bernard J. Brinkman, M. J. McCauley.

Mr. Hansen, Baldy moved that the foregoing recommendations and Conference Committee Report on S. F. No. 733 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. 733: A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business

and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

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 41 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Jensen	North	Solon
Arnold	Davies	Josefson	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Kirchner	O'Neill	Stokowski
Bang	Frederick	Kleinbaum	Patton	Ueland
Bernhagen	Gerty	Kowalczyk	Pillsbury	Wegener
Blatz	Hansen, Baldy	Larson	Purfeerst	
Borden	Hansen, Mel	Laufenburger	Schmitz	
Brataas	Hanson, R.	Lewis	Schrom	
Chmielewski	Humphrey	Nelson	Sillers	

Those who voted in the negative were:

Chenoweth	Merriam	Olson, A. G.	Spear	Tennessee
Hughes	Milton	Perpich, A. J.	Stumpf	Willet
Keefe, S.	Olhoft	Schaaf		

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Frederick moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on S. F. No. 1026.

The question being taken on the adoption of the motion of Mr. Frederick,

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Arnold	Frederick	Larson	Olson, H. D.	Stassen
Ashbach	Gerty	Laufenburger	O'Neill	Stokowski
Bang	Hansen, Baldy	Lewis	Patton	Stumpf
Blatz	Hansen, Mel	McCutcheon	Pillsbury	Tennessee
Borden	Hanson, R.	Merriam	Purfeerst	Ueland
Brataas	Hughes	Milton	Schaaf	Wegener
Chenoweth	Humphrey	Nelson	Schmitz	Willet
Chmielewski	Jensen	North	Schrom	
Coleman	Keefe, S.	Ogdahl	Sillers	
Davies	Kirchner	Olhoft	Solon	

Messrs. Berg, Bernhagen and Knutson voted in the negative.

The motion prevailed.

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 1026

A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

May 17, 1975

The Honorable Alec G. Olson  
President of the Senate

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1026 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. 1026 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 500.24, is amended to read:

500.24 [CORPORATE FARMING.] Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings here given them:

(a) "Farming" means the cultivation of land for the production of (1) agricultural crops; (2) livestock or livestock products; (3) poultry or poultry products; (4) milk or dairy products; or (5) fruit or other horticultural products. It shall not include the production of timber or forest products; nor shall it include a contract whereby a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are *members of a family persons or the spouses of persons* related to each other within the third degree of kindred according to the rules of the civil law, and at least one of ~~whose stockholders~~ *said related persons* is a ~~person~~ residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

(d) "Authorized farm corporation" means a corporation meeting the following standards:

- (1) Its shareholders do not exceed ~~ten~~ 5 in number;

(2) All its shareholders, other than any estate are natural persons;

(3) It does not have more than one class of shares; and

(4) Its revenues from rent, royalties, dividends, interest and annuities does not exceed 20 percent of its gross receipts ; and

(5) *A majority of the shareholders must be residing on the farm or actively engaging in farming.*

(e) "Agricultural land" means land used for farming.

Subd. 2. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] After May 20, 1973, no corporation shall engage in farming; nor shall any corporation, directly or indirectly, own, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to real estate used for farming or capable of being used for farming in this state. Provided, however, that the restrictions provided in this subdivision shall not apply to the following:

(a) A bona fide encumbrance taken for purposes of security;

(b) A family farm corporation or an authorized farm corporation as defined in subdivision 1;

(c) Agricultural land and land capable of being used for farming owned by a corporation as of May 20, 1973 including the normal expansion of such ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973 , measured in acres, in any five year period, and including additional ownership reasonably necessary to meet the requirements of pollution control regulations;

(d) ~~A farm~~ *Agricultural land* operated for research or experimental purposes, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(e) Agricultural land operated by a corporation for the purpose of raising breeding stock for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod;

(f) Agricultural land and land capable of being used for farming leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of May 20, 1973 and the additional acreage required for normal expansion at a rate not to exceed 20 percent of the amount of land leased as of May 20, 1973 in any five year period, and the additional acreage reasonably necessary to meet the requirements of pollution control regulations;

(g) ~~Future interests, including but not limited to remainder interests following life estates,~~ *Agricultural land* when acquired as a gift (either by grant or a devise) by an educational, religious or charitable non-profit corporation; *provided that all lands so acquired which are not operated for research or experimental purposes, or are not operated for the purpose of raising breeding stock*

*for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod must be disposed of within ten years after acquiring title thereto;*

(h) *Agricultural land acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in subdivision 1, for immediate or potential use in non-farming purposes for which the corporation has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area . A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914) as amended, or a subsidiary or assign of such a corporation; or*

(i) *Agricultural lands acquired by a corporation by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, however, that all lands so acquired be disposed of within ten years after acquiring the title thereto, and further provided that the land so acquired shall not be used for farming during the ten year period except under a lease to a family farm unit, a family farm corporation or an authorized farm corporation. The aforementioned ten year limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation ;*

(j) *Agricultural land acquired by a corporation regulated under the provisions of Minnesota Statutes 1974, Chapter 216B, for purposes described in that chapter or by an electric generation or transmission cooperative for use in its business, provided, however, that such land may not be used for farming except under lease to a family farm unit, or a family farm corporation;*

(k) *Agricultural land, either leased or owned, totaling no more than 2700 acres, acquired after May 20, 1973 for the purpose of replacing or expanding asparagus growing operations, provided that such corporation had established 2000 acres of asparagus production;*

(l) *All agricultural land or land capable of being used for farming which was owned or leased by an authorized farm corporation as defined in Minnesota Statutes 1974, Section 500.24, Subdivision 1, clause (d) but which does not qualify as an authorized farm corporation as defined in subdivision (1), clause (d);*

(m) *A corporation formed primarily for religious purposes whose sole income is derived from agriculture;*

(n) *Agricultural land owned or leased by a corporation prior to the effective date of this act, which was exempted from the restriction of subdivision 2 under the provisions of Laws 1973, Chapter 427, including normal expansion of such ownership or leasehold interest to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on the effective date of this act in any five year period and the additional ownership reasonably necessary to meet requirements of pollution control regulations .*

Subd. 3. [REPORTS.] (a) *Every corporation which holds any interest in agricultural land or land used for the breeding, feeding, pasturing, growing, or raising of livestock, dairy or poultry, or products thereof, or land used for the production of agricultural crops or fruit or other horticultural products, other than a bona fide encumbrance taken for purposes of security, or which is engaged in farming or proposing to commence farming in this state after May 20, 1973 , shall file with the commissioner of agriculture a report containing the following information:*

(1) *The name of the corporation and its place of incorporation;*

(2) *The address of the registered office of the corporation in this state, the name and address of its registered agent in this state and, in the case of a foreign corporation, the address of its principal office in its place of incorporation;*

(3) *The acreage and location listed by quarter-quarter section, township and county of each lot or parcel of land in this state owned or leased by the corporation and used for the growing of crops or the keeping or feeding of poultry or livestock; and*

(4) *The names and addresses of the officers , shareholders owning more than 10 percent of the stock, including the percent of stock owned by each such shareholder and the members of the board of directors of the corporation ; and*

(5) *The farm products which the corporation produces or intends to produce on its agricultural land.*

The report of a corporation seeking to qualify hereunder as a family farm corporation or an authorized farm corporation shall contain the following additional information: The number of shares owned by persons residing on the farm or actively engaged in farming, or their relatives within the third degree of kindred according to the rules of the civil law or *their spouses* ; the name, address and number of shares owned by each shareholder; and a statement as to percentage of gross receipts of the corporation derived from rent, royalties, dividends, interest and annuities. No corporation shall commence farming in this state until the ~~commissioner~~ *commissioner* of agriculture has inspected the report and certified that its proposed operations comply with the provisions of this section.

(b) *Every corporation engaged in farming in this state as described in clause (a) shall, prior to April 15 of each year, file with the commissioner of agriculture a report containing the infor-*

mation required in clause (a), based on its operations in the preceding calendar year and its status at the end of such year ; *provided that every corporation not engaged in farming on the effective date of this act, but engaged in activities described in clause (a) shall file the first required report prior to September 15, 1975 .*

(c) Failure to file a required report, or the willful filing of false information, shall constitute a gross misdemeanor.

Subd. 4. [ENFORCEMENT.] If the attorney general has reason to believe that a corporation is violating *subdivision 2* of this section, he shall commence an action in the district court in which any agricultural lands relative to such violation are situated, or if situated in two or more counties, in any county in which a substantial part of the lands are situated. The attorney general shall file for record with the register of deeds or the registrar of titles of each county in which any portion of said lands are located a notice of the pendency of the action as provided in section 557.02. If the court finds that the lands in question are being held in violation of *subdivision 2* of this section, it shall enter an order so declaring. The attorney general shall file for record any such order with the register of deeds or the registrar of titles of each county in which any portion of said lands are located. Thereafter, the corporation owning such land shall have a period of five years from the date of such order to divest itself of such lands. The aforementioned five year limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation. Any lands not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. *In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law. "*

Further, strike the title and insert:

“A bill for an act relating to agriculture; clarifying restrictions upon farming by corporation; amending Minnesota Statutes 1974, Section 500.24.”

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Mel Frederick, John Bernhagen, Ed Schrom, Howard Olson, Baldy Hansen.

House Conferees: (Signed) George Mann, John Biersdorf, Russell Stanton, Glen Anderson, Marion Menning.

Mr. Frederick moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1026 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. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

Was read the third time, 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 56 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Ogdahl	Spear
Arnold	Dunn	Keefe, S.	Olhoff	Stassen
Ashbach	Fitzsimons	Kirchner	Olson, A. G.	Stokowski
Bang	Frederick	Kleinbaum	Olson, H. D.	Stumpf
Berg	Gearty	Kowalczyk	O'Neill	Tennessee
Bernhagen	Hansen, Baldy	Larson	Patton	Ueland
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Wegener
Brataas	Hanson, R.	Lewis	Pillsbury	Willet
Brown	Hughes	McCutcheon	Schaaf	
Chenoweth	Humphrey	Merriam	Schmitz	
Chmielewski	Jensen	Milton	Schrom	
Coleman	Josefson	Nelson	Solon	

Messrs. Knutson and Sillers voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### RECONSIDERATION

Mr. North moved that the vote whereby S. F. No. 177 and the Conference Committee Report thereon failed to pass the Senate on May 17, 1975, be now reconsidered. The motion prevailed.

Mr. North moved that the recommendations and Conference Committee Report as printed in the Journal May 15, 1975 on S. F. No. 177 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. 177: A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

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 47 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hansen, Mel	Keefe, S.
Arnold	Brataas	Dunn	Hanson, R.	Kirchner
Ashbach	Brown	Fitzsimons	Hughes	Kleinbaum
Bang	Chenoweth	Frederick	Humphrey	Kowalczyk
Blatz	Chmielewski	Gearty	Josefson	Larson

Laufenburger	Nelson	Pillsbury	Spear	Wegener
Lewis	North	Schaaf	Stassen	Willet
McCutcheon	Ogdahl	Schmitz	Stokowski	
Merriam	Olhoff	Sillers	Stumpf	
Milton	O'Neill	Solon	Tennessee	

Those who voted in the negative were:

Bernhagen	Jensen	Olson, H. D.	Schrom	Ueland
Hansen, Baldy	Keefe, J.	Patton		

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 133, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

House File No. 133 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 133

A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

May 17, 1975

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. 133 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. 133 be amended as follows:

Page 2, line 15, after "property" insert "*, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 5, line 23, after "273.01" insert "*, or that he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 6, line 6, delete "*of the first class*"

Page 7, line 16, delete "*provided that the board may*"

Page 7, delete lines 17 and 18

Page 7, line 19, delete "*equalization*"

Page 8, line 32, delete "*over*"

Page 9, line 1, delete "*100,000 population, according to the census of 1970,*"

Page 10, after line 3, insert a new section to read:

"Sec. 9. Minnesota Statutes 1974, Section 273.13, Subdivision 16, is amended to read:

Subd. 16. [HOMESTEAD ESTABLISHED AFTER ASSESSMENT DATE.] (1) Any property which was not used for the purpose of a homestead on the assessment date, but which was used for the purpose of a homestead on June 1 of such year, shall constitute class 3b, class 3c or class 3cc, as the case may be, to the extent of one-half of the valuation which would have been includible in such class and one-half the homestead tax credit to which it would have been entitled had the property been used as a homestead on both such dates.

(2) Any taxpayer meeting the requirements of clause (1) must notify the county assessor, or the assessor who has the powers of the county assessor pursuant to section 273.063, in writing, prior to June 15 of such year in order to qualify thereunder.

The county assessor and the county auditor are hereby empowered to make the necessary changes on their assessment and tax records to provide for proper homestead classification and credit as provided in clauses (1) and (2).

(3) *The owner of any property qualifying under this subdivision, which has not been accorded the benefits of this subdivision, regardless of whether or not the notification required in clause (2) has been timely filed, may be entitled to receive such benefits by proper application as provided in section 270.07, or section 375.192.*"

Renumber the sections accordingly

Page 10, line 4, delete "*and 7*" and insert "*, 7 and 9*"

Further, amend the title as follows:

Line 10, after "270.48;" insert "273.13, Subdivision 16;"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) James Pehler, John D. Tomlinson, Maurice D. McCollar, Frank H. DeGroat, Jim F. White.

Senate Conferees: (Signed) Alec G. Olson, Joseph T. O'Neill, A. J. Perpich, Jack I. Kleinbaum, Otto T. Bang.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 133 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. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.13, Subdivision 16; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

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:

Anderson	Coleman	Jensen	Nelson	Schmitz
Arnold	Davies	Josefson	North	Schrom
Ashbach	Dunn	Keefe, J.	Ogdahl	Spear
Bang	Fitzsimons	Keefe, S.	Olhoft	Stassen
Berg	Frederick	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Gearty	Knutson	Olson, H. D.	Stumpf
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Tennessee
Brataas	Hansen, Mel	Larson	Patton	Ueland
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Pillsbury	Willet
Chmielewski	Humphrey	Merriam	Schaaf	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1518, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1518: A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of

education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

House File No. 1518 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 17, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1518

A bill for an act relating to the city of St. Paul; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of said city; amending certain provisions pertaining to the method of computing severance pay for city of St. Paul employees; increasing the mill rate levy for payment of severance pay obligations of the city; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended.

May 15, 1975

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. 1518 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. 1518 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1959, Chapter 690, Section 2, as amended by Laws 1963, Chapter 729, Section 1, and Laws 1971, Chapter 599, Section 1, is amended to read:

Sec. 2. [ST. PAUL, CITY OF; SEVERANCE PAY.] The provisions, rules and regulations under any such ordinance for such payment of severance pay by said city, authorized under the foregoing provisions of section 1 hereof, shall be applicable to all employees of said city other than its elected city officials. ~~Thereunder provisions shall be made for the computation of such severance pay for noncivil service or unclassified employment personnel, other than elected city officials, among other things, by the attachment to the several employments, throughout the periods of the same, sick leaves and vacation leaves, as shall be applicable comparable in amount to those which would have attached thereto had the same been civil service or classified employments, thereunder by virtue of the civil service rules and regulations of said city, adopted, prescribed and promulgated under and pursuant to its said charter; and further provisions shall be made for the computation of such severance pay for civil~~

service or classified employment personnel, among other things, by the attachment to the several employments throughout the periods of the same, sick leaves and vacation leaves, as shall be applicable, under and by virtue of such civil service rules and regulations. Thereunder, further provisions shall be made for the determination, in respect of the several employments affected, of such accumulated and unused sick leaves and vacation leaves and the amounts of the same, by reasonable and practicable methods therefor to be prescribed by the council of said city. Thereunder, *Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment.* The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee *after December 31, 1973, shall not be in excess of \$3,000; hereby established as the maximum authorized severance pay provision or payment in any such separate case. This section shall be retroactive to December 31, 1970 exceed \$4,000.*

Sec. 2. Laws 1959, Chapter 690, Section 3, as amended by Laws 1961, Chapter 549, Section 1; Laws 1963, Chapter 729, Section 2; Laws 1965, Chapter 659, Section 1; Laws 1967, Chapter 488, Section 1; and Laws 1971, Chapter 599, Section 2, is amended to read:

Sec. 3. [ST. PAUL, CITY OF; EMPLOYEE'S SEVERANCE PAY.] Subdivision 1. The said city, for the purpose of providing moneys for the payment of its severance pay obligations under any such ordinance, hereby is authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, to levy taxes annually not exceeding in any one year an amount equal to ~~50/100~~ *one-third* of one mill upon each dollar of the assessed valuation thereof, for city services other than public schools, upon all taxable property in said city, exclusive of moneys and credits, which taxes as levied shall be spread upon the tax rolls, and all collections thereof shall be paid into the treasury of said city, therein to be allocated therefor and to be disbursed and expended by said city in payment of any such city services other than public schools severance pay obligations and for no other purpose.

Subd. 2. The said city, for the purpose of providing moneys ~~for the payment of its severance pay obligations under any such ordinance. hereby is authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any limitation upon the amount it is otherwise authorized by law to levy as taxes, to levy taxes annually not exceeding in any one year an amount equal to 40/100 of one mill upon each dollar of the assessed valuation thereof for public schools, upon all taxable property in said city, exclusive of moneys and credits, which taxes as levied shall be spread upon the tax rolls, and all collections thereof shall be paid into the treasury of said city, therein to be allocated therefor and to be~~

disbursed and expended by said city in payment of any such public school severance pay obligations and for no other purpose.

Subd. 3 2 . The disbursements and expenditures hereinbefore authorized in behalf of said city and the board of education of the city of St. Paul for payment of such city and board of education severance pay obligations hereunder shall not be deemed to constitute any part of the cost of said city's or board's government within the meaning of any statutory or charter limitation on said city's expenditures.

Sec. 3. Laws 1973, Chapter 691, Section 4, Subdivision 1, is amended to read:

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized as provided herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected. *The city of St. Paul is authorized to provide by ordinance passed upon in the manner provided for by the charter of the city of St. Paul that compensation of all duly elected officers under its charter may be increased by an amount not to exceed \$2,000, such ordinance to be enacted and to become effective prior to December 31, 1975.*

Sec. 4. Laws 1965, Chapter 705, is amended by adding a section to read:

Sec. 6. *The school board, for the purpose of providing moneys for the payment of its severance pay obligations under a plan approved by resolution of the district, in addition to all other powers possessed by the school district and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, is authorized to levy taxes annually not exceeding in any one year an amount equal to two-tenths of one mill upon each dollar of the assessed valuation thereof upon all taxable property within the school district which taxes as levied shall be spread upon the tax rolls, and all corrections thereof shall be held by the school district, and allocated therefor to be disbursed and expended by the school district in payment of any public school severance pay obligations and for no other purpose. Disbursements and expenditures previously authorized on behalf of the school district for payment of severance pay obligations shall not be deemed to constitute any part of the cost of the operation and maintenance of the school district within the meaning of any statutory limitation of any school district expenditures.*

*The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee shall not exceed \$4,000.*

*Sec. 5. Section 4 shall become effective only after approval by a majority of the governing body of Independent School District No. 625 and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*

*Sec. 6. [SAINT PAUL, CITY OF; REZONING.] Whenever the governing body of the city of Saint Paul has adopted a new zoning ordinance or plan, the city may, notwithstanding the provisions of any statute, charter provision or ordinance, for a period of two years after the adoption thereof, alter the zoning of any lot or tract from such new zoning classification to a classification substantially equivalent to the previous zoning thereof or to any zoning classification, the degree of restriction of which would be intermediate between such new and previous classifications, without the consent of any property owner. The alterations authorized by this section shall be made only after a public hearing on such proposed change has been held by a committee of the governing body or by a designated agency of the city of which hearing written notice shall be mailed to the owner of the affected property and all the owners of real state within 350 feet of the affected property according to the records of the auditor of the county in which such property is situated and such alterations thereof adopted by the affirmative vote in favor thereof by  $\frac{2}{3}$  of all of the members of the governing body of the city.*

*Sec. 7. The authority granted to the city of Saint Paul by this act is in addition to any other authority granted to the city.*

*Sec. 8. Sections 1 to 3 and sections 6 and 7 shall become effective only after its approval by a majority of the governing body of the city of Saint Paul, and upon compliance with the provisions of Minnesota Statutes, Section 645.021. "*

Further, strike the title and insert

*"A bill for an act relating to the city of St. Paul and Independent School District No. 625; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of the city; providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board; amending certain provisions pertaining to the method of computing severance pay for city employees; providing for ordinance for increased limited compensation for officers; increasing the mill rate levy for payment of severance pay obligations of the city; authorizing the city to rezone lots or tracts of land in certain circumstances without the consent of landowners in the immediate vicinity; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended; Laws 1965, Chapter 705, by adding a section; and Laws 1973, Chapter 691, Section 4, Sub-division 1."*

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Bruce F. Vento, Walter R. Hanson, Richard J. Kostohryz.

Senate Conferees: (Signed) Joseph T. O'Neill, Robert D. North, Peter P. Stumpf.

Mr. O'Neill moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1518 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. 1518: A bill for an act relating to the city of St. Paul and Independent School District No. 625; providing for the abolition of the power of the city to levy and raise taxes for the payment of severance pay obligations of the board of education of the city; providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board; amending certain provisions pertaining to the method of computing severance pay for city employees; providing for ordinance for increase limited compensation for officers; increasing the mill rate levy for payment of severance pay obligations of the city; authorizing the city to rezone lots or tracts of land in certain circumstances without the consent of landowners in the immediate vicinity; amending Laws 1959, Chapter 690, Sections 2, as amended, and 3, as amended; Laws 1965, Chapter 705, by adding a section; and Laws 1973, Chapter 691, Section 4, Subdivision 1.

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 42 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kowalczyk	O'Neill	Spear
Ashbach	Fitzsimons	Larson	Patton	Stokowski
Beng	Gearty	Laufenburger	Perpich, A. J.	Stumpf
Blatz	Hansen, Baldy	McCutcheon	Punteeerst	Tennessee
Borden	Hanson, R.	Merriam	Schaaf	Wegener
Chenoweth	Hughes	Nelson	Schmitz	Willet
Chmielewski	Humphrey	North	Schrom	
Coleman	Keefe, J.	Olhoft	Sillers	
Conzemius	Kirchner	Olson, H. D.	Sobon	

Messrs. Bang; Brown; Hansen, Mel and Pillsbury voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

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. 533, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

H. F. No. 533 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 533**

A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

May 18, 1975

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. 533 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 533 be amended as follows:

Page 2, line 7, strike "*the day following final*"

Page 2, line 8, strike "*enactment*" and insert "*July 1, 1975*"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Douglas J. St. Onge, Donald B. Samuelson, Irvin N. Anderson.

Senate Conferees: (Signed) Gerald L. Willet, Roger D. Moe, Norbert Arnold.

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H. F. No. 533 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. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

Was read the third time, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	O'Neill	Solon
Bang	Gearty	Kowalczyk	Patton	Spear
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Blatz	Hansen, Mel	Laufenburger	Perpich, G.	Stumpf
Brown	Hanson, R.	McCutcheon	Pillsbury	Tennesen
Chmielewski	Hughes	Merriam	Purfeerst	Ueland
Davies	Humphrey	Nelson	Schaaf	Wegener
Doty	Keefe, J.	North	Schmitz	Willet
Dunn	Keefe, S.	Olhoft	Schrom	
Fitzsimons	Kirchner	Olson, H. D.	Sillers	

So the bill, as amended by the Conference Committee, was passed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideration Senate File No. 869.

S. F. No. 869: A bill for an act relating to St. Louis county; providing for the disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of any products therefrom.

Edward A. Burdick, Chief Clerk, House of Representatives

May 19, 1975

Mr. Perpich, G. moved that the Senate accede to the request of the House for the recall of S. F. No. 869. 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. 638, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

H. F. No. 638 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 638**

A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

May 17, 1975

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. 638 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments except the amendments to page 1, lines 15, 16, 17 and 18 and that the Senate recede from its amendments to page 1, lines 15, 16, 17 and 18.

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Harry A. Sieben, Jr., John S. Biersdorf, Leo J. Reding.

Senate Conferees: (Signed) Eugene E. Stokowski, Sam G. Solon, Lew W. Larson.

Mr. Stokowski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 638 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. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

Was read the third time, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, J. L.	Spear
Ashbach	Fitzsimons	Kleinbaum	O'Neill	Stassen
Bang	Frederick	Kowalczyk	Patton	Stokowski
Berg	Gearty	Larson	Perpich, A. J.	Stumpf
Blatz	Hansen, Baldy	Laufemburger	Perpich, G.	Tennessee
Borden	Hansen, Mel	McCutcheon	Pillsbury	Ueland
Brown	Hanson, R.	Merriam	Purfeerst	Wegener
Chmielewski	Hughes	Moe	Renneke	Willet
Coleman	Humphrey	Nelson	Schrom	
Davies	Josefson	North	Sillers	
Doby	Keefe, J.	Olhoft	Solon	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE—CONTINUED**

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. 1160, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1160: A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

H. F. No. 1160 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 1160**

A bill for an act relating to bicentennial projects; authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

May 17, 1975

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. 1160 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. 1160 be amended as follows:

Page 2, line 6, strike "act" and insert "section"

Page 2, after line 7, insert

"Sec. 2. [MINNESOTA AMERICAN REVOLUTION BICENTENNIAL COMMISSION; CREATION.] Subdivision 1. [CREATION.] The Minnesota American revolution bicentennial commission shall consist of 40 members appointed by the governor, five members from each congressional district. Members of the legislature may be appointed to the commission. Members of the commission shall serve without compensation but shall be reimbursed for expenses in the same manner and amount as state employees.

Subd. 2. [CHAIRMAN; EXECUTIVE COMMITTEE; EMPLOYEES.] The commission shall elect from among its membership a chairman and other officers as necessary. The commission

may form an executive committee to expedite the conduct of its duties. It shall appoint and prescribe the duties of its employees as it deems advisable. All employees are in the unclassified service of the state.

Subd. 3. [DUTIES.] The commission shall plan, encourage, develop, coordinate, and implement an overall statewide program for Minnesota's observances and activities commemorating the historic events and activities associated with the American revolution, including voluntary participation by all cities, counties, and regions. The commission shall coordinate its efforts with those of the American revolution bicentennial commission and shall cooperate with that agency in the development of an effective national observance of the bicentennial. To carry out its responsibilities the commission may enter into necessary contracts, receive and expend applicable grants, extend grants to participating Minnesota governmental subdivisions, distribute bicentennial information to the general public, encourage, receive and utilize gifts of any type, provide for the creation and sale of bicentennial memorabilia and conduct and collect fees for regional bicentennial conferences.

Subd. 4. [APPROPRIATION.] The commission is the successor to the Minnesota American revolution bicentennial commission established by Executive Order No. 51, December 18, 1972. Upon completion of appointment of all the members of the commission, the unencumbered balances of the appropriations made to the governor for the benefit of the Minnesota bicentennial committee by Laws 1973, Chapter 720, Section 43, Subdivision 5, and to the governor for the benefit of the Minnesota American revolution bicentennial commission by Laws 1974, Chapter 355, Section 65, or by any other law shall be transferred and made available to the commission until the expiration of this act. Gifts and receipts from sales and conferences with respect to the commission's bicentennial functions are appropriated to the commission and shall remain available to the commission until the expiration of this act.

Subd. 5. [EFFECTIVE DATE.] This section is effective the day following final enactment and shall expire December 31, 1976."

Further amend the title as follows:

Page 1, line 2, delete "bicentennial projects" and insert "the American revolution bicentennial; creating a commission"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) M. J. McCauley, James Pehler, Maurice D. McCollar, Bernard J. Brinkman, Mike Jaros.

Senate Conferees: (Signed) Roger Laufenburger, Wayne Olhoft, Baldy Hansen, Mel Frederick, Lew W. Larson.

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1160 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. 1160: A bill for an act relating to the American revolution bicentennial, creating a commission authorizing governmental units to furnish services, property and money in connection with bicentennial projects; validating prior expenditures.

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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoft	Solon
Arnold	Dunn	Knutson	Olson, H. D.	Spear
Ashbach	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Bang	Frederick	Larson	O'Neill	Stokowski
Berg	Gearty	Laufenburger	Patton	Stumpf
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Ueland
Blatz	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Brataas	Hughes	Merriam	Pillsbury	Willet
Brown	Humphrey	Milton	Purfeerst	
Chmielewski	Josefson	Moe	Renneke	
Coleman	Keefe, S.	North	Schrom	
Davies	Kirchner	Ogdahl	Sillers	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 787, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30, and 147.31.

H. F. No. 787 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

#### SUSPENSION OF RULES

Mr. Moe moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 787. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 787**

A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 13A.08; 13A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

May 19, 1975

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. 787 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. 787 be amended as follows:

Page 5, line 7, delete "*sum of \$1,200,000*" and insert "*amounts necessary*"

Page 5, line 8, delete "*Any unexpended*"

Page 5, line 9, delete the entire line

Page 5, line 10, delete "*shall be available for the second year of the biennium.*"

Page 5, line 14, after the period insert "*All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.*"

Page 6, line 23, delete "*\$1,200*" and insert "*\$1,100*"

Page 6, line 30, delete "*\$1,200*" and insert "*\$1,100*"

Page 9, line 10, strike "without regard to the number"

Page 9, line 11, strike "of students previously enrolled"

Page 9, line 20, after "and" insert "*\$120,000 per year*"

Page 9, line 20, after "for" and before "loans" insert "*new*"

Page 9, line 21, strike ", for up to"

Page 9, line 22, strike "a maximum of"

Page 9, line 23, strike "20"

Page 9, line 23, strike "recipients"

Page 9, line 23, strike "*per year of the*"

Page 9, line 24, strike "biennium"

Page 10, line 12, delete "or school of osteopathy"

Page 10, line 17, after "commission." insert "*In selecting medical students priority shall be given to students enrolled in schools in Minnesota.*"

Page 10, line 26, strike "three years" and insert "*a period of 18 months for each initial or renewal period of the loan, or five years, whichever is less,*"

Page 11, line 2, strike "\$6,000" and insert "\$5,000"

Page 11, line 5, strike "\$24,000" and insert "\$20,000"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Peter X. Fugina, Rodney Searle, Carl Kroening.

Senate Conferees: (Signed) Roger D. Moe, J. A. Josefson, Jack Davies.

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on H. F. No. 787 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. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, J.	Nelson	Schrom
Arnold	Davies	Keefe, S.	North	Sillers
Ashbach	Dunn	Kirchner	Olhoff	Solon
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Gearty	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Baldy	Larson	Patton	Stumpf
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Willet
Brown	Hughes	Merriam	Pillsbury	
Chmielewski	Josefson	Moe	Purfeerst	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1526, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1526: A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

House File No. 1526 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

#### SUSPENSION OF RULES

Mr. McCutcheon moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1526. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1526

A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

May 17, 1975

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. 1526 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

*“Section 1. [CITY OF SAINT PAUL; TAX LIMITS.] Notwithstanding any provision of the charter of the city of Saint Paul to the contrary, the council of the city of Saint Paul is authorized to levy taxes for general city purposes in such amounts not to exceed the levy limits imposed by general and special state law.*

Sec. 2. Laws 1974, Chapter 435, Section 1.0207, is amended to read:

Sec. 1.0207. [HEALTH.] (a) [ADDITION TO ST. PAUL-RAMSEY HOSPITAL; PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing the net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

(b) [MORGUE.] (1) [DUTY TO PROVIDE.] Ramsey county shall provide and equip a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a postmortem or coroner's inquest, without charge to anyone.

(2) [MAINTENANCE.] The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

(c) [HEALTH DEPARTMENT.] (1) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

(2) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

(3) [POWERS AND RESPONSIBILITIES.] (A) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs.

(B) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(C) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(D) Health services for school children vested in or imposed upon a school district when the board of education of the school

district petitions the county to provide the services by contract or otherwise for its district.

(E) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(F) The county may authorize the health department to operate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(G) Prepare and have published an annual report of the work of the health department.

(H) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(I) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(J) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(K) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(L) The county shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or a part of the county, but no county regulation may supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this subparagraph shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

(M) The health department shall cause all laws and regulations relating to public health to be obeyed and enforced inside its jurisdictional area.

(4) [FUNDING.] (A) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

(B) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

(5) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under paragraph (3), the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

(6) [PERSONNEL.] (A) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

(B) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

(C) [EMPLOYEES.] (i) Each person transferred to the health department by this paragraph and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

(ii) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred

upon the organization of the health department and may become officers or employees thereof.

(7) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection.

(9) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) shall pay for any services provided by this subsection until its governing body has approved the resolution as provided in paragraph (7).

(10) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) [AMBULANCE SERVICE.] (1) [LIMITED TO REQUESTING MUNICIPALITIES.] If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) [SERVICE CHARGE.] If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) [PARAMEDICS.] (1) [DEFINITIONS.] As used in this article, "physician's trained mobile intensive care paramedic" means a person who:

(A) Is an employee of the county of Ramsey or the city of St. Paul;

(B) Has been specially trained in emergency cardiac and non-cardiac care by a licensed physician in a training program certified by the state board of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated herein.

(2) The city of St. Paul and the county of Ramsey are hereby authorized to maintain a staff of physician's trained mobile intensive care paramedics.

(3) (A) Notwithstanding any other provision of law, physician's trained mobile intensive care paramedics may do any of the following:

(i) Regular rescue, first aid and resuscitation services;

(ii) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;

(iii) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;

(iv) Administer intravenous saline or glucose solutions;

(v) Administer parenteral injections in any of the following classes of drugs:

(a) antiarrhythmic agents;

(b) vagolytic agents;

(c) chronotropic agents;

(d) analgesic agents;

(e) alkalinizing agents;

(f) vasopressor agents;

(g) diuretics;

(vi) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

(B) But at all times before undertaking the actions authorized by clauses (iii), (iv), (v) and (vi), paramedics shall make and continue to make, during the course of an emergency, attempts to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, the paramedics shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts to telemeter to a licensed physician, who has been associated with the dispensing of cardiac medical care, and electrocardiogram of the person being treated.

(C) Nothing contained in this subsection shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than physician's trained mobile intensive care paramedics.

(4) No licensed physician or registered nurse, who in good faith and in the exercise of reasonable care gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and

from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

(5) No certified physician's trained mobile intensive care paramedic, who in good faith *and in the exercise of reasonable care* renders emergency lifesaving care and treatment as set forth in this subsection, shall be liable for any civil damages because of rendering such care and treatment.

(f) [AIR QUALITY.] (1) [APPROPRIATION]. Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

(2) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

(3) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation adopted by the county pursuant hereto is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

Sec. 3. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02072] [PAYMENT FOR PARAMEDIC SERVICE.] *Subdivision 1. The governing body of the city of Saint Paul, in conjunction with the operation of its emergency or paramedic ambulance program, may impose reasonable charges for the emergency or paramedic ambulance services in order to finance its costs.*

*Subd. 2. The following persons shall not be subject to such charges:*

(i) *Any person who is eligible for or receiving public assistance under the aid to families with dependent children program, but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

(ii) *Any person who, except for the amount of income or resources, would qualify for aid to families with dependent children, is in need of medical assistance but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or*

(iii) *Any person over 18 years of age, in need of medical care that neither he nor his relatives responsible under Minnesota Statutes, Sections 256B.01 to 256B.26 are financially able to*

*provide, is not eligible for any federally, state or locally funded public assistance program which would pay for such charges and has no medical, health or accident insurance policies which would pay for such charges.*

Sec. 4. *The provisions of Laws 1974, Chapter 435, Section 1.0207(e) and sections 2 and 3 of this act shall also apply to the city of Maplewood.*

Sec. 5. Laws 1974, Chapter 435, Section 1.0209, is amended to read:

Sec. 1.0209 [HIGHWAYS.] (a) [POWER TO APPROPRIATE FOR SAINT PAUL STREETS.] (1) [APPROPRIATION.] Ramsey county may appropriate the reasonable sums of money that it considers proper *shall annually appropriate to the city of Saint Paul an amount of money to assist in the construction, improvement and maintenance of roads and streets, and bridges thereon, inside the limits of the city of Saint Paul where the roads and streets, and bridges thereon, connect with, and are extensions of, roads in the county outside of the city, but leading into the city. In no year shall the amount appropriated be less than \$1,300,000. The moneys so appropriated shall be paid to the city of St. Paul in two equal amounts, one to be paid by June 15, and one by November 15 of each year.*

(2) [CITY TO CONTROL EXPENDITURE.] Moneys so appropriated shall be spent under the direction of the city.

(b) [DUTY TO APPROPRIATE FOR MUNICIPAL STREETS.] (1) [FORMULA FOR APPROPRIATION.] Ramsey county shall appropriate \$60,000 annually and pay it to the municipalities in the county, outside the city of St. Paul, to aid the municipalities in the construction and maintenance of municipal roads, streets or bridges, and this appropriation shall be apportioned in the following manner:

(A) 70 percent to be prorated to the municipalities in proportion as the number of miles of roads inside, and maintained exclusively by each municipality bears to the total number of miles of roads inside the county and maintained exclusively by all the municipalities; and

(B) 30 percent thereof to the municipalities, proportionately, according to the assessed valuation of all property for taxation in the municipalities, and shall be spent on municipal roads, streets, or bridges by the governing body of each municipality.

(2) [CERTIFICATE.] On or before March 15 of each year, the county engineer shall certify the actual number of miles of roads inside and maintained exclusively by the municipalities outside the city of St. Paul. The mileage so certified shall not include undeveloped roads, even though the plat thereof may have been filed for record.

(c) [COUNTY MAY DO MUNICIPAL WORK.] (1) [MUNICIPAL AUTHORITY.] In Ramsey county, the governing body of a city, village or town therein may authorize the county

to construct and maintain any or all of its highways without advertising for bids.

(2) [COST, LIMITATION.] The construction that is referred to in the above paragraph is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

(d) [LEXINGTON AVENUE; OLD TRUNK HIGHWAY NO. 10.] That part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway.

Sec. 6. *Notwithstanding any provision of the charter of the city of Minneapolis or any other statute, the park and recreation board of the city of Minneapolis is authorized and empowered to issue bonds for the cost of acquiring a title to land for parks and parkways, and to borrow, from time to time, for such times as it shall think expedient, not exceeding 50 years, a sum of money the annual interest upon which for all the moneys so borrowed including the sums heretofore borrowed, shall not exceed \$50,000, and for that purpose shall have authority to issue bonds of the city of Minneapolis, to be denominated "park bonds," secured upon said parks and the improvements thereon; which bonds shall issue under the seal of said park and recreation board, and shall be signed by the president and secretary of said board, and countersigned by the comptroller of the city of Minneapolis, and shall bear interest not exceeding the legal rate allowed by statute for general obligation bonds. And in no case shall bonds be issued by said commissioners so that the bonded debt of the city shall exceed the limit fixed by law. It shall be the duty of the secretary of said park and recreation board and of the city comptroller to keep an accurate register of all bonds issued, showing the amount, number and date of each bond. And for the payment of the principal and interest of said bonds, and said parks and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; provided, that all lands shall be first subject to the unpaid purchase price thereof; and said bonds may be sold by said park and recreation board, upon such terms and for such prices as in its judgment are the best that can be obtained for the same.*

Sec. 7. *The bonding authority granted by this act shall not be in addition to that authorized by chapter 16, section 5 of the charter of the city of Minneapolis or any other statute.*

Sec. 8. *Laws 1971, Chapter 762, is repealed.*

Sec. 9. [LOCAL APPROVAL.] *Subdivision 1. Sections 1 and 3 of this act shall become effective only after their approval by a majority of the governing body of the city of Saint Paul and upon compliance with Section 645.021.*

Subd. 2. *Section 4 of this act shall become effective only after*

*the approval of a majority of the governing body of the city of Maplewood and upon compliance with Section 645.021."*

Further, strike the title and insert:

"A bill for an act relating to Ramsey county; the cities of Maplewood and St. Paul in Ramsey county; and the city of Minneapolis in Hennepin county; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; requiring payment to the city of St. Paul by Ramsey county for road maintenance; providing for payment of certain fines to municipalities in Ramsey county; authorizing the issuance of general obligation bonds by the city of Minneapolis for parks and parkways; amending Laws 1974, Chapter 435, Sections 1.0207; 1.0209, and by adding a section; and repealing Laws 1971, Chapter 762."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Neil B. Dieterich, Walter R. Hanson, Richard J. Kostohryz.

Senate Conferees: (Signed) Bill McCutcheon, John Milton, Joseph T. O'Neill.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1526 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Ueland moved that the Senate reject the Conference Committee Report on H. F. No. 1526 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on the adoption of the motion of Mr. Ueland,

And the roll being called, there were yeas 19 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Josefson	Nelson	Sillers
Bang	Brown	Kirchner	Patton	Stassen
Berg	Dunn	Knutson	Pillsbury	Ueland
Blatz	Hansen, Mel	Kowalczyk	Renneke	

Those who voted in the negative were:

Anderson	Gearly	Laufenburger	Olson, A. G.	Spear
Arnold	Hansen, Baldy	Lewis	O'Neill	Stokowski
Borden	Hughes	McCutcheon	Perpich, G.	Stumpf
Chenoweth	Humphrey	Merriam	Purfeerst	Tennessen
Coleman	Keefe, S.	Milton	Schaaf	Wegener
Conzemius	Kleinbaum	North	Schrom	Willet
Davies	Larson	Olhoft	Solon	

The motion did not prevail.

The question recurred on the motion of Mr. McCutcheon to adopt the recommendations and Conference Committee Report on H. F. No. 1526. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1526: A bill for an act relating to Ramsey county; the cities of Maplewood and St. Paul in Ramsey county; and the city of Minneapolis in Hennepin county; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; requiring payment to the city of St. Paul by Ramsey county for road maintenance; providing for payment of certain fines to municipalities in Ramsey county; authorizing the issuance of general obligation bonds by the city of Minneapolis for parks and parkways; amending Laws 1974, Chapter 435, Sections 1.0207; 1.0209, and by adding a section; and repealing Laws 1971, Chapter 762.

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 35 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Garty	Laufenburger	Olson, A. G.	Schrom
Arnold	Hansen, Baldy	Lewis	Olson, H. D.	Solon
Borden	Hughes	McCutcheon	O'Neill	Spear
Chenoweth	Humphrey	Merriam	Perpich, A. J.	Stokowski
Coleman	Keefe, S.	Milton	Perpich, G.	Stumpf
Conzemius	Kleinbaum	North	Purfeerst	Wegener
Doty	Larson	Olhoft	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Brown	Hansen, Mel	Nelson	Renneke
Bang	Chmielewski	Josefson	Ogdahl	Sillers
Berg	Dunn	Keefe, J.	Olson, J. L.	Stassen
Blatz	Fitzsimons	Knutson	Patton	Tennessee
Brataas	Frederick	Kowalczyk	Pillsbury	Ueland

So the bill, as amended by the Conference Committee, was repassed 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.

### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are

appointed as a Conference Committee on H. F. No. 943, pursuant to the request of the House:

Messrs. Merriam; Keefe, J. and Borden.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1674, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973,

Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

House File No. 1674 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

### SUSPENSION OF RULES

Mr. Olson, A. G. moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1674.

The question being taken on the adoption of the motion of Mr. Olson, A. G.,

And the roll being called, there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Merriam	Perpich, G.	Stumpf
Arnold	Hughes	Milton	Purfeerst	Tennessee
Borden	Humphrey	Moe	Schaaf	Wegener
Chenoweth	Keefe, S.	North	Schmitz	Willet
Chmielewski	Kleinbaum	Olhoft	Schrom	
Coleman	Laufenburger	Olson, A. G.	Solon	
Gearty	Lewis	Olson, H. D.	Spear	
	McCutcheon	Perpich, A. J.	Stokowski	

Those who voted in the negative were:

Ashbach	Brown	Jensen	Larson	Sillers
Bang	Dunn	Josefson	Nelson	Stassen
Berg	Fitzsimons	Keefe, J.	O'Neill	Ueland
Bernhagen	Frederick	Kirchner	Patton	
Blatz	Hansen, Mel	Knutson	Pillsbury	
Brataas	Hanson, R.	Kowalczyk	Renneke	

The motion did not prevail.

Mr. Olson, A. G. moved that H. F. No. 1674 and the Conference Committee report thereon be laid on the table. The motion prevailed.

On the Order of Business of Motions and Resolutions, Mr. Coleman moved that H. F. No. 1519 be made a Special Order for immediate consideration. The motion prevailed.

### SPECIAL ORDER

H. F. No. 1519: A bill for an act relating to the city of St. Paul; providing for and authorizing issuance of general obligation bonds for capital improvement budget purposes; amending Laws 1971, Chapter 773, Section 1, as amended.

Mr. O'Neill moved to amend H. F. No. 1519, as amended pursuant to Rule 49, adopted by the Senate May 6, 1975, as follows:

Pages 3 and 4, strike sections 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, strike lines 5, 6, and 7

Page 1, line 8, strike "council;"

The motion did not prevail. So the amendment was not adopted.

Mr. Chenoweth moved to amend H. F. No. 1519, as amended pursuant to Rule 49, adopted by the Senate May 6, 1975, as follows:

Page 1, line 20, strike "\$7,600,000" and insert "\$6,500,000"

Page 1, line 21, strike "two" and re-insert "four"

Page 3, after line 6, insert:

"Sec. 2. Minnesota Statutes 1974, Section 15.50, Subdivision 3, is amended to read:

Subd. 3. The administrative and planning expenses of the commission shall be borne by the state. The expenses of the commission for competition premiums, land acquisition or improvement or any other capital expenditures in or upon properties owned or to be owned by the state shall be borne by the state. The expenses of any other public body for such expenditures shall be borne by the body concerned. The city of Saint Paul shall ~~hold~~ *expend* moneys currently in the city of Saint Paul Capitol Approach Improvement Fund established by Laws 1945, Chapter 315, and acts amendatory thereof ~~until such time as the legislature may require the commission to request these funds for planning and for development purposes in the capitol area upon the request of the commission~~. Upon such request by the commission, the city shall expend such funds in the manner and for the purposes specified by the request.

Page 3, line 16, after the period, insert "*Nothing herein shall affect the validity and enforceability of any bonds issued by the St. Paul port authority prior to the effective date of this section.*"

Page 4, line 4, after the period, insert "*Nothing herein shall affect the validity and enforceability of any bonds issued by the housing and redevelopment authority of the city of St. Paul prior to the effective date of this section.*"

Page 4, after line 13, insert:

"Sec. 6. Subdivision 1. Sections 1 to 3 of this act shall become effective only after the approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Subd. 2. Section 4 of this act shall become effective only after its approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Page 4, line 14, strike "Sec. 6." and insert "*Subd. 3. Section 5 of*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4 after "purposes" insert "and for expending moneys for the capitol area"

Page 1, line 9, before the period, insert "; and Minnesota Statutes 1974, Section 15.50, Subdivision 3"

The motion prevailed. So the amendment was adopted.

H. F. No. 1519 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olhoft	Sillers
Arnold	Frederick	Kleinbaum	Olson, H. D.	Solon
Ashbach	Gearty	Kowalczyk	O'Neill	Spear
Bang	Hansen, Baldy	Laufenburger	Patton	Stokowski
Blatz	Hanson, R.	McCutcheon	Perpich, A. J.	Stumpf
Borden	Hughes	Merriam	Perpich, G.	Ueland
Chenoweth	Humphrey	Milton	Purfeerst	Wegener
Chmielewski	Jensen	Moe	Renneke	Willet
Davies	Josefson	North	Schmitz	
Dunn	Keefe, J.	Ogdahl	Schrom	

Those who voted in the negative were:

Berg	Brataas	Nelson	Pillsbury	Stassen
Bernhagen	Knutson			

So the bill, as amended, passed and its title was agreed to.

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 that the House has adopted the recommendation and report of the Conference Committee and has accordingly discharged the present Conference Committee and appointed a new committee, consisting of five members, on the following House File:

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

There has been appointed as such committee on said bill on the part of the House:

Samuelson, Hanson, McCarron, Wieser and Norton.

House File No. 1743 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted May 19, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1743

We, the undersigned conferees and managers on the part of the Senate and House upon the disagreeing votes as to H. F. No. 1743, beg leave to report that we have conferred, considered and disagreed upon the items in dispute between the Senate and House and the said conferees and managers respectfully request that the committees be discharged.

Messrs. Samuelson, McCarron, Forsythe, Hanson and Corbid, conferees on the part of the House.

Messrs. Perpich, G.; Doty; Moe; Renneke and Olson, J. L., conferees on the part of the Senate.

Mr. Perpich, G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1743 be adopted and the present Conference Committee be discharged and a new conference committee be appointed. The motion prevailed.

#### RECESS

Mr. Davies 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.

#### APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1743, pursuant to the request of the House:

Messrs. Conzemius; Doty; Olson, J. L.; Kirchner and Tennessen.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1456, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1456: A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

House File No. 1456 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 1456**

A bill for an act relating to courts and particularly to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

May 17, 1975

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. 1456 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. 1456 be amended as follows:

Page 3, delete lines 16 to 22

Page 4, delete lines 7 to 9 and insert "*(4) One member learned in the law appointed by the chief judge of the second judicial district.*"

Page 4, line 23, before "*When*" insert "*(a)*"

Page 4, line 24, delete "*shall appear*" and insert "*appears*"

Page 5, line 3, delete the semicolon and insert a period

Page 5, line 4, delete "*(4)*" and insert "*(b) The public defender*"

Page 5, line 4, after "*may*" insert "*also*"

Page 5, line 5, after "*Minnesota*" insert "*, if the client was*

*represented by the Ramsey county public defender in the matter giving rise to the appellate relief being sought "*

Page 5, after line 25, insert

"Sec. 8. Laws 1974, Chapter 435, is amended by adding a section to read:

*Sec. 1.02064. [RAMSEY COUNTY.] Subdivision 1. [ADULT DETENTION CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,500,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.*

*Subd. 2. [JUVENILE CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction equipment and furnishings, including land acquisition, architectural, and other professional fees, of a juvenile center.*

*Subd. 3. [FULL FAITH AND CREDIT; NO ELECTION.] The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.*

*Subd. 4. [INTEREST ON BOND PROCEEDS.] Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3 are authorized to be used for remodeling the jail annex of the Ramsey county sheriff's office and, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.*

*Subd. 5. [REFERENDUM.] The provisions contained in subdivision 1 or 2 and a decision by the board to sell bonds for either the adult detention center or the juvenile center shall not become operative if, within 30 days after the county board by resolution indicates its intention to sell the first series of bonds, under subdivision 1 or 2, there shall be filed with the auditor of Ramsey county a petition or petitions, signed by not less than 20 percent of the qualified voters of the county requesting that a referendum be held to determine the question of the issuance of bonds by the county. Each of the signers on a petition shall affix his signature and his permanent address to the petition, and the signer shall swear that he is a resident of Ramsey county and qualified to vote at a general election therein. Any petition or petitions demanding a referendum under this act shall refer to this act by its chapter number, title, the date of passage*

*and its subject matter. If a petition or petitions containing not less than the minimum number of signatures as designated above, are filed and the signatures are genuine and the petition or petitions answer completely the requirements as set out in this subdivision, the board shall fix a time for the holding of a referendum, which shall be not less than 30 days and not more 180 days after the petition or petitions are filed and the signatures thereon are found to be genuine and sufficient by the board. The election shall be held at a time and at places within Ramsey county as the board shall designate.*

*In submitting the question to the voters in said referendum, there shall be used a ballot in the following form:*

### COUNTY BALLOT

*For the issuance of not to exceed \$..... of bonds of Ramsey county and the expenditure of such sum in order to acquire land for, erect, equip and furnish a (adult detention center or juvenile center, as appropriate), according to the provisions of Laws 1975, Chapter..... (Chapter number of this act to be here inserted).*

*Yes.....*

*No.....*

*If a majority of the voters voting on the question submitted to the voters of Ramsey county shall vote in the affirmative, all sections of this act immediately preceding this section shall take effect and be in force immediately. A negative vote by the voters in a referendum on bonds for the adult detention center or juvenile center pursuant to this subdivision shall apply to the entirety of the bonds able to be sold for the adult detention center or juvenile center, as appropriate.*

*Subd. 6. [EFFECTIVE DATE.] This section shall take effect upon its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021."*

Renumber the sections in sequence

Further strike the title and insert

*"A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center; permitting use of interest earnings for remodeling the Ramsey county jail annex; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; Laws 1974, Chapter 435, by adding a section; repealing Laws 1923, Chapter*

77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended."

We request adoption of this report and repassage of the bill

House Conferees: (Signed) Neil B. Dieterich, Walter R. Hanson, Richard Kostohryz.

Senate Conferees: (Signed) Jerome Hughes, Robert North, Joseph O'Neill.

Mr. Hughes moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1456 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. 1456: A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center; permitting use of interest earnings for remodeling the Ramsey county jail annex; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; Laws 1974, Chapter 435, by adding a section; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

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 53 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Jensen	Nelson	Schmitz
Arnold	Davies	Josefson	North	Schrom
Ashbach	Dunn	Keefe, J.	Ogdahl	Solon
Berg	Fitzsimons	Keefe, S.	Olhoft	Stassen
Bernhagen	Frederick	Knutson	Olson, A. G.	Stokowski
Blatz	Gearty	Kowalczyk	O'Neill	Stumpf
Borden	Hansen, Baldy	Laufenburger	Patton	Ueland
Brataas	Hansen, Mel	McCutcheon	Perpich, A. J.	Wegener
Brown	Hanson, R.	Merriam	Perpich, G.	Willet
Chenoweth	Hughes	Milton	Pillsbury	
Chmielewski	Humphrey	Moe	Renneke	

Messrs. Schaaf and Spear 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. Anderson moved that H. F. No. 1241 be taken from the table. The motion prevailed.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

Mr. Anderson moved to amend H. F. No. 1241 as follows:

Strike everything after the enacting clause and insert:

“Section 1. [APPROPRIATION FOR LAND ACQUISITION.] Subdivision 1. There is appropriated from the general fund in the state treasury to the commissioner of natural resources, except as otherwise indicated, the sums of money set forth in this section, for the acquisition of outdoor recreation lands and other purposes as more specifically described in subdivisions 2 to 8, to be available for the biennium ending June 30, 1977.

All acquisition shall be in accordance with the policies established in the outdoor recreation act of 1975, if enacted. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

[TOTAL APPROPRIATED: \$15,000,000]

Subd. 2. State parks and recreation areas, as listed and described in sections 85.012 and 85.013. . . . \$ 7,000,000

First priority for acquisition shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

Subd. 3. State trails, as listed and described in section 85.015 . . . . . 1,000,000

Subd. 4. State forests, as listed and described in section 85.021 .....	\$2,000,000
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Priority shall first be given to acquiring the remaining lands in Sand Dunes state forest and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.

Subd. 5. Fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. ....	1,000,000
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Subd. 6. State wildlife management areas, acquired pursuant to section 97.48, subdivision 13; and 97.481 .....	2,750,000
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Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.

None of this appropriation shall be encumbered or expended for the purchase of wildlife management areas until 60 days after the commissioner of natural resources has submitted to the legislature in the manner provided in section 3.195 a long-range plan of acquisition of wildlife management areas. The plan shall list each parcel proposed for acquisition, showing its general location, its approximate acreage, and the estimated cost of acquisition. The list shall be ranked in order of priority and shall be divided into parcels that are 1) critical, 2) highly desirable but not critical, and 3) those eventually to be acquired. The division shall be made so that approximately one-third of the total estimated cost of acquisition is allocated to each category.

This appropriation shall be available to acquire only those parcels included in the "critical" category.

Subd. 7. Wetlands outside of designated wildlife management areas .....	750,000
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This appropriation is available primarily for the acquisition of conservation restrictions, perpetual easements, and long-term leases. No more than half may be spent for acquisition of fee title. First priority shall be given to acquisition of wetland areas for which an application for a permit to drain pursuant to section 105.42 has been denied.

Subd. 8. Wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32 . . . . . \$500,000

Subd. 9. Of the amounts appropriated by this section, not more than \$2,250,000 may be expended by the commissioners of administration and natural resources for professional services.

Sec. 2. [APPROPRIATION AND BONDS FOR METROPOLITAN PARKS.] Subdivision 1. [APPROPRIATION.] The sum of \$20,000,000 or so much thereof as is determined to be needed for application in accordance with the provisions of this section, is appropriated from the Minnesota state building fund to the commissioner of natural resources for grants to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in Laws 1975, Chapter 13, Sections 10, 43 to 51, and 147, by which Minnesota Statutes 1974, Chapter 473G, was repealed and substantially reenacted, and has continued in active operation under the provisions of Minnesota Statutes, Section 645.37. The metropolitan council may establish and enter into an agreement for the investment and administration of an escrow fund in the manner provided in Minnesota Statutes, Section 475.67, Subdivisions 5 to 10, sufficient and irrevocably appropriated for the payment and redemption, with interest and redemption premiums, if any, of all outstanding bonds issued by the council on or before April 1, 1975, for the purpose for which funds are appropriated in this section . From the funds herein appropriated the commissioner may grant to the council the sum required for the establishment of the escrow fund. The remaining amount herein appropriated may be granted by the commissioner to the council and to local government units for direct application in the manner and upon the conditions set forth in Laws 1975, Section 47. Such grants, together with the proceeds of the council's bonds, shall be available for payment of relocation costs and tax equivalents required in Laws 1975, Sections 47 and 51.

Subd. 2. [BOND SALE.] To provide the money appropriated in subdivision 1 the commissioner of finance upon request of the governor shall sell and issue bonds of the state in the amount of \$20,000,000 in the manner and upon the terms prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds

are appropriated to the Minnesota state building fund except as otherwise provided in Minnesota Statutes, Section 16A.64.

Subd. 3. [DEBT SERVICE.] There is annually appropriated from the general fund in the state treasury to the Minnesota state building bond account in the state bond fund an amount sufficient to pay principal and interest coming due on bonds authorized by subdivision 2, in the amount and manner specified in Minnesota Statutes, Section 16A.64, Subdivision 5.

Sec. 3. This act is effective July 1, 1975"

Strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds."

The motion prevailed. So the amendment was adopted.

H. F. No. 1241: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	Nelson	Schaaf
Arnold	Dunn	Keefe, J.	North	Schmitz
Ashbach	Fitzsimons	Keefe, S.	Ogdahl	Solon
Berg	Frederick	Kleinbaum	Olhoft	Spear
Bernhagen	Gearty	Knutson	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Borden	Hansen, Mel	Larson	Patton	Stumpf
Brataas	Hanson, R.	Laufenburger	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Merriam	Pillsbury	Ueland
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Davies	Jensen	Moe	Renneke	

So the bill, as amended, passed and its title was agreed to.

#### RECESS

Mr. Davies moved the Senate recess subject to the call of the President.

After a brief recess, the President called the Senate to order.

### SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirements for the following Conference Committee reports:

H. F. No. 1758, H. F. No. 1674, H. F. No. 1722 and H. F. No. 1798. The motion prevailed.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that H. F. No. 398 be taken from the table. The motion prevailed.

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Mr. North moved to amend H. F. No. 398 as follows:

Page 1, line 11, strike "\$142,000,000" and insert "\$95,000,000"

Page 3, strike line 8

Page 3, line 9, strike "fund for this purpose,"

Page 3, line 12, strike "\$142,000,000" and insert "\$84,000,000"

Page 3, after line 24, insert:

Sec. 3. [REPORT TO LEGISLATURE.] *The pollution control agency shall submit a report to the legislature by January 1, 1976, outlining alternative methods of providing revenues for the Minnesota state water pollution control fund. The report shall also contain an evaluation of the procedures and priorities established in implementing this program, including consideration of per capita costs of proposed projects, financial capability of the community and an equitable geographic distribution of state grants and loans.*

Sec. 4. [APPROPRIATION FROM GENERAL FUND; REIMBURSEMENT.] *The sum of \$11,000,000, or so much thereof as may be necessary, is appropriated from the general fund to the Minnesota state water pollution control fund, for the purpose of providing money appropriated in Minnesota Statutes, Section 116.18, Subdivision 1 for expenditure from that fund for the purpose therein stated, provided that no amount shall be credited at any time to the water pollution control fund, pursuant to this appropriation, which would cause the balance then on hand in the fund to exceed the aggregate amount of grants approved and not theretofore disbursed by the pollution control agency, as certified by its director. This appropriation is available and shall be obligated prior to the sale of the additional bonds authorized by this act."*

The motion prevailed. So the amendment was adopted.

H. F. No. 398 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Nelson	Renneke
Arnold	Fitzsimons	Kirchner	North	SchAAF
Ashbach	Frederick	Kleinbaum	Ogdahl	Schmitz
Blatz	Gearty	Knutson	Olhoft	Stassen
Borden	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Brataas	Hansen, Mel	Larson	Olson, H. D.	Stumpf
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Merriam	Perpich, G.	Willet
Davies	Josefson	Milton	Pillsbury	
Doty	Keefe, J.	Moe	Purfeerst	

Messrs. Bang, Berg, Bernhagen, Olson, J. L., and Sillers voted in the negative.

So the bill, as amended, passed and its title was agreed to.

Mr. Davies moved that H. F. No. 1758 and the Conference Committee report thereon be taken from the table. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1758

A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

May 17, 1975

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. 1758 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1758 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or

so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures "1976", and "1977" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1976, and 1977 respectively.

### APPROPRIATIONS

Available for the Year

Ending June 30,

1976

1977

\$

\$

#### Sec. 2. DEPARTMENT OF EDUCATION

Subdivision 1. General Academic and Related Services. . .

1,909,586

1,475,910

(1) Salaries, supplies, and expenses

\$1,859,586    \$1,475,910

(2) Claims, grants, and shared revenue

\$50,000

Of the amount provided by this subdivision, \$14,100 each year is appropriated from the trunk highway fund.

The department shall direct the section on education professions development to determine the extent to which programs of teacher education in this state search for and communicate sound educational techniques to students of education. The department shall report by February 1, 1976 to the committee on finance of the senate and appropriations committee of the house on the plan devised to implement this provision and the progress made to that time.

Provided that notwithstanding the provisions of Minnesota Statutes, Sections 121.26 and 125.08 to the contrary, the fee for registering with the teachers

	1976	1977
	\$	\$
<p>employment bureau shall not be less than \$10, and the fee for a certificate to teach or for a renewal or extension of certificate to teach shall not be less than \$10.</p>		
Subd. 2. Vocational Technical Instruction and Related Services .....	557,160	563,969
(1) Salaries, supplies, and expenses		
\$ 557,160   \$ 563,969		
Subd. 3. Special and Compensatory Instruction and Related Services .....	761,691	767,370
(1) Salaries, supplies, and expenses		
\$ 361,691   \$ 367,370		
(2) Claims, grants, and shared revenue		
(a) Indian scholarships		
\$ 400,000   \$ 400,000		
<p>Any unexpended balance remaining in (a) in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 4. Education Planning, Innovative Developmental and Evaluative Services .....	702,627	704,296
(1) Salaries, supplies, and expenses		
\$ 181,517   \$ 183,186		
(2) Claims, grants, and shared revenue		
\$ 521,110   \$ 521,110		
Subd. 5. School Management and Services .....	1,917,952	1,921,224
(1) Salaries, supplies, and expenses		
\$ 424,740   \$ 430,440		

	1976	1977
	\$	\$
(2) Claims, grants, and shared revenue		
\$1,493,212	\$1,490,784	
<p>Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "A" lunch program to be distributed under standards established by the state board of education.</p>		
Subd. 6. Auxiliary and General Support Services . . . . .	4,002,225	4,067,474
(1) Salaries, supplies, and expenses		
\$1,776,225	\$1,847,474	
(2) Claims, grants, and shared revenue		
\$2,226,000	\$2,220,000	

There is established in the state treasury a Minnesota educational computing consortium account. There is hereby appropriated from the general fund to the Minnesota educational computing consortium account the sum of \$150,000. The department shall charge MECC users for on-line computer time actually used, such receipts shall be deposited in the Minnesota educational computing consortium account, and are hereby reappropriated to the Minnesota educational computing consortium.

The department of education in consultation with MECC shall submit to the chairman of house appropriations and the chairman of senate finance no later than July 15 and December 31 of each year a progress report, proposed plans, and expenditures.

Any unexpended balance remaining in (2) in the first year

	1976	1977
	\$	\$
shall not cancel but shall be available for the second year of the biennium.		
Subd. 7. Public Library Services .....	2,200,000	2,300,000
(1) Salaries, supplies, and expenses		
\$ 314,021   \$ 328,271		
(2) Claims, grants, and shared revenue		
\$1,885,979   \$1,971,729		

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

These funds may be granted for the improvement of library services at welfare and corrections institution libraries and for library services to the blind and physically handicapped. These funds shall not exceed in either year the amount provided for fiscal year 1974.

A public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one third of a mill on the assessed valuation of the taxable property in the area served by the library.

To qualify for the state library grant herein authorized, local levies for libraries shall not be less than the library levies in effect January 1, 1975. All of the above funds are limited to operating purposes only.

Applications for financial assistance shall contain such information as the department

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requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such a plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

**Subd. 8. Statewide Educational Assessment . . . . .**

**250,000**

The amount appropriated to the statewide assessment program shall be available only for fiscal year 1976; it shall be used to complete the analysis, reporting, and dissemination of the mathematics assessment data collected during fiscal year 1975, to complete the dissemination phase of the reading assessment data collected in fiscal year 1974, and to fulfill any departmental obligations incurred through contracts with school districts for ex-

	1976	1977
	\$	\$
tended local assessment activities on a cost-sharing basis. Insofar as practical, the department shall make available to school districts, upon their request and at a reasonable cost assessment instruments and normative data for the districts' own use.		
<b>Subd. 9. Vocational Rehabilitation .....</b>	<b>3,070,679</b>	<b>3,617,303</b>
(1) Salaries, supplies and expenses and counseling and care of persons		
\$1,550,425    \$1,689,486		
(2) Claims, grants, and shared revenues		
\$ 420,205    \$ 527,817		
(3) Long-term sheltered workshop and work activity		
\$1,100,000    \$1,400,000		

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

Any additional federal funds which become available to the state of Minnesota after April 1 of any fiscal year as a result of a reallocation of funds returned by other states or release of additional funds may be carried over and expended in the next fiscal year. The state of Minnesota shall have earned these funds in the year they are received with state expenditures in accordance with the federal-state formula in effect for that year.

The state department of education may expend funds received from school districts, governmental subdivisions, mental health authorities, and private

	1976	1977
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nonprofit organizations for the purpose of conducting joint or cooperative vocational rehabilitation programs, and such funds are hereby appropriated for these purposes.

None of the amounts appropriated in subdivisions 3, 4, 5, 6, 7, and 9 listed as claims, grants and shared revenues or long term sheltered workshops on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any other expenditure category other than that for which it was appropriated.

The number of state funded positions shall not exceed the number shown on official worksheets.

**Sec. 3. STATE COLLEGE BOARD**

Subdivision 1. Maintenance and Equipment . . . . .

53,186,577	54,340,889
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The amounts appropriated in subdivisions 1 and 2 include a sum in each year for recruitment of unclassified staff. Candidates for positions in the state college board central office or in a state college who have been invited by the state college board for interview, may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

In developing new programs with the funds provided herein the state colleges shall, wherever appropriate and educa-

	1976	1977
	\$	\$
tionally sound, attempt to employ excess faculty resulting from declining or shifting enrollments.		
Subd. 2. Metropolitan State College .....	1,137,613	1,268,569

The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college.

Subd. 3. State College Board Contingent .....	750,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

In event the enrollment of full time equivalent students enrolled exceeds the budget estimates of 30,754 full time equivalents the first year and 30,777 full time equivalents the second year of the biennium for the total state college system, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full time equivalent undergraduate students, and one position for each 13 graduate students in excess of the biennial budget enrollment estimates for each year of the biennium.

It is the intent of the legisla-

	1976	1977
	\$	\$
<p>ture that any salary adjustments or other payments mandated by court action, a qualified administrative agency, or because of settlement of litigation in process be financed from the contingent fund.</p> <p>The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes, Section 3.30.</p>		
Subd. 4. Student Loans — State Matching . . . . .	175,000	175,000
<p>The above appropriation shall be used as state's matching share for any federal student aid or loan program.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1975.</p>		
Subd. 5. General Research . .	25,000	25,000
<p>None of this appropriation shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 6. Repairs and Betterments . . . . .	1,456,000	
<p>Any unexpended balance remaining in the first year shall not cancel but will be available for the second year of the biennium.</p> <p>All receipts of every kind, in-</p>		

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cluding but not limited to students' tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are reappropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to budgetary control by the commissioner of administration:

(a) those attributed to dormitory functions handled under Minnesota Statutes, Sections 136.31 to 136.38, and

(b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and

(c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes, Sections 136.143 and 136.144.

A report shall be submitted to the 70th session of the legislature as to the use of all such excepted funds.

The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; provided such transfers are in accordance with Minnesota Statutes, Chapter 16A.

Grants awarded to the state college system by any state agency shall be transferred to the account(s) of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds

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as deemed most appropriate by the commissioner of finance.

During the 1975-77 biennium, the state college board shall identify nonacademic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer shall be transferred with their consent into the classified service of the state without competitive examination, and shall be placed in the proper classifications by the commissioner of personnel, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota metropolitan state college is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account

	1976	1977
	\$	\$

shall not cancel on June 30 but shall be available in the next fiscal year.

The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes, Chapter 16A shall not apply to such expenditures but the state college board shall prescribe the manner, amount, and purpose of such expenditures and report thereon to the 1977 legislature.

Notwithstanding the provisions of Minnesota Statutes, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any provision in Minnesota Statutes, Chapter 16A which may indicate the contrary, when the state college board so requests, technical educational equipment

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may be procured for the state colleges either by brand designation or in accordance with standards and specifications which the board may promulgate.

In addition to the fees prescribed by Minnesota Statutes, Section 136.11, the state college board may prescribe fees to be charged students for college activities, functions, and purposes.

Notwithstanding any other provision of law to the contrary, the state college board may make refunds to students for tuition, activity fees, union fees and any other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged. The state college board shall obtain the approval of the legislative auditor for the procedures used in carrying out the provisions of this paragraph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the commissioner of finance within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion

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thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account.

The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hospital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes, Section 43.45.

The provisions of Minnesota Statutes, Section 136.13, notwithstanding, the state college board may hold its annual meeting on any day in the month of May.

All other provisions of law notwithstanding, the state college board is hereby authorized to demolish Lawrence hall at St. Cloud state college provided that a comprehensive space requirement study indicates such demolition represents the most economical course of action. Such demolition shall be accomplished at no cost in appropriated funds and shall not be initiated without the recommendation of the chairmen of the house appropriations and senate finance committees which shall be advisory only.

The commissioner of administration is authorized to dis-

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pose of by sale or other means of selected buildings on the Mankato lower campus. The overall plan submitted to the legislature in a report authorized by Laws 1974, Chapter 516, Section 3, may be used to provide guidance for such sale but shall not be the only source of information in selecting buildings for disposal. The use of information in the report for this purpose does not infer acceptance of the recommendation by the legislature. Such sale shall not be authorized until the commissioner of administration has first consulted with the chairman of the senate finance and the chairman of the house appropriation committee and obtained their recommendations which shall be advisory only.

**Sec. 4. UNIVERSITY OF MINNESOTA, COORDINATE CAMPUSES AND EXPERIMENT STATIONS .....**

121,387,605

124,576,189

**Subdivision 1. Operations and Maintenance**

The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes, Chapter 117.

No land shall be purchased and no buildings shall be purchased, constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the

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chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The board of regents shall direct a review of the admission policies of all the professional and graduate schools of the university of Minnesota. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976. Of the second year's appropriation to the Duluth basic sciences medical program, \$200,000 shall be available only if new facilities are available and the incoming class is expanded to 48 students.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

- (1) the investments of the permanent university fund; and
- (2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes, Section 137.022.

For the purposes of these appropriations it is estimated that the income to be derived from

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the investment of the permanent university fund will not exceed \$2,532,006 for the first year and \$2,563,506 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the commissioner of finance at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts herein stated, the amounts payable from the general fund shall be reduced accordingly.

For budgetary purposes it is estimated that the foregoing appropriation from the general fund will not exceed the sum of \$118,855,599 the first year and \$122,012,683 the second year.

On October 1, 1976 and 1977 the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

(1) the total amount of receipts during the fiscal year 1976 from all sources in excess of \$56,000,000 and during the fiscal year 1977 from all sources in excess of \$57,900,000.

(2) the sources of said receipts; and



	1976	1977
	\$	\$
percent of the expenses charged against a patient at the university hospital up to \$5,000 in accordance with Minnesota Statutes, Chapter 158. A charge against a patient in excess of \$5,000 will be paid by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect.		
Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivisions.		
There is further appropriated to the university of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties during said fiscal years under the provisions of said acts, payments to be made quarterly out of said appropriation, as shown by certificates filed with the commissioner of finance pursuant to the provisions of Minnesota Statutes, Chapter 158. . . . .	470,000	500,000
The commissioner of finance is authorized and directed to pay the university out of sums collected from counties under the provisions of chapter 158, during the fiscal years ending June 30, 1976, and June 30, 1977 respectively, an amount sufficient to reimburse the university in full for the amount due it from counties during said fiscal years as shown by certificates filed with the commissioner of finance, and a sum sufficient to make such payments is hereby appropriated.		

	1976	1977
	\$	\$
Sec. 6. SPECIAL HOSPITALS, COMMUNITY SERVICE, AND EDUCATIONAL OFFSET. ....	4,703,485	4,847,477

Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which fees are hereby reappropriated to the university hospital.

**Sec. 7. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA**

Subdivision 1. Agricultural Extension Service .....	4,958,820	5,165,397
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This subdivision includes the items of agriculture extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not result in a reduction of the county portion of the salary payments.

This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.

Subd. 2. General Agricultural Research .....	4,857,388	4,788,892
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The above appropriation includes funds for research on aquatic plants (including wild rice), soybeans, avian disease, corn improvement and irrigation.

	1976	1977
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Subd. 3. Veterinary Diagnostic Laboratory and Teaching Hospital . . . . .	436,391	468,732
Subd. 4. Geological Survey. . . . .	264,860	268,180
Subd. 5. Lake Superior Basin Studies . . . . .	53,389	54,943
The university shall submit a progress report to the 1977 legislature.		
Subd. 6. General Research. . . . .	1,407,584	1,501,259
This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, training for careers in fire prevention and protection, center for urban and regional affairs, museum of natural history, project Newgate, and juvenile justice seminar.		
The amount for project Newgate shall be the final appropriation to the university of Minnesota and future appropriation requests for this program shall be submitted by the department of corrections.		
Subd. 7. Industrial Relations Education Program . . . . .	300,347	339,006
The above appropriation includes funds for short courses, programs, and seminars for labor and management.		
Subd. 8. Duluth Campus		
(a) Basic Sciences Program for Medical Training. . . . .	1,278,993	1,509,432
(b) Dental Hygiene Program. . . . .	181,298	188,643
(c) Graduate School of Social Work . . . . .	340,880	370,045
Subd. 9. Freshwater Biological Research Institute . . . . .	100,000	125,000
Subd. 10. Child Care Center . . . . .	25,000	

	1976	1977
	\$	\$
<p>The above appropriation is to assist the university in developing a self supporting child care center to be used as a teaching and research adjunct to the college of education.</p>		
Subd. 11. Intercollegiate Athletics .....	75,000	100,000
<p>The above appropriation shall be used only for the support of women's intercollegiate athletic program.</p>		
Subd. 12. Medical Research ..	1,117,288	1,155,224
<p>The above amount includes funds for cancer research, control of hypercholesterolemia, cystic fibrosis and biological regulation in disease.</p>		
Subd. 13. Graduate Residency Program .....	2,808,000	2,960,000

All hospitals receiving any portion of the above appropriation shall furnish the house appropriations and senate finance committees with a full report no later than December 31, 1975, of all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the purposes for which such funds were expended.

The commissioner of finance, in cooperation with the university of Minnesota, shall prepare a form to be used by all hospitals making such reports. The commissioner of finance shall also issue guidelines for hospitals to use in determining costs and income related to family practice residency education.

	1976	1977
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<p>Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice.</p>		
Subd. 14. Medical Services and Instruction .....	822,849	980,076
<p>The above amount includes funds for the rural health physicians' associate program, drug abuse information and education, and allied health—nurse—clinician generalist program.</p>		
Subd. 15. Hormel Institute—Austin .....	100,000	100,000
<p>To support the operation of the institute and to promote research by such institute.</p>		
Subd. 16. Clinical Program Law .....	95,000	105,000
<p>Serving civil legal needs of persons confined to state institutions. None of these funds shall be used to pay for law suits against public agencies or public officials to change social or public policy.</p>		
<p>From the appropriation made to the university of Minnesota by this act and from other sources all nonacademic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.</p>		
<p>The university shall prepare a report on salaries and fringe benefits of their nonacademic staff. The report shall include but not be limited to the following information regarding nonacademic staff for each appropriation account: number of employees expressed in full time equivalents; salary costs</p>		

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for the prior, current and subsequent year; fringe benefit costs for the prior, current and subsequent year; and the assumptions made in preparing this information. This information shall be summarized by salary schedules "A", "B", and "C" as established for the state classified civil service. For purposes of this report the university shall assign classifications that are unique to the university to the appropriate state classified civil service salary schedule. This report shall be submitted to the committee on finance of the senate, the committee on appropriations of the house of representatives, and the commissioner of administration. The report shall be submitted on or before December 15, 1975. A subsequent report shall be submitted on or before November 15, 1976. The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury.

None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the commissioner of finance until the university first certifies to the commissioner of finance that its ag-

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gregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7 million plus one third of all tuition and fee payments from the previous fiscal year. Upon such certification, one twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the commissioner of finance whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the commissioner of finance until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Min-

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nesota Statutes, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

In preparing legislative budget request for the 1977-1979 bien- nium, all projected income from student tuition shall be based on a charge per credit hour schedule.

Sec. 8. MAYO MEDICAL SCHOOL . . . . .	1,200,000	1,224,000
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The state of Minnesota shall pay a capitation of \$8,000 for each student who is a resident of Minnesota for a maximum of 40 such students in each class. The administration of Mayo shall direct a review of the ad- missions policies of the Mayo medical school. A preliminary report outlining the scope and method of the review to be employed shall be submitted to the legislature not later than August 15, 1975 and a final report shall be forwarded by January 1, 1976.

Sec. 9. MINNESOTA BOARD OF NURSING

Nursing Scholarships . . . . .	125,000	125,000
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Sec. 10. MINNESOTA HIGH- ER EDUCATION COORDI- NATING COMMISSION

Subdivision 1. Salaries and Ex- penses . . . . .	792,068	685,060
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This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, budget review, program review, and private college contracts.

Subd. 2. State Scholarship Program . . . . .	5,000,000	5,750,000
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	\$	\$
Subd. 3. State Grant-In-Aid Program . . . . .	8,500,000	9,400,000
Subd. 4. Work Study Program . . . . .	500,000	1,250,000

Notwithstanding the provisions of Minnesota Statutes 136A.-231, the higher education coordinating commission is hereby authorized and directed to develop a work-study program for which postsecondary education students will be eligible without regard to whether or not such students are recipients of state scholarships or grants-in-aid. The commission shall prescribe criteria, policies and procedures for participation of institutions and students in the program. All postsecondary institutions which are eligible under the state grant-in-aid program shall be eligible institutions under the work-study program. The commission shall determine an appropriate method for allocating funds among institutions and awarding funds to students who demonstrate need according to guidelines adopted by the commission.

The commission shall adopt such additional policies and guidelines as may be necessary for effective administration of the program.

Subd. 5. Minitex Library Program . . . . .	350,000	350,000
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The commission, in cooperation with the state community college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordinating and management of the minitex library program.

Subd. 6. Private College Contracts . . . . .	3,200,000	4,000,000
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Subd. 7. Regional Coordination and Service .....	247,813	

The above appropriation shall be expended in accordance with official conference committee worksheets.

The higher education coordinating commission is directed to develop and administer three experimental regional postsecondary education projects aimed at improving the efficiency and effectiveness of postsecondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the three experimental projects, the commission shall attempt to (1) improve the accessibility of all levels of postsecondary education to residents of the regions, (2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of postsecondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of postsecondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The commission shall report on the results of the experimental regional projects in its next biennial report to the governor and the legislature. All postsecondary institutions and systems are requested to cooperate with and to assist the commis-

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sion in developing these projects.

The commission is authorized and directed to supervise a student loan program in accordance with Minnesota Statutes, Section 136A.14 to 136A.17.

The higher education coordinating commission is hereby directed to take the necessary steps to encourage and expand the sharing of facilities and course offerings, through cross-registration or other appropriate means, between all public and private institutions of higher learning in Minnesota. A report showing the achievements and progress as well as recommendations for improvements and progress in this area shall be submitted to the 1977 legislature no later than January 1, 1977.

For the purpose of improved communications between all segments of public and private postsecondary education, the advisory council of the higher education coordinating commission shall be requested to sit with the higher education coordinating commission in the deliberations and discussions of the commission. Members of the advisory council shall, however, not vote on any matter before the commission. Any unexpended balance remaining the first year in subdivisions 1, 2, 3, 4, 5, 6, and 7 shall not cancel but shall be available for the second year of the biennium.

Subd. 8. Medical Student Loan Reserve .....

17,550

27,300

	1976	1977
	\$	\$

The appropriations in the sum of \$1,000,000 contained in Laws 1973, Chapter 768, Section 14, Subdivision 8 may be used by the commission for costs incurred in administering the provisions of this act. The balance of the appropriation not required for administrative costs shall constitute a reserve fund which may be invested by the commission. Any interest which accrues on such investment shall inure to the commission and shall be available for additions to the reserve fund. The reserve fund shall not cancel and shall be available to the commission for as long as the programs provided by the provisions of this act are in effect. The commission may use the reserve fund established by the appropriation for fulfilling the income contingent provisions of this act as well as for the general purposes of the reserve fund in accordance with the provisions of this act.

The appropriation in the sum of \$100,000 contained in Laws 1973, Chapter 727, Section 4, shall not cancel but shall be available to the commission for so long as bonds for medical student loans are outstanding.

Subd. 9. Education of Dependents .....	10,000	10,000
Subd. 10. Foreign Student Loan .....	80,000	80,000

Subd. 11. Notwithstanding any other provision of law to the contrary, the commission may adopt rules to allow state grant-in-aid awards to be made to students who did not

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receive an award for the first year of postsecondary education, in order to meet needs of students who experience unusual financial difficulties after the first year. Initial awards to students after the first year may be renewable according to rules adopted by the commission. The commission shall prescribe by rule the conditions, criteria, terms, and amounts of awards to be made to students who did not receive an award in the first year.

**Sec. 11. STATE COMMUNITY COLLEGE BOARD**

Subdivision 1. . . . .

23,233,838

23,388,689

The above appropriation is for maintenance and equipment of the state community college board and the state community colleges. The state community colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of faculty. Candidates for twelve month administrative positions and for academic positions who have been invited by the state community college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

The cost of living provisions of the professional staff agreement as negotiated between the state board for

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community colleges and the Minnesota community college faculty association shall not be implemented during the 1975-77 biennium and the agreement is approved as modified.

Subd. 2. Occupational Program Development . . . . . 450,000

Prior to use of the above funds the chancellor of the community college system shall submit the proposed program, and expenditures for review by the chairmen of the house appropriations and senate finance committees.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state community colleges are hereby re-appropriated to the state community college board, but are subject to budgetary control to be exercised by the commissioner of administration.

The state community college board is authorized to establish activity funds, except for dormitory purposes, and imprest cash funds, to waive tuition charges and to act as agent and accept the benefits of Public Law 88-452, known as the Economic Opportunity Act of 1964, as amended, Public Law 85-864, known as the National Defense Education Act of 1958, as amended, to the same extent and subject to

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the same conditions as such authority is vested in the state college board. Minnesota Statutes, Sections 136.56, 136.045, 136.142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a (6), also apply to the state community college board and the state community colleges in the same manner as to the state college board and the state colleges.

All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state community college board and are not subject to budgetary control as exercised by the commissioner of administration.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Subd. 3. Student Loan Program-State Matching . . . . .

75,000

85,000

The above appropriation shall be used as state's matching share for any federal student aid or loan programs.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. State Community College Board Contingent . . . . .

300,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be expended with the approval of

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the governor after consultation with the legislative advisory committee, as provided by Minnesota Statutes, Section 3.30.		

Notwithstanding any other law to the contrary, Minnesota Statutes, Section 268.08, Subdivision 5(b), shall apply to classified employees of the state board for community colleges.

Subd. 5. Repairs and Betterments .....	754,778
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Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 6. Special Assessments . .	41,500
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Sec. 12. Notwithstanding the provisions of any law to the contrary, the administrative expenses incurred by any employing governmental unit in connection with the purchase of individual annuity contracts for employees pursuant to Minnesota Statutes, Sections 121.48; 123.35, Subdivision 12; 136.55; 136.70; 471.615; or any other like provision of law shall be paid from deductions from the salaries of the employees on whose behalf such contracts are purchased. For such purpose, each employing governmental unit shall deduct from the salary of each such employee an amount equal to two percent of the amounts deducted for the purpose of purchasing such individual annuity contracts. All receipts shall be deposited in the general fund.

**Sec. 13. WORKMENS COMPENSATION**

To be transferred by the commissioner of finance to the de-

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partment of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:		
State College Board . . . . .	108,502.26	
<b>Sec. 14. UNEMPLOYMENT COMPENSATION . . . . .</b>	<b>215,751.21</b>	

In reimbursement of unemployment compensation benefits paid for former employees of the state college board.

**Sec. 15. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND.** Except the revolving fund for the on-the-job training program, the unobligated balances on hand as of June 30, 1975, June 30, 1976, June 30, 1977, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977 and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977 appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

**Sec. 16. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL FUND.** Except as herein otherwise specifically provided, except the income to the university of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

**Sec. 17. APPROVED COMPLEMENT.** Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such

recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 18. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, 1971, Sections 355.50 and 352.04, Subdivision 5.

Sec. 19. In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 20. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sections 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause (5) which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, Clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes.

Sec. 21. If additional funds become available to the state board for community colleges, state college board or the board of regents for the purpose of adjusting faculty salaries to implement cost of living provisions of any professional staff agreement for the 1975-77 biennium, an amount equal to the additional funds shall be cancelled to the general revenue fund.

Sec. 22. The speaker of the house shall name five members of the house and the senate committee on committees shall name five members of the senate to review tuition policy at postsecondary vocational schools. The joint committee shall report to the 1976 legislature its findings and recommendations.

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: (Signed) Howard E. Smith, Ray W. Faricy, Rodney N. Searle, Stanley A. Enebo, Peter X. Fugina.

Senate Conferees: (Signed) Jack Davies, Norbert Arnold, Robert J. Tennesen, Robert O. Ashbach, Mel Hansen.

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1758 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. 1758: A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, community colleges, higher education coordinating commission, and moneys for medical education.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Ogdahl	Schmitz
Arnold	Fitzsimons	Kleinbaum	Olhoft	Schrom
Bang	Frederick	Knutson	Olson, A. G.	Sillers
Berg	Gearty	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Spear
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stassen
Borden	Hanson, R.	Lewis	Patton	Stokowski
Brataas	Hughes	McCutcheon	Perpich, A. J.	Stumpf
Chenoweth	Humphrey	Merriam	Perpich, G.	Tennesen
Chmielewski	Jensen	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Davies	Keefe, J.	Nelson	Renneke	Willet
Doty	Keefe, S.	North	Schaaf	

Mr. Brown 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. Olson, A. G. moved that H. F. No. 1674 and the Conference Committee report thereon be taken from the table. The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1674

A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a

four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

May 17, 1975

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. 1674 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert:

*“Article I*

Section 1. [290A.01] *Sections 1 to 21 may be cited as the “State of Minnesota Income-Adjusted Homestead Credit Act.”*

Sec. 2. [290A.02] [PURPOSE.] *The purpose of sections 1 to*

21 is to provide property tax relief to certain persons who own or rent their homesteads.

Sec. 3. [290A.03] [DEFINITIONS.] Subdivision 1. [GENERALLY.] *The following words, terms, and phrases when used in sections 1 to 21 shall have the meaning ascribed to them in this section, except where the context indicates a different meaning.*

Subd. 2. [COMMISSIONER.] *“Commissioner” means the commissioner of revenue of the state of Minnesota.*

Subd. 3. [INCOME.] *“Income” means the sum of federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, 1974, additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(2), (a)(3), (a)(4), (a)(8), and (a)(10), and all nontaxable income, including but not limited to the amount of recognized net long term capital gains excluded from adjusted gross income, cash public assistance and relief, the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions), nontaxable interest received from the state or federal government or any instrumentality thereof, workmen’s compensation, unemployment benefits, nontaxable strike benefits, and the gross amount of “loss of time” insurance. In the case of an individual who files an income tax return on a fiscal year basis, the term “federal adjusted gross income” shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. “Income” does not include gifts from nongovernmental sources, surplus food or other relief in kind supplied by a governmental agency, or relief granted under sections 1 to 21 or section 273.012, subdivision 2.*

Subd. 4. [HOUSEHOLD.] *“Household” means a claimant and an individual related to the claimant as husband or wife who are domiciled in the same homestead.*

Subd. 5. [HOUSEHOLD INCOME.] *“Household income” means all income received by all persons of a household in a calendar year while members of the household.*

Subd. 6. [HOMESTEAD.] *“Homestead” means the dwelling occupied by a claimant as a place of residence and so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for use of the dwelling as a home, except that this restriction shall not be applicable to agricultural land assessed as part of a homestead pursuant to section 273.13, subdivision 6. The homestead may be owned or rented and may be a part of a multi-dwelling or multi-purpose building and the land on which it is built. A mobile home, as defined in section 168.011, subdivision 8, assessed as personal property may be a dwelling for purposes of this subdivision.*

Subd. 7. [DEPENDENT.] *“Dependent” means any person who is under 18 years of age at the end of the calendar year who*

receives more than 50 percent of his support from the claimant, or who is between 18 and 21 years of age and is a full time student who receives more than 50 percent of his support from the claimant.

Subd. 8. [CLAIMANT.] "Claimant" means a person who filed a claim authorized by sections 1 to 21 and who was domiciled in this state during the calendar year for which the claim for relief was filed. In the case of a claim relating to rent constituting property taxes, the claimant shall have resided in a rented or leased unit on which ad valorem taxes are payable for not less than six months of the calendar year covered by the claim. In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. Maximum credit allowed under this computation would be at a rate of one twelfth of the maximum credit allowed pursuant to section 4 per month of residency computed to the nearest full month. When two individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final.

If a homestead is occupied by two or more unrelated renters, the rent shall be deemed to be paid equally by each, and separate claims shall be filed by each. The income of each shall be his household income for purposes of computing the amount of credit to be allowed.

Subd. 9. [DISABLED CLAIMANT.] "Disabled claimant" means any claimant who has a disability.

Subd. 10. [DISABILITY.] "Disability" means:

(a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or

(b) Blindness; and the term "blindness" means central acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

(c) An individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the state economy, regardless of whether the work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence, "work which exists

in the state economy" means work which exists in significant numbers either in the area where the individual lives or in several areas of the state.

(d) A "physical or mental impairment" is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.

**Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.]** "Rent constituting property taxes" means 20 percent of the gross rent actually paid in cash, or its equivalent, in 1975 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 1 to 21 by the claimant.

**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 a 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 1 to 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.

**Subd. 13. [PROPERTY TAXES PAYABLE.]** "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to Minnesota Statutes, Section 273.13, Subdivisions 6 and 7, but after deductions made pursuant to Minnesota Statutes, Section 273.135, in 1976 or any calendar year thereafter. For homesteads which are mobile homes as defined in Minnesota Statutes, Section 168.011, Subdivision 8, "property taxes payable" shall also include 20 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common and one or more is not a claimant or spouse of a claimant, "property taxes payable" is that part of the property taxes payable on the homestead as reflects the percentage of ownership of the claimant and spouse. Property taxes are considered payable in the year prescribed by law for payment of the taxes.

When a claimant and his spouse own their homestead part of the calendar year and rent it or a different homestead for part of the same year "property taxes payable" means only taxes payable on the homestead which was owned and occupied as such by

claimant and spouse on January 2 of the year in which the tax is payable, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead during the preceding year.

Sec. 4. [290A.04] [CREDIT ALLOWABLE.] Subdivision 1. A credit shall be allowed each claimant in the amount that property taxes payable or rent constituting property taxes exceed the percentage of the household income of the claimant specified in subdivision 2 in the year for which the taxes were levied or in the year in which the rent was paid. The maximum credit for any claimant who was disabled on June 1 or who attained the age of 65 prior to June 1 of the year following the year for which the taxes were levied or in which the rent was paid shall be \$200 above the maximum for which that claimant would otherwise be eligible according to his income.

Subd. 2. The credit shall be paid to claimants whose property taxes payable exceed the following percentages of their income, up to the designated maximum credit amounts:

For claimants earning:

\$	0 to \$2,499, 1.0 percent, up to \$475;
	2,500 to 19,999, 1.5 percent, up to \$475;
	20,000 to 22,999, 1.6 percent, up to \$475;
	23,000 to 25,999, 1.8 percent, up to \$425;
	26,000 to 30,999, 2.0 percent, up to \$375;
	31,000 to 35,999, 2.2 percent, up to \$350;
	36,000 to 40,999, 2.4 percent, up to \$325;
	41,000 to 44,999, 2.6 percent, up to \$325;
	45,000 to 52,999, 2.8 percent, up to \$325;
	53,000 to 65,999, 3.0 percent, up to \$325;
	66,000 to 81,999, 3.2 percent, up to \$325;
	82,000 to 99,999, 3.5 percent, up to \$325;
	100,000 and over, 4.0 percent, up to \$325;

provided that maximum credits for incomes above \$20,000 decline according to the following schedule:

between \$20,000 and \$26,000 decline \$16.67 per \$1,000; between \$26,000 and \$36,000 decline \$5 per \$1,000.

The credit shall be the amount calculated pursuant to this subdivision, less the homestead credit given pursuant to Minnesota Statutes, Section 273.13, Subdivisions 6 and 7.

Subd. 3. The commissioner of revenue shall construct and make available to taxpayers a comprehensive table showing the property taxes to be paid and credit allowed at various levels of income and

assessment. The table shall follow the schedule of income percentages and maximums specified in subdivision 2, except that the commissioner may graduate the transition between income brackets.

Sec. 5. [290A.05] [COMBINED HOUSEHOLD INCOME.] *If a person occupies a homestead with another person or persons not related to the person as husband and wife, excluding dependent children, roomers or boarders on contract, and has property tax payable with respect to the homestead, the household income of the claimant or claimants for the purpose of computing the credit allowed by section 4 shall include the total income received by the other persons residing in the homestead. If a person occupies a homestead with another person or persons not related as husband and wife or as dependent children, the property tax payable or rent constituting property tax shall be reduced as follows:*

*If the other person or persons are residing at the homestead under rental or lease agreement, the amount of property tax payable or rent constituting property tax shall be that portion not covered by the rental agreement.*

Sec. 6. [290A.06] [FILING TIME LIMIT, LATE FILING.] *Any claim for property taxes payable shall be filed with the department of revenue on or before August 31 of the year in which the property taxes are due and payable, except that for homesteads which are mobile homes the claim shall be filed on or before October 31 of the year in which the property taxes are due and payable. The commissioner may extend the time for filing these claims for a period not to exceed six months in the case of sickness, absence, or other disability, or when in his judgment other good cause exists.*

*A claim filed after the original or extended due date shall be allowed, but the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is filed two years after the original due date for filing the claim.*

Sec. 7. [290A.07] [TIME FOR PAYMENT.] *Subdivision 1. Allowable claims filed pursuant to the provisions of this article shall be paid by the commissioner from the general fund.*

*Subd. 2. A claimant who is a renter or who had attained the age of 65 or had been disabled prior to June 1 of the year following the year for which the taxes were levied or in which the rent was paid shall receive full payment no later than 60 days after receipt of the application or may elect to take as a credit against his income tax the full amount.*

*Subd. 3. Any claimant not included in subdivision 2 shall receive full payment after September 30 and prior to October 15.*

*Subd. 4. Claims remaining unpaid 60 days after the dates provided in subdivisions 2 and 3, shall have interest added at six percent per annum from the later date until the date the claim is paid.*

Sec. 8. [290A.08] [ONE CLAIMANT PER HOUSEHOLD.] *Only one claimant per household per year is entitled to relief under sections 1 to 21.*

Sec. 9. [290.09] [PROOF OF CLAIM.] *Every claimant shall supply to the department of revenue, in support of his claim, proof of eligibility under sections 1 to 21, including but not limited to amount of rent paid or property taxes accrued, name and address of owner or managing agent of property rented, changes in homestead, household membership, household income, size and nature of property claimed as a homestead.*

*Disabled persons filing claims shall submit proof of disability in the form and manner as the department may prescribe. The department may require examination and certification by the claimant's physician or by a physician designated by the department. The cost of any examination shall be borne by the claimant, unless the examination proves the disability, in which case the cost of the examination shall be borne by the department.*

*A determination of disability of a claimant by the social security administration under Title II or Title XVI of the Social Security Act shall constitute presumptive proof of disability.*

Sec. 10. [290A.10] [PROOF OF TAXES PAID.] *Every claimant who files a claim for relief for property taxes payable shall include with his claim a property tax statement indicating that there are no delinquent property taxes on the homestead. Indication on the property tax statement from the county treasurer that there are no delinquent taxes on the homestead shall be sufficient proof.*

Sec. 11. [290A.11] [OBJECTIONS TO CLAIMS.] *Subdivision 1. [AUDIT OF CLAIM.] When on the audit of any claim filed under sections 1 to 21 the department determines the amount thereof to have been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final unless appealed to the Minnesota tax court within 30 days of notice thereof.*

*Subd. 2. [FRAUDULENT CLAIM.] In any case in which it is determined that the claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full. If the claim has been paid, the amount disallowed shall be recovered by assessment and collection in the manner provided in chapter 290 for collection of income tax. The assessment shall bear interest from the date the claim is paid by the state until the date of repayment by the claimant, at the rate of six percent per annum. The claimant, and any person who assisted in the preparation of filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, is guilty of a misdemeanor.*

*Subd. 3. [EXCESSIVE OR NEGLIGENT CLAIM.] If it is determined that a claim is excessive and was negligently prepared, ten percent of the corrected claim shall be disallowed. If the claim*

*has been paid, the amount erroneously paid out plus penalty shall be recovered as provided in subdivision 2.*

*Subd. 4. [INTEREST.] Amounts to be repaid to the state shall bear interest at six percent per annum from the date the state paid the claim until the date of repayment by the claimant.*

*Sec. 12. [290A.12] [APPEAL.] Any person aggrieved by the denial, in whole or in part, of relief claimed under this article, except when the denial is based upon late filing of a claim for relief, may appeal the denial to the Minnesota tax court by filing a petition with the tax court within 30 days after the denial, as provided in chapter 271.*

*Sec. 13. [290A.13] [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 1 to 21 shall be allowed if the commissioner determines that the claimant received title or tenancy to his homestead primarily for the purpose of receiving benefits under sections 1 to 21 and not for bona fide residence purposes.*

*Sec. 14. [290A.14] [PROPERTY TAX STATEMENT.] The county treasurer shall prepare and send a sufficient number of copies of the property tax statement to the owner, and to his escrow agent if the taxes are paid via an escrow account, to enable him to comply with the filing requirements of this article and to retain one copy for his records. The property tax statement, in a form prescribed by the commissioner, shall indicate the manner in which the claimant may claim relief from the state, the amount of delinquent property taxes on the property in the preceding year, and the amount of the tax for which the applicant may claim relief.*

*Sec. 15. [290A.15] [CLAIM APPLIED AGAINST OUTSTANDING LIABILITY.] The amount of any claim otherwise payable under sections 1 to 21 may be applied by the commissioner against any delinquent tax liability of the claimant or spouse of the claimant payable to the department of revenue.*

*Sec. 16. [290A.16] [INCOME TAX DEDUCTION PROHIBITED.] Notwithstanding section 290.09, subdivision 4, the income tax deduction for property taxes paid shall not exceed the amount paid, reduced by the amount of credit allowed with respect to the tax pursuant to sections 1 to 21.*

*Sec. 17. [290A.17] [PUBLICITY OF CLAIMS.] It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known any particulars disclosed in any claim filed pursuant to sections 1 to 21. The provisions of section 290.61 relating to the confidential nature of income tax returns shall also be applicable to claims thus filed.*

*Nothing herein shall be construed to prohibit the commissioner from making public the information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems*

*necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 1 to 21, notwithstanding section 290.61.*

Sec. 18. [290A.18] [RIGHT TO FILE CLAIM.] *If a claimant entitled to relief under sections 1 to 21 dies prior to receiving relief, the surviving spouse or dependent child of the claimant shall be entitled to receive it. If there is no surviving spouse or dependent child, the right to the credit shall lapse.*

Sec. 19. [290A.19] [LANDLORD TO FURNISH RENT CERTIFICATE.] *The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each renter in the form prescribed by the commissioner. The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.*

Sec. 20. [290A.20] [RULES AND REGULATIONS.] *The commissioner shall promulgate rules and regulations which he deems appropriate for the administration of sections 1 to 21. He shall also make available forms with instructions for claimants as he deems necessary for the proper administration of sections 1 to 21. The claim shall be in the form the commissioner may prescribe.*

Sec. 21. [290A.21] [EXCLUSIVE RELIEF.] *Sections 290.981 to 290.992 and sections 290.0601 to 290.0616 and section 290.0618 shall not be effective with respect to any rent paid after December 31, 1974 or property taxes payable after December 31, 1975.*

Sec. 22. Minnesota Statutes 1974, Section 273.011, Subdivision 5, is amended to read:

Subd. 5. [CURRENT TAX.] *The term "current tax" means the ad valorem tax legally due and payable on "qualified property" in the year following the year of assessment, reduced by the amount of credit granted with respect to the tax pursuant to sections 1 to 21.*

Sec. 23. Minnesota Statutes 1974, Section 273.012, Subdivision 2, is amended to read:

Subd. 2. *Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax times the percentage specified in subdivision 3 as hereinafter provided under chapter 290. In the event that a "qualified home owner" entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.*

Sec. 24. Minnesota Statutes 1974, Section 273.012, is amended by adding a subdivision to read:

*Subd. 3. The percentage of the excess of current tax over the base tax allowed as a credit shall be 100 percent for incomes up to and including \$10,000 and shall decline 5 percentage points for each additional \$500 of income or portion thereof over \$10,000. "Income" means income as defined in section 3, subdivision 3.*

Sec. 25. Minnesota Statutes 1974, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by ~~35~~ 45 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than \$250 \$325 .

Sec. 26. Minnesota Statutes 1974, Section 273.011, Subdivision 6, is amended to read:

Subd. 6. [AD VALOREM TAX.] The term "ad valorem tax" means the tax on "qualified property" exclusive of all special taxes payable thereon , *reduced by the amount of credits granted with respect to the tax pursuant to Minnesota Statutes, Sections 273.13, Subdivisions 6 and 7, and 273.135 .*

Sec. 27. Minnesota Statutes 1974, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3b.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 acres *less any reduction received pursuant to section 273.135 , regardless of whether or not the market value is in excess of \$12,000 the homestead base value ,* for all purposes except the payment of principal and interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the tax; provided that the amount of said reduction shall not exceed \$325. Valuation subject to relief shall be limited to 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the ~~sum of \$12,000~~ *homestead base value ,* the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 28. Minnesota Statutes 1974, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3c, 3cc.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, *less any reduction received pursuant to section 273.135*, regardless of whether or not the market value is in excess of ~~\$12,000~~ *the homestead base value*, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of ~~\$12,000~~ *the homestead base value*, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving workmen's compensation based on a finding of total and permanent disability, or who is receiving social security disability, which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which

is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, *less any reduction received pursuant to section 273.135*, regardless of whether or not the market value is in excess of \$12,000 *the homestead base value*, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 $\frac{1}{3}$  percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 29. Minnesota Statutes 1974, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, ~~in counties over 50,000 population according to the 1960 federal census~~, cause to be printed on all tax receipts and tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than May 15; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. Such statements shall also contain the amount of any reduction in real property taxes applicable to homesteads as provided in section 273.13, subdivisions 6 and 7 *and the reductions attributable to the agricultural mill rate differential provided in section 124.03, subdivision 3*. *Such statement shall also include the base tax as defined in section 273.011, subdivision 4, for qualified property as defined in section 273.011 for which the credit provided for in section 273.012 is claimed. The statement shall show the amount attributable to section 124.03, subdivision 3 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit."* The commissioner of revenue shall provide each county auditor with the names of those persons in the assessor's district who have filed and qualified for the property tax credit pursuant to sections 273.011 and

273.012 and shall inform the assessor of the base tax of those persons. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 30. Minnesota Statutes 1974, Section 276.01, is amended to read:

276.01 [DELIVERY OF LISTS TO TREASURER.] On or before the first Monday in January in each year, the county auditor shall deliver the lists of the several districts of the county to the county treasurer, taking therefor his receipt, showing the total amount of taxes due upon the lists and showing, for qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed, the base tax, as defined in section 273.011. Where the names of taxpayers appear in the property tax lists, the county auditor shall show the addresses of such taxpayers. Such lists shall be authority for the treasurer to receive and collect taxes therein levied.

In counties in which the auditor has elected to come under the provisions of section 273.03, subdivision 2, he shall, during the year in which such lists as provided for in section 275.28, subdivision 3, are in the possession of the county treasurer, have access thereto for the purposes of changing true and full valuations and the classifications of real estate contained therein which he would have been required to change or otherwise amend in the assessment books provided for in section 273.03, subdivision 1, except for his election to discontinue the preparation of such assessment books. The county auditor shall be the official custodian of such lists after the year during which they are in the county treasurer's possession.

Sec. 31. Minnesota Statutes 1974, Section 273.012, is amended by adding a subdivision to read:

*Subd. 3. The county auditor shall determine the base tax for qualified property for which the credit provided for in this section is claimed in the manner provided by the commissioner of revenue and the county auditor shall notify the county assessor of each qualified property for which the credit provided for in this section is claimed.*

Sec. 32. Minnesota Statutes 1974, Section 273.061, is amended by adding a subdivision to read:

*Subd. 10. [ADDITIONAL SPECIFIC DUTIES.] The county assessor shall notify the county auditor when qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed loses its status as qualified property.*

## ARTICLE II

Section 1. Minnesota Statutes 1974, Section 256.01, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of

Minnesota Statutes 1967, Section 241.021, Subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance provided for by state law and ~~such~~ other welfare activities or services as may from time to time be vested in the commissioner. Nothing herein shall transfer from the veterans home board any of its present rights, powers, or duties, all of which shall continue to be exercised by said board.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children, as defined in section 250.02, in facilities other than those located and available at state hospitals when it is not feasible to provide ~~such~~ *the* service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431, including the establishment of an efficient working relationship with the director of institutions relating to the care and supervision of individuals both prior to and after departure from institutions under the supervision of said director of institutions.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules and regulations making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain ~~such~~ *any* administrative units as may reasonably be necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise ~~such~~ *any* additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as feeble-minded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) All the powers and duties vested in or imposed upon the director of public institutions with reference to the Minnesota state sanatorium are hereby transferred to, vested in, and imposed upon the commissioner of public welfare. The commissioner of public welfare shall appoint the superintendent of the Minnesota state sanatorium, but shall not have the power to fix his salary.

(10) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(11) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(12) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid by ~~county welfare boards~~ for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under ~~the medical assistance program~~ *all programs of medical care provided by the state* .

(13) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory committee and filed with the commissioner of administration.

(14) In accordance with federal requirements establish procedures to be followed by ~~county~~ local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(15) *Promulgate, by rule and regulation, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant to chapter 256B, general relief medical care pursuant to section 256D.02, subdivision 4 and medical, hospital, and surgical care for persons eligible for general assistance pursuant to chapter 256D, or for indigent persons whose costs of hospitalization are paid pursuant to sections 261.21 to 261.231 and section 12 of this article. The rules and regulations shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.*

(16) *Develop a plan and report to the legislature during its 1976 session on methods by which the payment and administration of all income maintenance programs could be assumed by the state department of public welfare.*

Sec. 2. Minnesota Statutes 1974, Section 256.98, is amended to read:

**256.98 [WRONGFULLY OBTAINING ASSISTANCE; THEFT.]** Whoever obtains, or attempts to obtain, or aids or abets any person to obtain by means of a wilfully false statement or representation, or by impersonation or other fraudulent device, assistance to which he is not entitled, or assistance greater than that to which he is entitled, or knowingly aids or abets in buying or in any way disposing of the property of a recipient of assistance without the consent of the ~~county~~ local agency with intent to defeat the purposes of Minnesota Statutes 1971, Sections 256.451 to 256.475, 256.13 to 256.43, 256.49 to 256.71, 256.72 to 256.87, or chapter 256B, shall be guilty of theft and punished in accordance

with section 609.52, subdivision 3, clauses (1), (2) and (5). The amount of any assistance paid incorrectly by way of the aforementioned means and established by judicial determination shall be recoverable from the recipient or his estate by the county or the state as a debt due the county or the state or both in proportion to the contribution of each. Any amounts recovered shall be paid to the appropriate units of government in the same manner as provided in section 256.863. To prosecute or to recover assistance wrongfully obtained under this section, the attorney general or the appropriate county attorney, acting independently or at the direction of the attorney general, may institute a criminal or civil action.

Sec. 3. Minnesota Statutes 1974, Section 256B.02, Subdivision 3, is amended to read:

Subd. 3. "County of financial responsibility" means +

(a) For an applicant who resides in this state, the county in which he last resided for one year of unexcluded time. If he does not have one year of unexcluded time, the county in which he resided for the longest period of unexcluded time.

(b) For an applicant who has not resided in this state for a full year, the county in which he has resided the longest period of unexcluded time.

(c) For an applicant who has not resided in this state for any period of unexcluded time, the county in which he the applicant resides at the time of making application.

(d) The above provisions notwithstanding, the county of financial responsibility for medical assistance shall always be the same county as that from which a recipient is receiving a maintenance grant or money payment under the aid to families with dependent children program.

Sec. 4. Minnesota Statutes 1974, Section 256B.041, Subdivision 5, is amended to read:

Subd. 5. If required by federal law or rules promulgated thereunder, or by authorized regulation of the state agency, each county shall pay to the state treasurer the portion of medical assistance paid by the state for which it is responsible. The county's share of cost shall be 50 ten percent of that portion not met by federal funds.

Sec. 5. Minnesota Statutes 1974, Section 256B.07, is amended to read:

256B.07 [EXCEPTIONS IN DETERMINING RESOURCES.]  
A county local agency may, within the scope of regulations set by the commissioner of public welfare, waive the requirement of liquidation of excess assets when the liquidation would cause undue hardship. Household goods and furniture in use in the home, wearing apparel, insurance policies with cash surrender

value not in excess of \$1,000 per insured person, personal property used as a regular abode by the applicant or recipient, and a lot in a burial plot shall not be considered as resources available to meet medical needs.

Sec. 6. Minnesota Statutes 1974, Section 256B.12, is amended to read:

256B.12 [LEGAL REPRESENTATION.] The attorney general or the appropriate county attorney appearing at the direction of the attorney general shall be the attorney for the state agency, and the county attorney of each the appropriate county shall be the attorney for the county local agency of such county in all matters pertaining hereto.

Sec. 7. Minnesota Statutes 1974, Section 256B.19, Subdivision 1, is amended to read:

256B.19 [DIVISION OF COST.] Subdivision 1. The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. *Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be shared equally paid by the state and county; except that where the recipient is a child who has been surrendered for adoption pursuant to section 250.25, or has been committed to the guardianship of a licensed child placing agency pursuant to section 260.241, and a bona fide dispute regarding the county of residence of the child exists, the commissioner of public welfare, pursuant to rules and regulations adopted by him, may pay the entire expense of assistance not paid by federal funds from state funds. The director of the child placing agency or his appointed agent shall be designated as the applicant for medical assistance benefits on behalf of the child and ten percent shall be paid by the county of financial responsibility.*

Sec. 8. Minnesota Statutes 1974, Section 256D.03, is amended by adding a subdivision to read:

*Subd. 3. State aid shall be paid to local agencies or counties for 90 percent of the cost of general relief medical care paid by the local agency or county pursuant to section 256D.02, subdivision 4 on behalf of persons eligible according to standards established by the commissioner of welfare in accordance with the rates established by rule of the commissioner. The local agency or county may select the vendor for the delivery of the medical care. Any local agency or county may, from its own resources, make payments for medical care for persons not otherwise eligible for the care pursuant to standards established by the commissioner.*

*The commissioner of public welfare shall promulgate rules and regulations to establish administrative and fiscal procedures for*

payment of the state share of the medical costs incurred by the counties under section 256D.02, subdivision 4. The rules and regulations may include:

(a) procedures by which state liability for the costs of medical care incurred pursuant to section 256D.02, subdivision 4 may be deducted from county liability to the state under any other public assistance program authorized by law;

(b) procedures for processing claims of counties for reimbursement by the state for expenditures for medical care made by the counties pursuant to section 256D.02, subdivision 4;

(c) procedures by which the local agencies may contract with the commissioner of public welfare for state administration of general relief medical payments; and

(d) standards of eligibility and utilization of services.

Sec. 9. Minnesota Statutes 1974, Section 261.21, is amended to read:

261.21 [HOSPITALIZATION FOR INDIGENT PERSONS.]  
*Subdivision 1.* The county board of any county in this state is hereby authorized to provide for the hospitalization in hospitals within the county or elsewhere of indigent residents of such county who are afflicted with a malady, injury, deformity, or ailment of a nature which can probably be remedied by hospitalization and who are unable financially to secure and pay for such hospitalization or, in the case of an unemancipated minor, whose parent, guardian, trustee, or other person having lawful custody of his person, as the case may be, is unable to secure or provide such hospitalization.

*Subd. 2.* The county board may select the hospital at which the indigent person shall receive care.

Sec. 10. Minnesota Statutes 1974, Section 261.22, Subdivision 2, is amended to read:

*Subd. 2.* [DUTIES OF COUNTY BOARD.] If upon filing of such report and a full investigation of the application the county board shall be satisfied that the case is one which could be remedied by hospital treatment and that such afflicted person is financially unable to secure or provide the same for himself and that the persons legally charged with the support and maintenance of such person, if any there be, are financially unable to provide such hospitalization, the county board may grant or approve said application. If the county board is not so satisfied, it may take additional testimony or make such further investigation as it shall deem proper and it shall reject any application if it finds that the facts do not merit the expenditure of public money for the relief of such afflicted person. Upon the approving and granting such application and the relief therein prayed for, the chairman of such county board shall arrange for the hospitalization of such afflicted person, in a hospital selected by the county. If the county board shall find that the applicant or the person legally responsible for his support and maintenance is not

able to pay in full but is able to pay in part for such hospitalization at such hospital, the county board may approve such application of such afflicted person on such terms of division of hospital charges and costs as it may deem equitable and just. The county board shall provide for taking such afflicted person to the hospital. When a physician certifies that an emergency exists in any case and that he believes that the person suffering is unable to pay for hospitalization such person shall be admitted to any such hospital upon the order of the chairman of the county board or upon the order of the county commissioner of the district in which such alleged indigent person resides; and thereafter an investigation shall be made in the manner hereinbefore provided. When a physician certifies in a case of an injury (or an emergency) that immediate surgical or medical treatment is necessary, the patient shall forthwith be admitted to any such hospital upon said certificate for a period not to exceed 72 hours; and thereafter an investigation shall be certified and made in the manner provided in sections 261.21 to 261.23.

Sec. 11. Minnesota Statutes 1974, Section 261.23, is amended to read:

261.23 [COSTS OF HOSPITALIZATION.] The costs of hospitalization of such indigent persons exclusive of medical and surgical care and treatment shall not exceed in amount the full rates fixed and charged by the Minnesota general hospital under the provisions of sections 158.01 to 158.11 for the hospitalization of such indigent patients. *Ninety percent of the cost of the hospitalization of indigent persons under the provisions of sections 261.21 to ~~261.23~~ 261.231 and section 12 of this article shall be paid by the state and ten percent of the cost of hospitalization shall be paid by the county of the residence of such indigent persons at such times as may be provided for in such contract; and in case of an injury or emergency requiring immediate surgical or medical treatment, for a period not to exceed 72 hours, 90 percent of the cost shall be paid by the state and ten percent of the cost shall be paid by the county from which such patient, if indigent, is certified. If the county of residence of the patient is not the county in which the patient has legal settlement for the purposes of poor relief, then the county of residence may seek reimbursement from the county in which the patient has settlement for the purposes of poor relief for all costs it has necessarily incurred and paid in connection with the hospitalization of said patient.*

Sec. 12. Minnesota Statutes 1974, Chapter 261, is amended by adding a section to read:

[261.232] [DUTIES OF THE COMMISSIONER OF PUBLIC WELFARE.] *The commissioner of public welfare shall promulgate rules and regulations to establish administrative and fiscal procedures for payment of the state share of the costs incurred by the counties under Minnesota Statutes, Sections 261.21 to 261.231. The rules and regulations may include:*

*(a) procedures by which state liability for the costs of hospitalization of indigent persons may be deducted from county*

liability to the state under any other public assistance program authorized by law;

(b) procedures for processing claims of counties for reimbursement by the state for expenditures made by the counties for the hospitalization of indigent persons; and

(c) standards for eligibility and utilization of medical care.

Sec. 13. [APPROPRIATION.] *There is annually appropriated from the general fund in the state treasury to the commissioner of public welfare, a sum sufficient to discharge the duties imposed by this article.*

Sec. 14. [EFFECTIVE DATE.] *This article shall be effective January 1, 1976.*

### ARTICLE III

Section 1. Minnesota Statutes 1974, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. ~~Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington,~~ The state shall distribute \$35 \$42 for each person residing in the territory comprising each county for the calendar year 1974 1976 and \$36 for the calendar year 1975 \$45 for calendar year 1977 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory. *For the purposes of subdivisions 1, 3, 4, 4a and 4b, the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington shall be considered a single county.*

Sec. 2. Minnesota Statutes 1974, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. ~~The Every county government except that of a county containing a city of the first class shall receive 85 percent of the same percentage of the distributions pursuant to subdivision 1, that a distribution equal to the distribution it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory 1975 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation 1974, Section 477A.01 .~~

Sec. 3. Minnesota Statutes 1974, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities and towns, shall receive in 1974 and 1975 1976 and 1977 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1974, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions in 1974 1976 pur-

suant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1973 bears to the total dollar amount of the levy limitations and special levies of all the cities and towns for taxes payable in 1973.

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities and towns for taxes payable in 1974.

For the purposes of this subdivision, the levy limitation of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to sections 275.50 to 275.56, as determined by the department of revenue. For the purposes of this subdivision, the special levies of a city or town with statutory city powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of revenue determines to be qualified special levies pursuant to section 275.50, subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (e). Furthermore, cities and towns with statutory city powers under 500 population, according to the latest state or federal census, and towns without statutory city powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively in the proportion that the product of the city or town's 1970 federal census population; times the sum of its average city or town mill rate for the three immediately preceding years divided by three; times its city or town 1974 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.

*The balance of the distributions in 1977 pursuant to subdivision 1 shall be divided among the several cities and towns in the county's territory in the proportion that the product of the city or town's 1970 federal census population; times the sum of its average city or town mill rate for the three immediately preceding years divided by three; times its city or town 1975 aggregate sales ratio as determined by the commissioner of revenue bears to the sum of the product of that calculation for all cities and towns in the territory.*

Sec. 5. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

*Subd. 4a. If the amount distributed to a city or town pursuant to subdivision 4 is less than the aids the city or town received in 1975, before corrections for prior year aid payments, pursuant to Minnesota Statutes 1974, Section 477A.01, the amount distributed to it shall be raised to the amount the city or town received in*

1975, before corrections for prior year aid payments, and the distributions to the other cities and towns within the county's territory shall be proportionately reduced as necessary to supply the difference.

Sec. 6. Minnesota Statutes 1974, Section 477A.01, is amended by adding a subdivision to read:

*Subd. 4b. The commissioner of revenue shall make all necessary calculations and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in 1976 and 1977.*

Sec. 7. [APPROPRIATION.] *A sum sufficient to discharge the duties imposed by this article is annually appropriated from the general fund to the commissioner of revenue.*

Sec. 8. Minnesota Statutes 1974, Section 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17 are repealed effective January 1, 1976.

#### ARTICLE IV

Section 1. Minnesota Statutes 1974, Section 275.50, Subdivision 5, is amended to read:

*Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1975 payable in 1976 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:*

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the ~~1971~~

1975 legislature or a prior or subsequent year's legislature which specifically and directly requires a new or altered activity after levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 , but only to the extent of the increased cost for such activity after levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 ;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year ~~1970~~ 1974 , taxes payable in ~~1971~~ 1975 ;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The emergency services division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding

the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1971 or a subsequent levy year, but only to

the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15. *Special levies authorized by the commission shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the commission's order ;*

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development ;

*(u) recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48.*

Sec. 2. Minnesota Statutes 1974, Section 275.51, Subdivision 1, is amended to read:

275.51 [LEVY LIMITS.] Subdivision 1. Notwithstanding any provisions of law or municipal charter to the contrary which authorized ad valorem levies in excess of the limitations established by sections 275.50 to 275.56, but subject to section 275.56, the provisions of this section shall apply to the levies by governmental subdivisions in the years ~~1971, 1972~~ 1975, 1976 and subsequent years for all purposes other than those for which special levies and special assessments are made.

Sec. 3. Minnesota Statutes 1974, Section 275.51, is amended by adding a subdivision to read:

*Subd. 3b. The property tax levy limitation for governmental subdivisions in 1975 payable in 1976 shall be calculated as follows:*

*(a) The sum of (1) the property tax permitted to be levied in 1974 payable in 1975 computed pursuant to Minnesota Statutes 1974, Section 275.51, Subdivisions 3 or 3a plus (2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1975 pursuant to sections 477A.01, 298.26, 298.282, 298.28, subdivisions 1 and 1a, 298.281, subdivision 1, 298.32 and 294.26, plus (3) the amount levied in 1974 payable in 1975 pursuant to Minnesota Statutes 1974, Section 275.50, Subdivision 5, Clauses (c) and (d) plus (4) the amount of any increase authorized pursuant to section 6 plus (5) the amount of any increase allowed pursuant to Laws 1974, Chapter 490.*

*(b) The sum derived in clause (a) shall be divided by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1974.*

*(c) The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for taxes levied in 1975 payable in 1976.*

*(d) The levy limit base per capita for 1975 payable 1976 shall be multiplied by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1975. This is the levy limit base for 1975 payable in 1976.*

*In cities and townships the levy limit base shall be reduced by 82.5 percent of the amount of state formula aids to be paid in 1976 pursuant to Minnesota Statutes, Section 477A.01, and the taconite aids to be paid in 1976 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivision 1, 298.282, and 298.32 and article XI of this act. In the case of counties the levy limit base shall be reduced by the total amount of state formula aids to be paid in 1976 pursuant to Minnesota Statutes, Section 477A.01 and the taconite aids to be paid in 1976 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivisions 1 and 1a, 298.281, Subdivision 1, and 298.32 and article XI of this act. The resulting figure is the amount of property taxes which a governmental subdivision may levy in 1975 payable in 1976 for all purposes other than those for which special levies and special assessments are made.*

Sec. 4. Minnesota Statutes 1974, Section 275.51, is amended by adding a subdivision to read:

*Subd. 3c. The property tax levy limitation for governmental subdivisions in 1976 payable in 1977 shall be calculated as follows:*

*(a) In cities and townships, the sum of the levy limit base computed pursuant to subdivision 3b plus 17.5 percent of the local government aids received in calendar year 1976 pursuant to Minnesota Statutes, Section 477A.01 plus any increases authorized by section 6 shall be determined. This sum shall be divided by the population of the city or township as determined in accordance with section 275.53 for calendar year 1975. The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for the city or town for taxes levied in 1976 payable in 1977.*

*(b) In the case of counties, the levy limit base computed pursuant to subdivision 3b plus any increase pursuant to section 6 plus any increase allowed pursuant to Laws 1974, Chapter 490 shall be divided by the population of the county for calendar year 1976 as determined pursuant to section 275.53. The resultant quotient shall be increased pursuant to section 275.52, subdivision 2 to derive the levy limit base per capita for the county for taxes levied in 1976 payable in 1977.*

*(c) In all governmental subdivisions the levy limit base per capita for 1976 payable 1977 shall be multiplied by the population of the governmental subdivision as determined pursuant to section 275.53 for calendar year 1976. This is the levy limit base for 1976 taxes payable in 1977.*

*The levy limit base shall be reduced by the full amount of state formula aids to be paid in 1977 pursuant to Minnesota Statutes, Section 477A.01, and taconite aids to be paid in 1977 pursuant to Minnesota Statutes, Sections 294.26, 298.26, 298.28, Subdivisions 1 and 1a, 298.281, Subdivision 1, 298.282, and 298.32 and article XI of this act. The resulting figure is the amount of property taxes which a governmental subdivision may levy in 1976 payable in 1977 for all purposes other than those for which special levies and special assessments are made.*

Sec. 5. Minnesota Statutes 1974, Section 275.51, Subdivision 4, is amended to read:

**Subd. 4. If in 1971 the levy made by any governmental subdivision exceeds the limitation provided in this section, except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28, subsequent distributions of formula aids pursuant to sections 298.282 and 477A.01, as amended, shall be reduced 10 cents for each full dollar that the levy exceeds the limitation imposed by this section. If in any year subsequent to 1971 1973 the levy made by a governmental subdivision exceeds the limitation provided in sections 275.50 to 275.56, except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28, subsequent distributions required to be made by the commissioner of finance from any formula aids pursuant to sections 298.282 and 477A.01, as amended Minnesota Statutes, Section 477A.01, shall be reduced 33 cents for each full**

dollar the levy exceeds the limitation; provided that a governmental subdivision may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed five percent by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. Thereafter the resolution shall be published for two successive weeks in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative, adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution authorizing a levy in excess of the limitation imposed by sections 275.50 to 275.56 shall be published in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein. If within 30 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue is directed to prepare a suggested form of question to be presented at any such referendum. A levy approved at any such referendum held at a special or general election held prior to October 1 in any levy year increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years, and there shall be no reduction in distributions of formula aids to the governmental subdivision as a result of such levy. If no referendum is requested, the excess levy authorized by the resolution, if the resolution is adopted prior to October 1 in any year, may be levied in that same levy year and subsequent distributions required to be made by the commissioner of finance from any formula aids pursuant to *Extra Session Laws 1971, Chapter 31 Minnesota Statutes, Section 477A.01*, shall be reduced 15 cents for each full dollar the levy exceeds the limitation. A levy made in 1971 prior to the effective date of *Extra Session Laws 1971, Chapter 31* shall be reviewed and may be modified by the appropriate authority of the governmental subdivision for the purpose of reducing such levy to conform to the limitations imposed by this section. Any reduction in such levy made prior to December 15, 1971, shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy. The provisions of this subdivision shall apply to the levy of a metropolitan county before the reduction required pursuant to section 163.051, subdivision 5.

Sec. 6. Minnesota Statutes 1974, Section 275.52, is amended by adding a subdivision to read:

*Subd. 4. For taxes levied in 1975 payable in 1976 and subsequent years the levy limit base of a governmental subdivision may be increased upon approval by the levy limit review board established in section 275.551, for the following reasons:*

*(a) Any governmental subdivision which spent money from its surplus funds for nonspecial levy purposes in calendar year 1971 may have its levy limit base increased by an amount not to exceed the amount of revenue it used from surplus funds for nonspecial levy purposes in calendar year 1971.*

*(b) Any governmental subdivision which has been required to provide new services because of changes in state law, whether or not the changed law directly mandates new services, may have its levy limit base increased by an amount not to exceed the amount required to finance the services, provided that the services may not be financed by special levies or special assessments.*

*(c) Any governmental subdivision which has been required to provide new or expanded services because of annexations, consolidations, mergers or new incorporations since 1971 may have its levy limit base increased by an amount not to exceed the amount required to finance the general operating costs involved in such services.*

*Any governmental subdivision which desires to have its levy limit base adjusted under the provisions of this subdivision shall apply to the commissioner of revenue, who shall submit all applications to the levy limit review board established in section 275.551. Applications shall be in the form and accompanied by the data required by the levy limit review board. Adjustments authorized by the levy limit review board shall become a permanent part of the levy limit base for the governmental subdivision. The levy limit review board may authorize only one levy limit base adjustment for any governmental subdivision under this subdivision.*

Sec. 7. Minnesota Statutes 1974, Section 275.53, Subdivision 3, is amended to read:

*Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a governmental subdivision may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution shall describe with specificity the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56. The resolution shall be in the form and accompanied by the data required by the state planning agency.*

*(b) The resolution shall then be submitted to the state planning agency. The agency shall determine, and so inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria and process described therein do or do not provide a reasonable basis for the population estimate. No determination by the agency made pursuant to this subdivision shall constitute, nor*

shall it be represented as constituting a determination of actual population. The estimate prepared by the subdivision shall be reviewed by the state planning agency with reference to county population estimates prepared by the state demographer. The state demographer's county population estimates will be used as a county control.

(c) If the agency determines that the criteria and process used by the subdivision do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the agency determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by the metropolitan council or the state demographer. The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken or for which the metropolitan council has made a population estimate of the subdivision.

Sec. 8. Minnesota Statutes 1974, Section 275.59, is amended to read:

275.59 [GOVERNMENTAL SUBDIVISIONS UNDER 2,500 POPULATION; EXEMPTION FROM LEVY LIMITS.] Commencing with levy year ~~1973~~ 1975 and thereafter, taxes payable in ~~1974~~ 1976 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, statutory city or town with statutory city powers whose population according to the latest state or federal census is under ~~500~~ 2,500.

Sec. 9. Minnesota Statutes 1974, Section 273.138, Subdivision 6, is amended to read:

Subd. 6. If a county government, city or township is subject to the provisions of sections 275.50 to 275.56, the amount of aid calculated for such taxing district pursuant to subdivision 2 for ~~1974 or a subsequent year~~ 1976 shall be deducted from the taxing district's ~~current levy year's~~ *levy year 1975, taxes payable 1976* levy limit base determined pursuant to ~~section 275.51, subdivision 3 in determining section 3 and the amount of aid calculated for such taxing district pursuant to subdivision 2 for 1977 shall be deducted from the taxing district's~~ *levy year 1976, taxes payable 1977* levy limit base determined pursuant to section 4 for the purpose of calculating the taxing district's levy limitation for taxes payable in ~~1974 or such subsequent year~~ 1976 or 1977 as the case may be. The amount of aid calculated for a school district pursuant to subdivision 3, clauses (2), (3), (4), (5) and (6) for 1975 or a subsequent year shall be deducted from the school district's maintenance levy limitation established pursuant to section 275.125, subdivision 2a, in determining the amount of taxes the school district may levy for general and special purposes for taxes payable in 1975 or a subsequent year.

Sec. 10. [REPEALER.] *Minnesota Statutes 1974, Section 275.51, Subdivisions 3 and 3a, are repealed.*

#### ARTICLE V

Section 1. *Minnesota Statutes 1974, Section 290.09, Subdivision 29, is amended to read:*

Subd. 29. [DEDUCTIONS ATTRIBUTABLE TO FARMING.] (a) [DEFINITION.] For purposes of ~~Laws 1973, Chapter 737 this subdivision~~, income and gains and expenses and losses shall be considered as "arising from a farm" if such items are received or incurred in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, and all operations incident thereto, including but not limited to the common use of "hedging".

(b) [DEDUCTIONS LIMITED.] Except as provided in ~~Laws 1973, Chapter 737 this subdivision~~, expenses and losses, except for interest and taxes, arising from a farm shall not be allowed as deductions in excess of income and gains arising from a farm.

(c) [DEDUCTIONS ALLOWED; CARRYOVER DEDUCTIONS.] *For taxable years beginning on or after January 1, 1974, expenses and losses arising from a farm or farms shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of \$10,000 reduced by the amount by which such non-farm income exceeds the amount of \$10,000. Any remaining balance of such deductions shall be carried back three years and carried forward five years, in chronological order first \$15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any*

*case where non-farm income exceeds \$15,000, the maximum allowable amount of \$15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of \$15,000. Any remaining balance of the deductions shall be carried back three years and carried forward five years, in chronological order .*

Current expenses and losses shall be utilized as deductions in any taxable year, to the extent herein allowable, prior to the application of any carryback or carryover deductions. In any event, the combined amounts of such current expenses and losses and carryback or carryover deductions shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the amount of non-farm gross income, or taxable net income in the case of a corporation, not to exceed the amount of \$10,000 reduced by the amount by which such non-farm income exceeds the amount of \$10,000 first \$15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any case where non-farm income exceeds \$15,000, the maximum allowable amount of \$15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of \$15,000 .

(d) For purposes of Laws 1973, Chapter 737 this subdivision, individual shareholders of an electing small business corporation shall be considered separate entities.

(e) [SPECIAL PERIOD OF LIMITATION WITH RESPECT TO FARM LOSS LIMITATION CARRYBACKS.] *For the purposes of sections 290.46 and 290.50, if the claim for refund relates to an overpayment attributable to a farm loss limitation carryback under this subdivision, in lieu of the period of limitation prescribed in sections 290.46 and 290.50, the period of limitation shall be that period which ends with the expiration of the 15th day of the 46th month (or the 45th month, in the case of a corporation) following the end of the taxable year of the farm loss which results in the carryback. No deduction or refund shall be allowed on 1974 returns for farm losses which have been previously carried back to earlier years and for which a tax refund or reduction has been allowed.*

(f) [INTEREST ON CLAIMS.] *In any case in which a taxpayer is entitled to a refund in a carryback year due to the carryback of a farm loss, interest shall be computed only from the end of the taxable year in which the loss occurs.*

Sec. 2. [EFFECTIVE DATE.] *The provisions of this article shall be applicable to taxable years beginning on or after January 1, 1974.*

## ARTICLE VI

Section 1. [EXEMPTION FOR FEDERAL INCOME TAX REBATE.] *All amounts received by individual taxpayers pursuant to Title I of Public Law 94-12 of the Tax Reduction Act of 1975, shall be exempt from taxation as income as provided by Minnesota Statutes, Chapter 290.*

## ARTICLE VII

Section 1. Laws 1973, Chapter 601, Section 1, Subdivision 2, is amended to read:

Subd. 2. [INCOME TAX AND SALES TAXES.] The commission shall examine ~~the individual and corporate income tax and sales taxes as they relate to real estate taxes~~ with the purpose of determining more equitable individual and corporate tax burdens.

Sec. 2. Laws 1973, Chapter 601, Section 1, Subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION.] There is hereby appropriated for the biennium ending June 30, ~~1975 1977~~, from the general fund the sum of ~~150,000~~ \$200,000 to pay the expenses incurred by the commission. The amount appropriated by this subdivision is in addition to such sums of money which may be heretofore appropriated to the "Tax Study Commission."

## ARTICLE VIII

Section 1. Minnesota Statutes 1974, Section 270.16, is amended to read:

270.16 [PROPERTY OMITTED OR UNDERVALUED; REASSESSMENT.] *Subdivision 1.* When it shall be made to appear to the commissioner of revenue, by complaint or by the finding of a court or of the legislature, or either body of the legislature, or any committee of the legislature, or any city council or county board, that any considerable amount of property has been improperly omitted from the tax list or assessment roll of any district or county for any year, or, if assessed, that the same has been undervalued or overvalued, as compared with like property in the same county or in the state so that the assessment for such year in such district or county is grossly unfair and inequitable, whether or not the same has been equalized by the county board of equalization or the commissioner of revenue, the commissioner of revenue shall examine into the facts in the matter and, if satisfied therefrom that it would be for the best interests of the state that a reassessment of such property be made, he shall appoint a special assessor and such deputy assessors as may be necessary and cause a reassessment to be made of all or any of the real and personal property, or either, in any such district or county as he may deem best, to the end that all property in such district or county shall be assessed equitably as compared with like property in such district or county.

*Subd. 2.* When an assessor has failed to appraise or has improperly appraised at least one quarter of the parcels of property in a district or county for two consecutive years, the commissioner of revenue shall appoint a special assessor and deputy assessor as necessary and cause a reappraisal to be made of the property due for reassessment pursuant to that section.

Sec. 2. Minnesota Statutes 1974, Section 273.01, is amended to read:

273.01 [LISTING AND ASSESSMENT, TIME.] All real prop-

erty subject to taxation shall be listed and assessed every odd-numbered at least one fourth of the parcels listed shall be appraised each year with reference to its value on January 2 preceding the assessment ; and so that each parcel shall be reappraised at maximum intervals of four years. All real property becoming taxable in any intervening year shall be listed and assessed with reference to its value on January 2 of that year. Except for the corrections permitted herein, all real property assessments shall be completed two weeks prior to the date scheduled for the local board of review or equalization and no valuations entered thereafter shall be of any force and effect. In the event a valuation and classification is not placed on any real property by the dates scheduled for the local board of review or equalization the valuation and classification determined in the preceding assessment shall be continued in effect and the provisions of section 273.13 shall, in such case, not be applicable, except with respect to real estate which has been constructed since the previous assessment. The county assessor or any assessor in any city of the first class may either before or after the dates specified herein correct any errors in valuation of any parcels of property, that may have been incurred in the assessment; provided, that in the case of such correction it increases the valuation of any parcel of property, the assessor shall notify the owner of record or the person to whom the tax statement is mailed. Not more than two percent of the total number of parcels in his jurisdiction may be corrected after the dates specified herein and in the event of any corrections in excess of the authorized number of such corrections, all corrections shall be void. Real property containing iron ore, the fee to which is owned by the state of Minnesota, shall, if leased by the state after January 2 in any year, be subject to assessment for that year on the value of any iron ore removed under said lease prior to January 2 of the following year. Personal property subject to taxation shall be listed and assessed annually with reference to its value on January 2; and, if acquired on that day, shall be listed by or for the person acquiring it.

Sec. 3. Minnesota Statutes 1974, Section 273.03, Subdivision 1, is amended to read:

273.03 [REAL ESTATE; ASSESSMENT; METHOD.] Subdivision 1. The county auditor shall annually provide the necessary assessment books and blanks at the expense of the county, for and to correspond with each assessment district. He shall make out, in the real property assessment book, complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known; and, if unknown, so stated opposite each tract or lot, the number of acres, and the lots or parts of lots or blocks, included in each description of property. The list of real property becoming subject to assessment and taxation every odd-numbered year may be appended to the personal property assessment book. The assessment books and blanks for real and personal property shall be in readiness for delivery to the assessors on or before the first Monday in December of each year.

The assessors and at least one member of each local board of

review shall meet at the office of the county auditor on a day to be fixed by the commissioner of revenue for the purpose of receiving instructions as to their duties under the laws of the state. Each assessor and board of review member attending such meetings shall receive as compensation for such service the sum of \$10 per day for each day necessarily consumed in attending such meeting, and mileage at the rate of 7½ cents per mile for each mile necessarily traveled in going from his home to and returning from the county seat, to be computed by the usually traveled route, and paid out of the county treasury upon the warrant of the county auditor.

Sec. 4. Minnesota Statutes 1974, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in ~~subdivision subdivision 2~~ <sup>5</sup>, or section 273.17, subdivision 1, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 5. Minnesota Statutes 1974, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. In the case of property described in section 273.13, subdivisions 6, 7, 7B, 10, 12, 17, 17b, and 19, plus all agricultural property and all real estate devoted to temporary and seasonal

residential occupancy for recreational purposes; The assessor after determining the value of any such property shall compare the value with that determined in the preceding assessment. If the increase exceeds five percent of the preceding valuation, The amount of the increase entered in the current assessment shall not exceed five ten percent of the value in the preceding assessment or one fourth of the total amount of the increase in valuation whichever is greater ; the excess (not exceeding five percent of the latest assessors market valuation) may shall be entered in the following years assessment a subsequent year or years. However, no increase shall be greater than ten percent of the preceding valuation or one fourth of the total amount of increase in valuation, whichever is greater , notwithstanding the provisions of section 273.17.

Sec. 6. Minnesota Statutes 1974, Section 273.11, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other provision of law to the contrary, the limitation contained in subdivisions 1 to 3 5 shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, the state board of equalization and the commissioner of taxation as provided in sections 270.11, 270.12 and 270.16, and any increase effected by these boards ; the cumulative effect of which may increase property above the five percent permissible increase shall be invalid over the valuation currently being used in computing taxes shall be added to the previous assessed valuation in annual increments as provided in subdivision 2 .

Sec. 7. Minnesota Statutes 1974, Section 273.121, is amended to read:

273.121 [VALUATION OF REAL PROPERTY, NOTICE.] Any county assessor or city assessor having the powers of a county assessor, valuing taxable real property shall in each assessment year notify the person those persons whose property is to be assessed that year if the person's address is known to the assessor, otherwise the occupant of the property. The notice shall be in writing and shall be sent by ordinary mail at least ten days before the meeting of the local board of review or equalization. It shall contain the amount of the valuation in terms of market value, the assessor's office address, and the dates, places, and times set for the meetings of the local board of review or equalization and the county board of equalization. If such valuation is limited by section 273.11, the notice shall also contain the valuation as limited therein and an explanation, in terms prescribed by the commissioner, of the annual increase in the assessed valuation which may take place pursuant to valuation according to that section. If the assessment roll is not complete, the notice shall be sent by ordinary mail at least ten days prior to the date on which the board of review has adjourned. The assessor shall attach to the assessment roll a statement that the notices required by this section have been mailed. Any such assessor who is not provided sufficient funds from his governing body to provide such notices, may make application to the commissioner of revenue to finance

such notices. The commissioner of revenue shall conduct an investigation and if he is satisfied that the assessor does not have the necessary funds, issue his certification to the commissioner of finance of the amount necessary to provide such notices. The commissioner of finance shall issue a warrant for such amount and shall deduct such amount from any state payment to such county or municipality. The necessary funds to make such payments are hereby appropriated. Failure to receive the notice shall in no way affect the validity of the assessment, the resulting tax, the procedures of any board of review or equalization, or the enforcement of delinquent taxes by statutory means.

Sec. 8. Minnesota Statutes 1974, Section 273.17, Subdivision 1, is amended to read:

273.17 [ASSESSMENT OF REAL PROPERTY.] Subdivision 1. In every ~~even-numbered~~ year, on January 2, the assessor shall also assess all real property that may have become subject to taxation since the last previous assessment, including all real property platted since the last real estate assessment ~~in the odd-numbered year~~, and all buildings or other structures of any kind, whether completed or in process of construction, of over \$100 \$1,000 in value, the value of which has not been previously added to or included in the valuation of the land on which they have been erected. *The newly assessed property shall be valued initially at the average level of assessment which exists at that time in its assessment district. The assessment shall be increased to market value in annual increments as provided in section 273.11, subdivision 2 until such time as the property is reassessed.* He shall make return thereof to the county auditor, with his return of personal property, showing the tract or lot on which each structure has been erected and the market value added thereto by such erection. Every assessor shall list, without revaluing, in each ~~even-numbered~~ year, on a form to be prescribed by the commissioner of revenue, all parcels of land that shall have become homesteads or shall have ceased to be homesteads for taxation purposes since the last real estate assessment.

The county auditor shall note such change in the assessed valuation upon the tax lists, caused by a change in classification, and shall calculate the taxes for such ~~even-numbered~~ year on such changed valuation. In case of the destruction by fire, flood, or otherwise of any building or structure, over \$100 in value, which has been erected previous to the last valuation of the land on which it stood, or the value of which has been added to any former valuation, the assessor shall determine, as nearly as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 9. Minnesota Statutes 1974, Section 273.08, is amended to read:

273.08 [ASSESSOR'S DUTIES.] The assessor shall perform his duties in the manner following. *In 1976 and thereafter, he shall actually view, when practicable, and determine the true and full*

*market value of each tract or lot of real property listed for taxation, and shall enter the value thereof, including the value of all improvements and structures thereon, opposite each description at maximum intervals of four years and shall enter the value thereof according to the provisions of this article.*

Sec. 10. [REPEALER.] *Minnesota Statutes 1974, Section 273.11, Subdivision 3, is repealed.*

Sec. 11. [EFFECTIVE DATE.] *This article shall be in effect for taxes levied in 1975 to be paid in 1976 and thereafter. Increases in value due to reassessment in the 1975 assessment shall be limited as provided in sections 5 and 6.*

## ARTICLE IX

Section 1. Minnesota Statutes 1974, Section 290.012, Subdivision 4, is amended to read:

Subd. 4. "Income" means the sum of (a) gross income as defined in section 290.01, subdivision 20, (b) net income from sources outside the state, (c) alimony, (d) support money, and (e) relief, ~~not~~ including relief granted under unemployment compensation, (f) the gross amount of any pension or annuity, including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions, (g) non-taxable interest received from the state or federal governments or any of their instrumentalities, (h) the gross amount of "loss of time" insurance and (i) cash public assistance and relief, not including relief granted under sections 290.0601 to 290.0618. It does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agent.

Sec. 2. Minnesota Statutes 1974, Section 290.06, Subdivision 3d, is amended to read:

Subd. 3d. [CREDITS AGAINST TAX.] The taxes due as computed in accordance with section 290.06, subdivisions 2c and 3c shall be credited with the following amounts:

(1) A credit equal to his tax liability in the case of:

(a) An unmarried claimant with an income of ~~\$3,200~~ \$4,400 or less;

(b) A claimant with one dependent, with an income of ~~\$3,800~~ \$5,200 or less;

(c) A claimant with two dependents, with an income of ~~\$4,600~~ \$6,000 or less;

(d) A claimant with three dependents, with an income of ~~\$5,400~~ \$6,700 or less;

(e) A claimant with four dependents, with an income of ~~\$6,000~~ \$7,300 or less; and

(f) A claimant with five or more dependents, with an income of ~~\$6,400~~ \$7,800 or less.

(2) In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of section 290.012 and this subdivision, whichever is less.

(3) The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No ~~dependent individual dependent upon and receiving his chief support from any other individual~~ may be a claimant under section 290.012 and this subdivision. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of section 290.012 and this subdivision. All claimants shall submit their returns on these forms.

Sec. 3. [EFFECTIVE DATE.] *This article is effective for taxable years commencing after December 31, 1974.*

#### ARTICLE X

Section 1. Minnesota Statutes 1974, Chapter 273, is amended by adding a section to read:

[273.122] [FLEXIBLE HOMESTEAD BASE VALUE.] *Subdivision 1. [HOMESTEAD BASE VALUE.] For 1975 and prior years, the homestead base value shall mean \$12,000 of market value of any property which qualifies as homestead property for assessment purposes. The homestead base value shall be increased in any subsequent assessment year as provided in subdivision 2.*

*Subd. 2. [HOMESTEAD BASE VALUE INDEX.] In assessment years subsequent to 1975, the homestead base value shall be adjusted pursuant to the homestead base value index. The homestead base value index shall be computed by the equalization aid review committee for each year immediately preceding an assessment year. This index is computed in the following manner. The annual statewide average market value of homestead property as indicated by bona fide real estate sales during the year shall be divided by the statewide average market value of all homestead property sold in 1974. This quotient is multiplied by 100. For each increase of a full three and one half points in the index the homestead base value shall be increased \$500 in the following assessment year. On or before December 1 of any year preceding an assessment year the commissioner of revenue shall certify the homestead base value for that year.*

#### ARTICLE XI

Section 1. Minnesota Statutes 1974, Chapter 298, is amended by adding a section to read:

[298.243] [SUPPLEMENTARY ADDITIONAL TAX ON TACONITE AND IRON SULPHIDES.] *In addition to the tax imposed under Minnesota Statutes, Sections 298.24, Subdivision 1, and 298.241,*

there is hereby imposed upon taconite and iron sulphides and upon the mining and quarrying thereof, and upon the production of iron ore concentrate therefrom, and upon the concentrate so produced, a tax of 39 cents per gross ton of merchantable iron ore concentrate as produced therefrom. The tax imposed herein shall be collected and paid pursuant to the provisions of Minnesota Statutes, Section 298.27.

Sec. 2. Minnesota Statutes 1974, Chapter 298, is amended by adding a section to read:

**[298.244] [DIVISION OF PROCEEDS OF SUPPLEMENTARY TAX ON TACONITE AND IRON SULPHIDES.]** *Subdivision 1. The proceeds of the tax collected under section 1 shall be distributed by the commissioner of revenue, to various taxing districts and to the general fund in the following manner:*

(1) *Ten cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", on which the tax is imposed in section 1, shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to clause (1a). The commissioner shall follow the apportionment formula prescribed in Minnesota Statutes, Section 298.28, Subdivision 1. The commissioner of revenue shall make all the necessary calculations and certify these calculations to the county auditor of each qualifying county. Payments provided herein shall be deducted in determining the county government's levy limitations under Minnesota Statutes, Sections 275.50 to 275.56.*

(1a) *If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per gross ton of the tax distributed to the counties pursuant to clause (1) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.*

(2) *Twenty cents per taxable ton, less any amount distributed under clause (2a), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by Minnesota Statutes, Section 273.134 or in which is located property which is entitled to the reduction of tax pursuant to section 273.135. The 20 cents, less any amount distributed under clause (2a), shall be distributed in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its permitted levy for the prior year, computed pursuant to Minnesota Statutes, Section 275.125, comprises of the sum of permitted levies for the prior year for all qualifying districts, computed pursuant to Minnesota Statutes, Section 275.125. That portion of the amount so distributed to a school district which is not deducted from state aids in Minnesota Statutes, Section 124.212, Subdivision 8a, shall be included in computing the permissible levies under Minnesota Statutes, Section 275.125.*

(2a) In 1976 and each year thereafter, there shall be distributed to any school district the amount which the school district was entitled to receive under Minnesota Statutes, Section 298.32, in 1975 provided that the school district included the amount in computing its permissible levy under Minnesota Statutes, Section 275.125 in 1975, payable in 1976.

(3) One cent per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation commission account in the special revenue fund and is hereby appropriated for the purposes of Minnesota Statutes, Section 298.22. This money is to be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 60 issued on June 12, 1970, which does not contain a municipality qualifying pursuant to Minnesota Statutes, Section 273.134.

(4) Eight cents per taxable ton shall be paid to the property tax relief account in the apportionment fund in the state treasury and shall be distributed as provided in Minnesota Statutes, Sections 273.134 to 273.136.

Subd. 2. (a) For the purposes of this subdivision, the following terms shall have the meanings given them.

(1) "Agency" means the state board of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water and using Lake Superior as the source of the drinking water.

(3) "Eligible cost" includes all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to the effective date of this subdivision.

(4) "Municipal water purification system" includes all properties, real or personal, determined by a municipality and the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

(b) There is hereby appropriated from the general fund to the state board of health the sum of \$2,500,000 for a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. The board of health shall establish a grant program to implement the provisions of this subdivision. This program shall include the disbursement of funds hereinafter described for the construction of the facilities, the creation of guidelines designed to assure that the funds will be disbursed in accord with the purposes of this subdivision, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and other duties of administration necessary to accomplish the purpose of this subdivision. Grants shall be made in ac-

cordance with the guidelines created under authority of this subdivision and shall not exceed 33 percent of the eligible project cost.

(c) A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of monies appropriated to the fund and disbursements of money appropriated from the fund to municipalities for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the construction of water filtration and purification systems, in accordance with the purpose of this subdivision. It is determined that state financial assistance for the construction of water filtration and purification facilities needed to fulfill the purposes of this subdivision is a public purpose and a proper function of state government.

(d) No recipient of financial assistance may receive more than 80 percent of the total amount of funds appropriated in this subdivision. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this subdivision. The board of health shall at the time of any disbursement of funds under this subdivision enter into necessary agreements for reimbursement. Any amounts recovered pursuant to this subdivision shall be credited to and disbursed as provided in subdivision 1, clause (1) of this section.

(e) Prior to July 1, 1977, \$2,500,000 of the proceeds of the tax collected under section 1 shall be paid to the general fund of the state treasury from those funds distributed to the counties, except from the portion distributed to Itasca county, pursuant to subdivision 1, clause (1) of this section.

(f) This subdivision is effective on the day following its final enactment. The funds appropriated pursuant to this subdivision are available as of July 1, 1975.

Sec. 3. Minnesota Statutes 1974, Section 273.135, Subdivision 1, is amended to read:

273.135 [HOMESTEAD PROPERTY TAX RELIEF.] Subdivision 1. The property tax to be paid in respect to property taxable within a tax relief area on class 3b property not exceeding 80 acres, on class 3c property, and on class 3cc property, as otherwise determined by law and regardless of the market value of the property, for all purposes ~~except the payment of principal or interest on bonded indebtedness~~, shall be reduced in the amount prescribed by subdivision 2, subject to the limitations contained therein.

Sec. 4. Minnesota Statutes 1974, Section 273.135, Subdivision 2, is amended to read:

Subd. 2. The amount of the reduction authorized by subdivision 1 shall be

(a) in the case of property located within the boundaries of a municipality which meets the qualifications prescribed in section

273.134, ~~27~~ 60 percent of the amount of such tax provided that the amount of said reduction shall not exceed ~~\$190~~ \$350 .

(b) in the case of property located within the boundaries of a school district which qualifies as a tax relief area but which is outside the boundaries of a municipality which meets the qualifications prescribed in section 273.134, ~~21~~ 52 percent of the amount of such tax, provided that the amount of said reduction shall not exceed ~~\$150~~ \$300 .

*(c) in the case of property located within a school district which does not meet the qualifications of Minnesota Statutes, Section 273.134 as a tax relief area, but which is located in a county with a population of less than 100,000 in which taconite is mined or quarried and wherein a school district is located which does meet the qualifications of a tax relief area, and provided that at least 90 percent of the area of the school district which does not meet the qualifications of Minnesota Statutes, Section 273.134 lies within such county, 52 percent of the amount of the tax on qualified property located in the school district that does not meet the qualifications of Minnesota Statutes, Section 273.134, provided that the amount of said reduction shall not exceed \$300. The reduction provided by this clause shall only be applicable to property located within the boundaries of the county described therein.*

Sec. 5. Minnesota Statutes 1974, Section 298.27, as amended by Laws 1975, Chapter 46, Section 7, is amended to read:

298.27 [COLLECTION AND PAYMENT OF TAX.] The taxes provided by sections 298.24 and 298.241 and section 1 of this article shall be collected and paid in the same manner as provided by law for the payment of the occupation tax, except that the report required by section 298.05 shall be filed on or before February 15 together with a remittance equal to 90 percent of the estimated tax required to be paid hereunder on or before April 15. On or before February 25, the commissioner of revenue shall make distribution of such estimated payment in the manner provided by section 298.28 and section 2 of this article. The commissioner of revenue shall determine the amount of tax due on or before March 15. The tax found to be due shall be paid on or before April 15 following the production year. Reports shall be made and hearings held upon the determination of the tax in accordance with procedures established by the commissioner of revenue. The commissioner of revenue shall have authority to make reasonable regulations as to the form and manner of filing reports necessary for the determination of the tax hereunder, and by such regulations may require the production of such information as may be reasonably necessary or convenient for the determination and apportionment of the tax. All the provisions of the occupation tax law with reference to the assessment, determination, and collection of the occupation tax, including all provisions for appeals from or review of the orders of the commissioner of revenue relative thereto, are hereby made applicable to the taxes imposed by sections 298.24 and 298.241 and section 1 of this article, except in so far as inconsistent herewith. If any person subject to sections 298.24 and 298.241 and section 1 of this article shall fail to make the report provided for in this section at the time

and in the manner herein provided, the commissioner of revenue shall in such case, upon such information as he may possess or obtain, ascertain the kind and amount of ore mined or produced and thereon find and determine the amount of tax due from such person. There shall be added to the amount of tax due a penalty for failure to report on or before February 15, which penalty shall equal ten percent of the tax imposed and be treated as a part thereof.

If any person required to make an estimated tax payment at the time and in the manner herein provided, and fails to do so, there shall be imposed a penalty equal to ten percent of the amount so due, which penalty shall be treated as part of the tax due.

In the case of any underpayment of the estimated tax payment required herein, there may be added and be treated as part of the tax due a penalty equal to ten percent of the amount so underpaid.

If any portion of the tax provided for in sections 298.24 and 298.241 and section 1 of this article is not paid before the fifteenth day of April of the year in which due and payable, a penalty of ten percent of such unpaid portion shall immediately accrue, and thereafter one percent per month shall be added to such tax and penalty while such tax remains unpaid.

Sec. 6. [APPROPRIATION.] *There is appropriated from the general fund in the state treasury an amount sufficient to make the payments authorized by section 2, subdivision 1.*

Sec. 7. [REPEALER.] *Minnesota Statutes 1974, Sections 298.242 and 298.32 are repealed.*

Sec. 8. *The provisions of section 1 of this article shall be effective for all iron ore concentrate produced in any year beginning after December 31, 1974. Except as otherwise provided in this article the provisions of sections 2, 3, 4, 5, and 7 shall be effective for all years after December 31, 1975.*

## ARTICLE XII

Section 1. Minnesota Statutes 1974, Section 124.03, is amended to read:

124.03 [AGRICULTURAL LAND TAX DIFFERENTIAL RATIO.] Subdivision 1. The rate of taxation for school maintenance purposes in districts maintaining a graded elementary or secondary school and for the unorganized territory of counties is limited as follows:

(a) In counties containing 20 or more common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, shall not exceed by more than ten percent the average rate for school maintenance purposes on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in districts not maintaining graded elementary or secondary schools in the same county.

(b) In counties containing less than 20 common districts the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, shall not exceed one-half the rate for school maintenance purposes on non-agricultural lands in the same district or unorganized territory.

(c) In independent districts organized under the reorganization or consolidation statutes or containing at least 18 sections of land the rate on *property receiving the homestead credit provided in section 273.13, subdivision 6, shall not exceed 40 percent of the rate for school maintenance on other taxable property in the same district and the rate on other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, and upon personal property having a taxable situs on farms shall not exceed one-half the rate for school maintenance on other taxable property in the same district.*

(d) In independent districts organized under the consolidation or reorganization statutes or which contain at least 18 sections of land, and which district contains a statutory city located entirely within the boundaries of the district, and if the assessed valuation of the statutory city does not exceed ten percent of the total assessed valuation of the property within the district, the rate on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in the district shall not exceed the average rate for school maintenance on agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, in common districts of the county in which the district is located by more than 100 percent.

Subd. 2. The limitation imposed on the tax ratio by this section does not apply to the additional tax levy for maintenance made in excess of either of the following amounts:

(a) In any district formed under the reorganization or consolidation statutes or having an area of a least 18 sections or having acquired the rights and privileges of a consolidated district: The total amount of revenue available to the district, including state aid, that will be raised by a 5.553  $\frac{1}{3}$  20 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and personal property having a taxable situs on farms and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes; and

(b) In any district not included in (a): The total amount of revenue available to the district, including state aid, that will be raised by a 4.44  $\frac{1}{3}$  20 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not

devoted to commercial purposes, together with the proceeds from the maximum levy on agricultural land and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes.

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of ~~8-3 1/3 mills to the valuation determined on the January 2, 1971 assessment and 2-76 2/3 mills on the January 2, 1972 assessment and subsequent assessments on all the~~ 12 mills on the property receiving the homestead credit provided by section 273.13, subdivision 6, and 10 mills on all other agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue by November 15 of each year for verification.

(b) If the commissioner of revenue agrees with the computation, he shall deliver to the commissioner of finance his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the commissioner of finance his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the commissioner of finance shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the commissioner of finance shall issue his warrant upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The commissioner of finance in the same manner shall make distribution for the year 1973 in the same manner with respect to amounts shown to be due in accordance with the commissioner's certification. For the year 1974 and subsequent years, the commissioner of finance shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the commissioner of finance shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school

maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

### ARTICLE XIII

Section 1. Minnesota Statutes 1974, Section 281.17, is amended to read:

281.17 [PERIOD FOR REDEMPTION.] The stated period of redemption of all lands bid in for the state at tax judgment sales heretofore held for taxes for the years 1926, 1927, 1928, and 1929, where such lands have not heretofore been sold or assigned to actual purchasers, is hereby extended to and including July 1, 1936, provided, that if any parcel of such land is actually occupied on such date by any person who has any crop then growing thereon, or theretofore grown thereon during such year, such occupant may remain in possession of such parcel for the purpose of removing such crop, until and including December 1, 1936.

Except as provided in this section, the stated period of redemption of all lands sold to actual purchasers or bid in for the state at tax judgment sales heretofore held shall be as provided by existing laws.

The stated period of redemption of all lands sold to actual purchasers or bid in for the state at any tax judgment sale hereafter held shall be five years from the date of sale. The stated period of redemption for all lands sold to an actual purchaser or bid in for the state at a tax judgment sale held after December 31, 1975, shall be three years from the date of sale if the land is within an incorporated area unless it is: (a) homesteaded land as defined in section 273.13, subdivision 7, (b) agricultural land as defined in section 273.13, subdivision 6, or (c) seasonal recreational land as defined in section 273.13, subdivision 4, in which event the stated period of redemption is five years from the date of sale.

### ARTICLE XIV

Section 1. *There is hereby appropriated from the general fund in the state treasury to the commissioner of revenue for the administration of this act the sum of \$400,000 for the fiscal year 1975-1976. Notwithstanding the provisions of Minnesota Statutes, Section 16A.28, or any other law relating to the cancellation of appropriations, any amounts unexpended at the end of that fiscal year shall not cancel but may be expended by the commissioner of revenue in the following fiscal year. There is hereby appropriated from the general fund in the state treasury to the commissioner of revenue for the administration of this act in the fiscal year 1976-1977 an additional amount of \$600,000.*"

Further, strike the title and insert

"A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens;

increasing the proportion of the costs of medical assistance hospitalization for the indigent, and general relief medical programs paid by the state; increasing and changing the means of calculation and distribution of local government aid to be paid for an extended period; changing the means of calculation and adjustment of levy limits; adjusting the farm loss deduction; exempting the federal income tax rebate from state taxation; extending the operation of the tax study commission; changing the method of reassessment and limitation on increase of valuation of real property; increasing the credit against tax granted to low income individuals; providing for a flexible homestead base value; imposing an additional tax on taconite and iron sulphide and providing for the distribution of the proceeds; establishing a grant program for the construction of water filtration system; increasing the agricultural mill rate differential; changing the period of redemption for tax forfeited lands; providing penalties; appropriating funds; amending Minnesota Statutes 1974, Sections 124.03; 256.01, Subdivision 2; 256.98; 256B.02, Subdivision 3; 256B.041, Subdivision 5; 256B.07; 256B.12; 256B.19, Subdivision 1; 256D.03, by adding a subdivision; 261.21; 261.22, Subdivision 2; 261.23; 270.16; 273.-01; 273.011, Subdivisions 5 and 6; 273.012, Subdivision 2 and by adding a subdivision; 273.03, Subdivision 1; 273.061; 273.08; 273.-11, Subdivisions 1, 2, and 5; 273.121; 273.13, Subdivisions 6, 7, and 14a; 273.135, Subdivisions 1 and 2; 273.138, Subdivision 6; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 281.17; 290.012, Subdivision 4; 290.06, Subdivision 3d; 290.09, Subdivision 29; 298.27, as amended; and 477A.01, Subdivisions 1, 2, 3, and 4, and by adding subdivisions; and Chapters 261; 273; and 298, by adding sections; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 275.51, Subdivisions 3 and 3a; 298.242; 298.32; 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) William Kelly, Martin Sabo, Irvin Anderson, Douglas Johnson, Robert Vanasek.

Senate Conferees: (Signed) A. J. Perpich, Alec G. Olson, George Conzemius, Nicholas Coleman.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1674 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. 1674: A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; increasing the proportion of the costs of medical assistance hospitalization for the indigent, and general relief medical programs paid by the state; increasing and changing the means of calculation and distribution of local government aid to be paid for an extended period; changing the means of calculation and adjustment of levy limits; adjusting the farm loss deduction;

exempting the federal income tax rebate from state taxation; extending the operation of the tax study commission; changing the method of reassessment and limitation on increase of valuation of real property; increasing the credit against tax granted to low income individuals; providing for a flexible homestead base value; imposing an additional tax on taconite and iron sulphide and providing for the distribution of the proceeds; establishing a grant program for the construction of water filtration system; increasing the agricultural mill rate differential; changing the period of redemption for tax forfeited lands; providing penalties; appropriating funds; amending Minnesota Statutes 1974, Sections 124.03; 256.01, Subdivision 2; 256.98; 256B.02, Subdivision 3; 256B.041, Subdivision 5; 256B.07; 256B.12; 256B.19, Subdivision 1; 256D.03, by adding a subdivision; 261.21; 261.22, Subdivision 2; 261.23; 270.16; 273.01; 273.011, Subdivisions 5 and 6; 273.012, Subdivision 2 and by adding a subdivision; 273.03, Subdivision 1; 273.061; 273.08; 273.11, Subdivisions 1, 2, and 5; 273.121; 273.13, Subdivisions 6, 7, and 14a; 273.135, Subdivisions 1 and 2; 273.138, Subdivision 6; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 281.17; 290.012, Subdivision 4; 290.06, Subdivision 3d; 290.09, Subdivision 29; 298.27, as amended; and 477A.01, Subdivisions 1, 2, 3, and 4, and by adding subdivisions; and Chapters 261; 273; and 298, by adding sections; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 275.51, Subdivisions 3 and 3a; 298.242; 298.32; 477A.01, Subdivisions 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 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 39 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoff	Solon
Arnold	Gearty	Lewis	Olson, A. G.	Spear
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Mel	Merriam	Perpich, G.	Stumpf
Chmielewski	Hughes	Milton	Purfeerst	Tennessen
Coleman	Humphrey	Moe	Schaaf	Wegener
Conzemius	Keefe, S.	North	Schmitz	Willet
Davies	Kleinbaum	Ogdahl	Schrom	

Those who voted in the negative were:

Ashbach	Brown	Josefson	Nelson	Renneke
Bang	Dunn	Keefe, J.	Olson, H. D.	Sillers
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Frederick	Knutson	O'Neill	Ueland
Blatz	Hanson, R.	Kowalczyk	Patton	
Brataas	Jensen	Larson	Pillsbury	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1722, and repassed said bill in accordance with the report of the Committee, so adopted.

**H. F. No. 1722:** A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

House File No. 1722 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1722

A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

May 19, 1975

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. 1722 report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of seven *nine* cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 2. *The increased tax imposed by section 1 applies to all gasoline, and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975.*

Sec. 3. Minnesota Statutes 1974, Chapter 296, is amended by adding a section to read:

[296.03] [EXEMPTION FOR PRODUCTS OF WASTE MATERIALS.] *No excise tax shall be imposed pursuant to sections 296.02 or 296.025 on any substitute product for petroleum which has been manufactured from waste materials, including agricultural waste and byproducts, household waste, solid waste, and wood byproducts.*

Sec. 4. Laws 1975, Chapter 13, Section 71, Subdivision 1, is amended to read:

Sec. 71. [473.446] [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of sections 52 to 75 and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.87~~ 1.72 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under section 69 have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years; ~~except that the amount of taxes which may be levied in any year for the operating~~

costs of the commission shall, except where this reduction would render the commission ineligible for the federal aid involved, be further reduced by the amount of any funds received by the commission during the previous year from federal grants to cover operating costs; plus

(b) Such an additional amount equal to .04 mills times the assessed valuation of all such property all of which shall be used for the operating cost of service programs for the handicapped; plus

(c) Such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year; plus an additional amount not to exceed \$2,000,000 in any one year to be used exclusively to provide for the full and timely payment of certificates of indebtedness and other obligations issued for the purposes of the bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974, to which property taxes under this section have been pledged;

(d) (c) Nothing in this section shall be construed as providing funding for the preliminary engineering, consultant studies, or construction for the automated of a regional fixed guideway system proposed in the 1972 transit development program of the commission.

Sec. 5. Laws 1975, Chapter 13, Section 71, Subdivision 2, is amended to read:

Subd. 2. [TRANSIT TAXING DISTRICT.] The metropolitan transit taxing district is hereby designated as that portion of the metropolitan transit area lying within the corporate limits of Minneapolis and St. Paul and extending out to the corporate limits of all incorporated cities contiguous either to Minneapolis or St. Paul or to each other, ending with a continuous boundary with unincorporated areas, which transit taxing district shall include any unincorporated area fully surrounded by the incorporated areas within the district as the boundaries existed on October 31, 1973. The taxing district shall also include any municipality or township directly served by the transit system; provided, that said district shall not include any county not directly served by the transit system. For the purposes of this subdivision a county is not "directly served" if no bus or other public transit conveyance enters such county on a regularly scheduled basis, at least twice daily, for the purpose of transporting passengers; the following named cities, towns, or unorganized territory within the counties indicated:

(a) [ANOKA COUNTY.] Anoka, Blaine, Centerville, Columbia Heights, Coon Rapids, Fridley, Circle Pines, Hilltop, Lexington, Lino Lakes, Spring Lake Park;

(b) [CARVER COUNTY.] Chanhassen, the city of Chaska, Victoria;

(c) [DAKOTA COUNTY.] *Apple Valley, Burnsville, Eagan, Inver Grove Heights, Lillydale, Mendota, Mendota Heights, Rosemount, South St. Paul, Sunfish Lake, West St. Paul;*

(d) [RAMSEY COUNTY.] *All of the territory within Ramsey county;*

(e) [HENNEPIN COUNTY.] *Bloomington, Brooklyn Center, Brooklyn Park, Champlain, Chanhassen, Crystal, Deephaven, Eden Prairie, Edina, Excelsior, Golden Valley, Greenwood, Hopkins, Long Lake, Maple Grove, Medicine Lake, Minneapolis, Minnetonka, Minnetonka Beach, Mound, New Hope, Orono, Osseo, Plymouth, Richfield, Robbinsdale, St. Anthony, St. Louis Park, Shorewood, Spring Park, Tonka Bay, Wayzata, Woodland, the unorganized territory of Hennepin county;*

(f) [SCOTT COUNTY.] *Prior Lake, Savage, Shakopee;*

(g) [WASHINGTON COUNTY.] *Baytown, the city of Stillwater, White Bear Lake, Bayport, Birchwood, Cottage Grove, Dellwood, Lake Elmo, Landfall, Mahtomedi, Newport, Oakdale, Oak Park Heights, Pine Springs, St. Paul Park, Willernie, Woodbury.*

*The commission in its sole discretion may provide transit service by contract beyond the boundaries of the metropolitan transit taxing district upon petition therefor by an interested city, township or political subdivision within the metropolitan transit area. The commission may establish such terms and conditions as it deems necessary and advisable for providing the transit service, including such combination of fares and direct payments by the petitioner as will compensate the commission for the full capital and operating cost of the service and the related administrative activities of the commission. The amount of the levy made by any municipality to pay for the service shall be disregarded when calculation of levies subject to limitations is made. The commission shall not be obligated to extend service beyond the boundaries of the taxing district under any law or contract unless or until payment therefor is received.*

*Sec. 6. The provisions of section 5 or any other law changing the boundaries of the metropolitan transit taxing district shall not be deemed to impair the rights of holders of outstanding indebtedness of the commission to require the levy of property taxes, if necessary to provide for any deficiency in accordance with the conditions of such indebtedness, on all property within the limits of the metropolitan transit taxing district as such limits were in effect at the date of issuance of such indebtedness.*

*Sec. 7. Laws 1975, Chapter 13, Section 71, is amended by adding a subdivision to read:*

*Subd. 1a. For the purposes of Laws 1975, Chapter 13, Sections 52 to 75, and the metropolitan transit system, the metropolitan transit commission shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined herein, a transit tax, which shall be equal*

*to ten percent of the sum of the levies provided in Laws 1975, Chapter 13, Section 71, Subdivision 1.*

Sec. 8. Laws 1975, Chapter 13, Section 71, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 a.m. and 3:30 p.m., and from 6:30 p.m. until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission ; and to all ~~those persons under the age of 18 .~~

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies.

(3) *A portion of the proceeds of the tax described in this section shall be used to provide transit services, for a maximum fare of ten cents, between the hours of 9:00 a.m. and 3:30 p.m., and from 6:30 p.m. until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons under the age of 18 holding an identification card issued by the commission. The commission may establish reasonable conditions upon the use of the reduced fare authorized by this section.*

Sec. 9. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in ~~areas other than the metropolitan transit area~~ and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds *nor be less than one half* of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. *Grants to the Twin Cities metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$2,691,000.*

(d) Determine the operating deficit of any public transit sys-

tem in accordance with the general accepted accounting principles and practices. *An eligible recipient shall treat any financial assistance received from any agency of the federal government for the operation of a public transit system as revenue for the purposes of determining its total operating deficit.* In determining such total operating deficits, the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 10. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units ~~in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A~~. Applications for financial assistance shall be made through the regional development commissions or the metropolitan council.

Sec. 11. *Subdivision 1. There is hereby appropriated from the general fund the sum of \$26,000,000 to the state planning agency for the purposes of carrying out the provisions of Laws 1974, Chapter 534, Section 4, and section 9 of this act, with not less than \$2,000,000 and not more than \$2,200,000 to be allocated outside of the metropolitan area.*

*Subd. 2. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of Laws 1974, Chapter 534, Section 5, and section 10 of this act.*

Sec. 12. [ADMINISTRATION.] *There is hereby appropriated to the state planning agency the sum of \$85,000 from the general fund for the purposes of administering the supplemental public transit aid program and the public transit demonstration program as provided in Laws 1974, Chapter 534, Sections 1 to 7, and sections 9 to 13 this act. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 13. *During the second year of the biennium, funds, other than funds designated for use by the metropolitan transit commission, remaining unobligated under the supplemental public transit aid program and the public transit demonstration program, sections 9 and 10 of this act, may be allocated for either of the purposes described in sections 9 and 10.*

Sec. 14. [APPROPRIATION TO COMMISSIONER OF HIGHWAYS.] *There is appropriated to the commissioner of highways from the general fund the sum of \$14,000,000 for the fiscal year ending June 30, 1975, to enable the department of highways to complete its 1975 fiscal year construction program.*

Sec. 15. *Following the effective date of this act the department of highways shall not cause any construction on, nor shall any lands be acquired for, any of the trunk highways designated as I-335, that portion of I-35E in Ramsey county described in section 19, clause (3), nor for proposed I-394 between I-494 and the Hawthorne interchange, nor for an extension or connector of the Dartmouth interchange of the interstate route designated as I-94; nor shall the department construct or improve Legislative Route No. 116, marked trunk highway route No. 55, within the city of Minneapolis, to freeway or expressway standards; provided, that nothing in this section shall be construed to prohibit the department from taking the following actions:*

(1) *Construction of a parkway facility of not more than four lanes of traffic in the corridor previously designated for I-335 in the city of Minneapolis.*

(2) *Construction of not more than six lanes of travel on Legislative Routes No. 10 and No. 107 marked TH12 between I-494 and the Hawthorne interchange in the city of Minneapolis, provided that no additional lands shall be acquired for any such purpose except which is necessary for construction of six lanes of travel on said highway.*

(3) *Construction of, on the route designated in section 19, clause (3), a four lane parkway facility with limited access, provided that such parkway shall not be physically connected with Legislative Route No. 392.*

(4) *Generally utilizing and widening present lanes of travel, increasing the number of lanes of travel up to but not exceeding six lanes, and upgrading Legislative Route No. 116 within the city of Minneapolis generally along its present traveled corridor.*

*Any highway facility authorized by this section shall be compatible with the immediate residential areas through which it passes. Upon the completion of any highway facility authorized herein, any right of way previously acquired within the utilized corridor and not needed for the construction and maintenance of such facility, shall be transferred to the city within which such excess right of way is located, for public purposes, or sold for utilization in a manner compatible with the immediate residential area through which it passes, such excess right of way being determined by order of the commissioner. The transfer shall be evidenced by a quit claim deed, in such form as the attorney general approves, executed by the governor in the name of the state of Minnesota to such city.*

*The commissioner of highways shall consider a parkway or other alternatives for that portion of the trunk highway designated as I-35 or Route No. 390 in the city of Duluth.*

Sec. 16. *The metropolitan council with the transportation advisory board and the city councils of the affected cities shall review the uncompleted sections of the interstate system in the seven county metropolitan area. Such review shall include an analysis of the financial and social impact as to alternative interstate route designations or transit substitutes while maintaining the integrity of the interstate system.*

*The metropolitan council shall report the findings of such study to the state legislature not later than February 1, 1976.*

Sec. 17. [APPROPRIATION.] *There is hereby appropriated to the metropolitan council from the general fund the sum of \$25,000 for the purpose of section 16.*

Sec. 18. Minnesota Statutes 1974, 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 through 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 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, south-

erly 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. 19. [TRUNK HIGHWAYS; ADDITIONAL ROUTES.]**  
*There may be added by order of the commissioner of highways to the trunk highway system new routes described as follows:*

(1) [161.115] *Route No. 333. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Routes No. 112 and 392;*

(2) [161.115] *Route No. 334. Beginning at a point on Route No. 112, northerly of the Lafayette Street bridge in the city of St. Paul; thence extending in a northwesterly direction to a point on Route No. 390 southerly of Maryland Avenue in the city of St. Paul; providing a connector route between Route No. 112 and Route No. 390; and*

(3) [161.115] *Route No. 335. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, within the corridor of the right of way already acquired on the effective date of this act for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul.*

*The revisor of statutes is directed to assign a number to each of the routes added in this section and compile the same in the next and subsequent editions of Minnesota Statutes.*

**Sec. 20. Subdivision 1.** *The commissioner of highways shall cause to be constructed adequate and effective acoustical barriers or implement other sound abatement programs in or along the perimeter of any interstate highway within incorporated areas located within the metropolitan area whenever the noise level attributable to vehicular traffic at the abutting residential property line is in excess of the federal noise standards. The commissioner shall utilize available federal matching funds in constructing the acoustical barriers.*

**Subd. 2.** *Beginning with the fiscal year ending June 30, 1976, the commissioner shall annually expend an amount equal to one percent of an amount equal to sixty-two percent of the revenues*

*derived from the tax imposed on gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state when federal funds are available, for the purpose of carrying out the provisions of subdivision 1 of this section. In the event that funds derived from such one percent exceed the amount necessary to carry out the provisions of subdivision 1, the excess fund shall be utilized by the commissioner to construct adequate and effective acoustical barriers along other trunk highways in the metropolitan area where he deems them necessary to counteract vehicle noise.*

*Sec. 21. The legislature of the state of Minnesota expresses concern over the future transportation needs of the citizens of our state and the many businesses and industries which need to transport their products to the marketplace.*

*The possibility of achieving better and more efficient utilization of both federal and state monies should be thoroughly examined prior to the 1977 legislature's approval of the highway department's budget. Therefore, a study commission is hereby created to evaluate the policies, programs, projects, costs and financing of the Minnesota department of highways.*

*The commission shall work in conjunction with the legislative audit commission and present its report and specific legislative recommendations to the House appropriations committee and the Senate finance committee prior to consideration of the department's 1977 budget.*

*The commission shall consist of the chairman of the House appropriations committee, the chairman of the Senate finance committee, five members of the House appointed by the speaker of the House, and five members of the Senate appointed by the committee on committees.*

*The appointed members shall serve for a term commencing upon appointment and expiring with the commission at the opening of the 1977 legislature.*

*Sec. 22. Minnesota Statutes 1974, Section 161.081, is amended to read:*

*161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:*

*(1) ~~70~~ 60 percent to the trunk highway fund;*

*(2) ~~24~~ 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;*

*(3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.*

*Sec. 23. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:*

*Subd. 2a. An amount equal to 32 percent of the county turn-back account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turn-back account. The rules and regulations of the commissioner of highways relating to the expenditure of funds for the purposes of this subdivision shall include review of township bridge projects by the regional development commissions or the metropolitan council to determine the relative need of the township for financial assistance.*

**Sec. 24. [PROVISIONS OF SECTIONS 22 AND 23 NOT SEVERABLE.]** *The provisions of sections 22 and 23 are not severable, and if any provision of sections 22 or 23 is found to be unconstitutional, the provisions of sections 22 and 23 are not valid, and the law as it existed prior to the effective date of these sections shall remain in effect.*

*Sec. 25. The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted the article shall read:*

#### ARTICLE XIV

#### PUBLIC HIGHWAY SYSTEM

**Section 1.** The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

**Sec. 2.** There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 to 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 to 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article, *except as otherwise provided in section 10*. The net proceeds of the taxes shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in

the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the highway user tax distribution fund. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax, up to and including the unit tax rate thereon in effect on August 1, 1975 shall be paid into the highway user tax distribution fund. Any unit tax rate levied in excess of the unit tax rate in effect on August 1, 1975, shall be paid into the general fund in the state treasury.

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.~~

Sec. 26. *The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:*

*“Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from any increases in motor fuel taxes to be used for general purposes and to remove certain restrictions on highway bonds?”*

Yes. . . .

No. . . .”

Sec. 27. *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed.*

Sec. 28. [EFFECTIVE DATE.] *Sections 1, 2, 3, and 8 of this act*

*are effective June 1, 1975. Sections 9 to 14, 16, 17, and 22 to 24 are effective July 1, 1975. Sections 15 and 18 to 21 are effective on the day following final enactment. Sections 4 to 7 are effective for taxes levied in 1975 and subsequent years."*

Further, strike the title and insert

"A bill for an act relating to transportation; increasing the tax on gasoline and special fuels; eliminating the excise tax on certain products from waste materials; decreasing the tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district; authorizing contract service beyond the boundaries thereof; authorizing a limited tax outside the boundaries thereof; providing for public transit assistance and demonstration projects; establishing conditions upon the construction of certain highways; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of acoustical barriers on interstate highways; reapportioning five percent of the highway user tax; allocating part of the tax for bridge purposes; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in motor fuel taxes to be deposited in the state treasury and removing certain restrictions on highway bonds; appropriating money; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; 161.12; 296.02, Subdivision 1; Chapter 296, by adding a section; and Laws 1974, Chapter 534, Section 4, Subdivision 4, and Section 5, Subdivision 3; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2, 4, and by adding a subdivision; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Al Patton, Russell Stanton, Tom Berg, John Tomlinson, William Schreiber.

Senate Conferees: (Signed) Clarence Purfeerst, David Schaaf, William Kirchner, Roger Laufenburger, John Chenoweth.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1722 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Brown moved that the Senate reject the Conference Committee Report on H. F. No. 1722 and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on the adoption of the motion of Mr. Brown,

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Knutson	Olson, J. L.	Stassen
Bang	Dunn	Kowalczyk	O'Neill	Ueland
Berg	Fitzsimons	Nelson	Patton	
Bernhagen	Frederick	North	Pillsbury	
Brataas	Hansen, Mel	Ogdahl	Renneke	
Brown	Keefe, J.	Olhoft	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Perpich, G.	Stumpf
Arnold	Hansen, Baldy	McCutcheon	Purfeerst	Tennessee
Borden	Hughes	Merriam	Schaaf	Wegener
Chenoweth	Humphrey	Milton	Schmitz	Willet
Chmielewski	Keefe, S.	Moe	Schrom	
Coleman	Kirchner	Olson, A. G.	Solon	
Conzemius	Kleinbaum	Olson, H. D.	Spear	
Davies	Larson	Perpich, A. J.	Stokowski	

The motion did not prevail.

The question recurred on the motion of Mr. Purfeerst to adopt the recommendations and Conference Committee Report on H. F. No. 1722. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1722: A bill for an act relating to transportation; increasing the tax on gasoline and special fuels; eliminating the excise tax on certain products from waste materials; decreasing the tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district; authorizing contract service beyond the boundaries thereof; authorizing a limited tax outside the boundaries thereof; providing for public transit assistance and demonstration projects; establishing conditions upon the construction of certain highways; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of acoustical barriers on interstate highways; reapportioning five percent of the highway user tax; allocating part of the tax for bridge purposes; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in motor fuel taxes to be deposited in the state treasury and removing certain restrictions on highway bonds; appropriating money; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; 161.12; 296.02, Subdivision 1; Chapter 296, by adding a section; and Laws 1974, Chapter 534, Section 4, Subdivision 4, and Section 5, Subdivision 3; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2, 4, and by adding a subdivision; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4.

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 40 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Larson	Olson, J. L.	Solon
Arnold	Gearty	Laufenburger	Perpich, A. J.	Spear
Berg	Hughes	Lewis	Perpich, G.	Stassen
Borden	Humphrey	Merriam	Purfeerst	Stokowski
Chenoweth	Jensen	Milton	Renneke	Stumpf
Chmielewski	Keefe, S.	Moe	Schaaf	Tennessee
Coleman	Kirchner	Olson, A. G.	Schmitz	Ueland
Conzemius	Kleinbaum	Olson, H. D.	Schrom	Wegener

Those who voted in the negative were:

Ashbach	Brown	Hansen, Baldy	Knutson	Ogdahl
Bang	Doty	Hansen, Mel	Kowalczyk	O'Neill
Bernhagen	Dunn	Hanson, R.	McCutcheon	Pillsbury
Blatz	Fitzsimons	Josefson	Nelson	Sillers
Brataas	Frederick	Keefe, J.	North	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### RECONSIDERATION

Mr. Berg moved that the vote whereby H. F. No. 1722 was passed by the Senate on May 19, 1975, be now reconsidered.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Kirchner	O'Neill	Stassen
Bang	Brown	Knutson	Patton	Willet
Berg	Dunn	Kowalczyk	Pillsbury	
Bernhagen	Frederick	Nelson	Renneke	
Blatz	Keefe, J.	Olhoft	Sillers	

Those who voted in the negative were:

Anderson	Doty	Larson	Olson, A. G.	Solon
Arnold	Gearty	Laufenburger	Olson, H. D.	Spear
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, G.	Stumpf
Chmielewski	Humphrey	Merriam	Purfeerst	Tennessee
Coleman	Josefson	Milton	Schaaf	Wegener
Conzemius	Keefe, S.	Moe	Schmitz	
Davies	Kleinbaum	North	Schrom	

The motion did not prevail.

### MESSAGES FROM THE HOUSE—CONTINUED

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. 1798, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

House File No. 1798 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

**CONFERENCE COMMITTEE REPORT ON H. F. 1798**

A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

May 19, 1975

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. 1798 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1798 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. The sums hereinafter set forth and designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury or any other fund herein designated, to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures “1975”, “1976” and “1977” wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

**APPROPRIATIONS**  
Available for the Year  
Ending June 30,  
1976                      1977

\$                                      \$

**Sec. 2. LEGAL DIVISION**

Subdivision 1. Salaries . . . . .	500,000	500,000
Subd. 2. Supplies and Expense .	22,000	22,000

**Sec. 3. ADMINISTRATIVE OPERATIONS**

Subdivision 1. Salaries . . . . .	2,850,000	2,775,000
Subd. 2. Supplies and Expense . . . . .	1,800,000	1,835,000

**Sec. 4. MAINTENANCE,**

	1976	1977
	\$	\$
<b>SALARIES, SUPPLIES AND EXPENSE</b> .....	52,500,000	51,916,602
<b>Sec. 5. HIGHWAY DEVELOPMENT SUPPORT, SALARIES, SUPPLIES AND EXPENSE</b> .....	36,700,000	35,700,000
<b>Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE</b> ...	1,000,000	1,000,000
<b>Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE</b> .....	237,916	237,916
<b>Sec. 8. PLANNING AND PROGRAMMING SALARIES, SUPPLIES AND EXPENSE</b> ...	2,650,000	2,650,000
<b>Sec. 9. EQUIPMENT</b> .....	4,253,120	5,790,811
<b>Sec. 10. BUILDINGS AND IMPROVEMENTS</b> .....	1,759,830	

This includes funds for the construction of equipment storage buildings at Nopeming, Hibbing, Bagley, Karlstad, St. Peter, Cannon Falls and Wells; plus land acquisition and various remodeling and improvements.

<b>Sec. 11. INTERSTATE SAFETY REST AREAS</b> .....	299,805
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**Sec. 12. FEDERAL/STATE SAFETY ACCOUNT.** The commissioner of highways may continue the Federal/State Safety Account established by Laws 1973, Chapter 718, Section 14, within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local government agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Account and will be available until June 30, 1977.

**Sec. 13. TRANSFER OF FUNDS.** Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 11.

Sec. 14. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to land-owners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leases, interest subsidies and relocation expenses.

Sec. 15. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 11 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 16. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways, with the approval of the Governor, may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

Sec. 17. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby shall cancel into the trunk highway fund as of June 30 of any fiscal year.

Sec. 18. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Section 355.50 and 352.04, Subdivision 5.

Sec. 19. Minnesota Statutes 1974, Section 161.35, is amended to read:

161.35 [EMPLOYMENT OF CONSULTANTS.] ~~Until July 1, 1975,~~ The commissioner, *with prior approval of the commissioner of personnel*, is authorized to employ and engage the services of registered professional engineers, engineering firms, and registered land surveyors, to act as consultants in connection with and to prepare plans and specifications or to perform aerial photography and survey work preliminary to the preparation of plans and specifications themselves or by their organizations and employees for the construction of trunk highways, and the commissioner is authorized to negotiate for and agree upon the terms and compensation for such employment and services. If the commissioner employs and engages an engineering firm, the person or persons in responsible charge of the work or service to be performed shall be registered professional engineers or land surveyors.

Provided, however, that the commissioner shall make available

to the legislature a list of such consultants, the tasks for which they were hired, and the amount of compensation which they received.

Sec. 20. Minnesota Statutes 1974, Section 161.39, Subdivision 5a, is amended to read:

Subd. 5a. The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. ~~The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, section 210.401.~~

Sec. 21. PERSONNEL POLICY. The policy objective of this section is to develop improved productivity in the department of highways thereby reducing the number of full-time employees. The appropriations in sections 2 through 8 are based upon a reduction of full-time employees during the period commencing with the department of highway's hiring freeze initiated on April 4, 1975, and ending June 30, 1977. During this period the commissioner of highways shall set staffing levels for each organizational unit of the department as the work program requires, identify surplus positions and schedule personnel reductions, first making use of reduction through transfers to other departments and normal attrition, and then shall use mandatory layoff procedure under the provisions of the department of personnel rules and regulations or the collective bargaining agreements, as applicable, in order to meet this objective. The commissioner shall report quarterly to the Governor and Legislative Advisory Committee on progress towards achieving this policy objective.

Sec. 22. Minnesota Statutes 1974, Section 161.355, Subdivision 2, is repealed."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Willis R. Eken, Neil S. Haugerud, Phyllis Kahn.

Senate Conferees: (Signed) Clarence M. Purfeerst, Norbert Arnold, William G. Kirchner.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1798 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. 1798: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

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 65 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Schaaf
Arnold	Doty	Keefe, S.	North	Schmitz
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoff	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brataas	Hanson, R.	Lewis	Patton	Stumpf
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Tennessen
Chmielewski	Humphrey	Merriam	Perpich, G.	Ueland
Coleman	Jensen	Milton	Purfeerst	Wegener
Conzemius	Josefson	Moe	Renneke	Willet

Messrs. Brown and Pillsbury voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1759, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

House File No. 1759 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

#### SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1759. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 1759**

A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.-44; 326.64; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

May 18, 1975

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. 1759 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1759 and that the bill be amended by striking all matter after the enacting clause and substituting the following:

“Section 1. **EXPENSES OF STATE GOVERNMENT APPROPRIATIONS.** Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures “1975”, “1976”, and “1977”, wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

**APPROPRIATIONS**

Available for the Year

Ending June 30,

1976

1977

\$

\$

**Sec. 2. THE LEGISLATURE**

Subdivision 1. For the House  
of Representatives . . . . .

6,356,000

6,854,000

Subd. 2. For the Senate . . . . .

3,839,000

4,161,000

	1976	1977
	\$	\$
Subd. 3. Legislative Joint Coordinating Committee		
(a) Legislative Reference Library .....	385,000	
(b) Revisor of Statutes .....	1,861,750	
(c) Office of Legislative Research .....	81,500	
Including state matching funds for science and technology grant which shall not be expended until federal matching moneys are committed.		
Subd. 4. Legislative Audit Commission		
(a) Legislative Audit Commission .....	50,000	
(b) Legislative Auditor .....	932,431	1,023,682
Subd. 5. Legislative Retirement Study Commission .....	155,000	
Subd. 6. Mississippi River Parkway Commission .....	14,000	
For 1975 — \$2,000		
The amounts appropriated by this subdivision are from the trunk highway fund.		
Sec. 3. SUPREME COURT		
Subdivision 1. Salaries .....	1,075,981	1,075,981
Subd. 2. Supplies and Expense .....	266,613	275,699
Subd. 3. Supreme Court Contingent .....	7,500	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 4. Continuing Legal Education .....	34,368	100,122
Sec. 4. DISTRICT COURT ..	2,533,463	2,549,963
For 1975 — \$265,342		

	1976	1977
	\$	\$
To be disbursed by the commissioner of finance.		
Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.		
Sec. 5. JUDICIAL COUNCIL	2,500	3,500
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 6. COMMISSION ON JUDICIAL STANDARDS . . . .	37,602	36,102
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 7. STATE LAW LIBRARY		
Subdivision 1. Salaries . . . . .	106,762	106,762
Approved Complement — 8		
Subd. 2. Supplies and Expense	29,029	30,475
Subd. 3. Books and Binding . .	150,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 8. PUBLIC DEFENDER	288,603	290,897
Approved Complement — 15		
Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable to defend and then only by order of the court.		
Sec. 9. TAX COURT		
Subdivision 1. Salaries . . . . .	50,670	50,272

	1976	1977
	\$	\$
Approved Complement — 2		
Subd. 2. Supplies and Expense	15,650	15,975
Sec. 10. CONTINGENT ACCOUNTS		
Subdivision 1. General . . . . .	2,000,000	2,000,000
Subd. 2. Game and Fish . . . .	100,000	
This appropriation is from the game and fish fund.		
Subd. 3. Motor Vehicle . . . . .	150,000	
This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense		
Subd. 4. Postage . . . . .	500,000	
For postage rate increases during the biennium ending June 30, 1977, where sufficient appropriations are not available.		
Of the above amount \$250,000 appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.		
Subd. 5. Traffic Safety . . . . .	50,000	
This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.		
Subd. 6. Criminal Justice . . . .	1,620,000	
This appropriation is available to provide additional matching funds for the various state agencies and local governments for programs qualifying under the safe streets and omnibus		

	1976	1977
\$		\$

crime control act of 1968, as amended.

At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the respective committees for review.

The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory committee.

Any unexpended balance remaining in the first year from the appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

Sec. 11. GOVERNOR

Subdivision 1. Salaries, Supplies, and Expense . . . . .	720,000	750,000
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For 1975 — \$48,000

If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment. After serving as a personal aide for a period of three years, the officer shall receive tenure as a sergeant.

Subd. 2. Personal Expenses Connected With Office . . . . .	15,000	15,000
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Subd. 3. Official Governor's Portrait . . . . .		2,500
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Subd. 4. National Governors Conference . . . . .	16,150	16,150
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Subd. 5. Education Council . . . . .	20,000	20,000
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For 1975 — \$3,000

Subd. 6. Upper Great Lakes

	1976	1977
	\$	\$
Regional Commission — State Share .....	71,000	71,000
This appropriation shall cancel if the federal support for the regional commission is withdrawn.		
Subd. 7. Great Lakes Basin Commission — State Share ..	22,300	22,300
For 1975 — \$4,300		
Subd. 8. Upper Mississippi Basin Commission—State Share .....	50,200	45,000
Subd. 9. Missouri River Basin Commission—State Share ....	13,300	14,600
For 1975—\$2,025		
Subd. 10. Governor's Bicentennial Commission and Esthetic Environment .....	157,900	78,950
Subd. 11. Environmental Research and Consultation .....	25,000	25,000
Sec. 12. LIEUTENANT GOVERNOR		
Subdivision 1. Salaries, Supplies, and Expense .....	161,469	162,069
Approved Complement—9		
Subd. 2. Personal Expenses Connected With Office.....	2,000	2,000
Sec. 13. ATTORNEY GENERAL		
Subdivision 1. Salaries.....	1,188,737	1,188,737
Approved Complement—67		
This appropriation provides two additional attorneys and a legal steno for legal services to boards and other agencies now utilizing non-state legal services.		
Subd. 2. Supplies and Expense.	265,100	255,338
Subd. 3. Special Contingent. . .	50,000	
This appropriation shall not be		

	1976	1977
	\$	\$
available for paying the costs of special, legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes, Section 501.12, hereafter filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust.		
Subd. 4. Antitrust . . . . .	200,000	
This appropriation is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws.		
The attorney general shall report the purposes for which the moneys appropriated by this subdivision are utilized. Such reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year.		
Any unexpended balance remaining in the first year from the appropriations made in subdivisions 3 or 4 shall not cancel but shall be available for the second year of the biennium.		
Subd. 5. Minnesota Peace Officers Training Board		
(a) Salaries . . . . .	38,469	38,469
Approved Complement—3		
(b) Supplies and Expense . . . .	19,591	20,539
(c) Reimbursements to Local Governments . . . . .	350,000	350,000

	1976	1977
	\$	\$
Reimbursements for costs of substitute local protection while officers attend regular training courses.		
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Sec. 14. STATE AUDITOR		
Subdivision 1. Salaries . . . . .	127,210	127,210
Approved Complement—8		
Subd. 2. Supplies and Expense.	34,647	41,212
Sec. 15. SECRETARY OF STATE		
General Operations and Management . . . . .	459,124	738,955
Approved Complement—27		

The amounts that may be expended from these funds for each activity are as follows:

Administration	128,225	123,850
Elections and Publications	126,051	407,831
Corporations	165,910	166,542
Uniform Commercial Code	38,938	40,732

The secretary of state with the approval of the commissioner of administration may transfer unexpended balances among the above activities. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

For 1975 — \$800,000

To reimburse counties under the provisions of Minnesota Statutes 1974, Section 201.34. In the event that this appro-

	1976	1977
	\$	\$
<p>priation is not sufficient to completely reimburse the local units of government, the secretary of state shall not request an additional deficiency appropriation, but the amounts reimbursed to the local units of government shall be prorated on the basis of the number of registered voters in each county.</p> <p>The appropriation for 1975 shall not cancel June 30, 1975, but shall be available for the biennium ending June 30, 1977.</p>		
Sec. 16. STATE TREASURER		
Subdivision 1. Salaries . . . . .	257,737	257,737
Approved Complement — 22		
Subd. 2. Supplies and Expense	103,000	105,000
Sec. 17. ETHICS COMMISSION . . . . .		
Approved Complement — 5	108,308	106,412
Sec. 18. ADMINISTRATION		
Subdivision 1. General Operations and Management . . . . .	10,699,381	10,930,128
Approved Complement — 504		
<p>The amounts that may be expended from these funds for each program are as follows:</p>		
Program Management and Budget		
Coordination	591,395	616,971
Management Information Services		
	555,151	541,090
General Services	8,601,462	8,842,223
General Support	951,373	929,844

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the

	1976	1977
	\$	\$

senate and the committee on appropriations of the house of representatives.

Notwithstanding the provisions of any law to the contrary, the commissioner of administration shall lease or sell the state-owned property comprising the St. Croix corrections camp in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the highest bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids.

Subd. 2. Capitol Complex Repairs .....	200,000
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Subd. 3. Midwest Conference — Council of State Governments .....	40,000
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These funds are appropriated to the Inter-State Cooperation Commission for the purpose of hosting the 1976 Midwest Conference of the Council of State Governments.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 19. FINANCE

General Operations and Management .....	3,474,241	3,561,370
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Approved Complement — 113

	1976	1977
	\$	\$
The amounts that may be expended from these funds for each program are as follows:		
Financial Operations		
Management	2,446,462	2,513,320
Financial Control, Analysis, Research, and Development		
	672,391	683,662
General Support	355,388	364,388

The commissioner of finance with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of finance from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the department of finance from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

Sec. 20. PERSONNEL

	1976	1977
	\$	\$
General Operations and Management .....	1,709,347	1,686,748

**Approved Complement—92**

The amounts that may be expended from these funds for each program are as follows:

<b>Recruitment and Selection</b>		
350,417	344,458	
Training	269,097	258,062
<b>Personnel Management Services</b>		
536,192	536,192	
<b>General Support</b>		
523,605	518,000	
<b>Local Government Services</b>		
30,036	30,036	

The commissioner of personnel with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

In the case of state departments, agencies, and institutions which are financed in whole or in part with federal funds, that portion of the cost of collecting social security contributions which is chargeable to federal funds shall be reimbursed from federal funds, and such amounts as are necessary are appropriated from such funds for that purpose.

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so

	1976	1977
	\$	\$
called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose.		
Sec. 21. PERSONNEL BOARD .....	44,450	59,200
Sec. 22. STATE PLANNING AGENCY		
Subdivision 1. General Operations and Management .....	2,407,009	2,399,909
Approved Complement—112		
The amounts that may be expended from these funds for each program are as follows:		
State Planning and Development	217,028	217,028
Functional Area Planning	694,884	687,784
Regional and Local Assistance	1,189,010	1,189,010
General Support	306,087	306,087

The director of the state planning agency with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Included in the functional area planning program are sufficient moneys to conduct a study of railroad track abandonment.

	1976	1977
	\$	\$
Subd. 2. Commission on Minnesota's Future .....	80,000	80,000
Subd. 3. Environmental Quality Council		
(a) Administration .....	52,562	52,562
(b) Citizens Advisory Council .....	15,300	15,300
(c) Environmental Impact Statements—General .....	127,400	127,400
(d) Environmental Impact Statements—Special .....	254,615	254,615
For expenses incurred in hearings and for allocation to appropriate state agencies for the preparation of environmental impact statements.		
(e) Critical Areas Planning..	44,500	44,500
(f) Power Plant Studies.....	217,550	217,550
(g) State and Regional Environmental Education Councils .....	162,500	162,500
No less than 50 percent of the efforts of the state and regional councils shall be directed to cooperation with and service for other groups, agencies, and institutions for the dissemination of environmental information.		
(h) Minneapolis Environmental Conservation Library—Grant-in-aid .....	40,000	40,000
Sec. 23. CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION .....	62,556	62,207
Sec. 24. MUNICIPAL COMMISSION .....	108,208	108,527
Approved Complement — 4		
Sec. 25. COMMISSION ON THE HANDICAPPED .....	133,000	133,000
Approved Complement — 3		

	1976	1977
	\$	\$
<b>Sec. 26. HUMAN RIGHTS</b>		
Subdivision 1. Salaries . . . . .	437,379	422,379
Approved Complement — 34		
Subd. 2. Supplies and Expense	102,743	101,922
<b>Sec. 27. INDIAN AFFAIRS COMMISSION . . . . .</b>		
	100,000	

Approved Complement — 4

This appropriation includes funds for payment of the expenses of the delegate to the Indian Council meeting.

Prior to January 1, 1976, the commission shall cease operation of its current offices and establish a single state office in the city of Bemidji from which it will carry out its responsibilities under Minnesota Statutes, Section 3.922, Subdivision 6.

On or before February 29, 1976, the commission shall prepare and present to the legislature a plan for the future operation of the commission and its staff. The plan shall include the specific goals, and the activities and methods which will be employed by the commission to achieve the stated goals.

**Sec. 28. VETERANS AFFAIRS**

Subdivision 1. Salaries . . . . .	438,971	438,971
Approved Complement — 41		
Subd. 2. Supplies and Expense	104,731	109,153
Subd. 3. Veterans Relief Account . . . . .	1,010,000	1,010,000

The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.

	1976	1977
	\$	\$
None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps.		
Subd. 4. War veterans and war orphans education aid . . .	52,000	52,000
To be expended pursuant to Minnesota Statutes, Section 197.75.		
Subd. 5. Headstones, markers, and sockets for soldiers and sailors graves . . . . .	6,000	6,000
Any unexpended balances remaining in subdivisions 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 6. Veterans Preference	5,000	5,000
<b>Sec. 29. MILITARY AFFAIRS</b>		
Subdivision 1. Salaries . . . . .	1,549,312	1,543,015
Approved Complement — 170		
Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available.		
Subd. 2. Supplies and Expense	1,022,204	1,078,005
Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section which relate to armory maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.		
Sec. 30. COMMISSION ON CRIME PREVENTION AND CONTROL . . . . .	60,000	63,254
Approved Complement — 35		

	1976	1977
	\$	\$
<b>Sec. 31. PUBLIC SAFETY</b>		
Subdivision 1. Salaries . . . . .	19,382,591	19,378,121
Approved Complement		
1976—1,452		
1977—1,461		

Of the amounts provided in subdivision 1, \$14,476,390 for the first year and \$14,424,586 for the second year is appropriated from the trunk highway fund for traffic safety programs. \$1,775,254 for the first year and \$1,769,276 for the second year is appropriated from the highway user tax distribution fund for the administration of motor vehicle laws.

Of the amount provided in subdivision 1, \$3,130,947 for the first year and \$3,184,259 for the second year is appropriated from the general fund.

The above approved complement includes 504 for all unclassified patrol officers and supervisors of the highway patrol. This complement shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of administration, between the various units and divisions within this subdivision, providing that the above complement restriction is not exceeded. If the personnel in the above restricted complement are transferred to another unit or division of the department, the above complement shall be reduced accordingly.

No new highway patrol super-

	1976	1977
	\$	\$
visory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.		
Subd. 2. Supplies and Expense	10,153,390	10,100,716

Of the amounts provided in subdivision 2, \$7,225,312 for the first year and \$6,848,124 for the second year are appropriated from the trunk highway fund for traffic safety programs.

Of the amounts provided in subdivision 2, \$1,862,264 for the first year and \$2,042,709 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 2, \$1,065,814 for the first year and \$1,209,883 for the second year is appropriated from the general fund.

The commissioner is directed to sell or otherwise dispose of two fixed wing aircraft operated by the department of public safety prior to January 1, 1976. The commissioner shall maintain not more than three helicopters in flight condition. The three units which the department is authorized to maintain shall be located in and for primary use in the seven county metropolitan area. As the number of aircraft units is reduced as herein directed, the number of highway patrol officer pilots shall be reduced accordingly and those officers reassigned to road patrol duty. Once returned to road patrol duty, highway patrol officers shall not continue to receive flight status compensation in

	1976	1977
	\$	\$
<p>addition to their regular salaries. All moneys received from the sale of aircraft shall be deposited as non-dedicated receipts to the trunk highway fund.</p>		
Subd. 3. Weigh Scale and Motor Vehicle Inspection — Labor Account .....	491,375	491,375
For 1975 — \$10,000		
<p>The personnel involved in the support of the weigh scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund.</p>		
<p>This appropriation provides sufficient moneys to operate the mobile truck weighing program on a twelve-month basis. The commissioner of finance is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivisions 1, 2, and 3.</p>		
Subd. 4. Minnesota Crime Information System Planning and Development .....	60,000	
<p>Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium.</p>		
Subd. 5. Sheriff's Communication Network .....	1,232,314	1,286,979
Approved Complement — 14		
Subd. 6. Police Schools Supplies and Expense .....	143,213	145,724
Subd. 7. License Plates		
(a) Salaries .....	280,850	280,237
Approved Complement—13		

	1976	1977
	\$	\$
(b) Supplies and Expense . . . .	2,444,665	2,496,225

The amounts provided in subdivision 7, clauses (a) and (b) are appropriated from the highway user tax distribution fund.

Subd. 8. Crime Victims Reparations Board . . . . .	200,000	200,000
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#### Approved Complement—2

Any unexpended balance remaining in the first year shall not cancel, but shall be available for the second year of the biennium.

Subd. 9. Civil Air Patrol . . . . .	30,000	30,000
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Subd. 10. State Aids for Air Warning . . . . .	30,000	30,000
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The department of public safety is authorized to make grants-in-aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems.

Subd. 12. Private Detective Licensing Board . . . . .	3,000	3,000
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#### Sec. 32. COMMERCE

General Operations and Management . . . . .	3,428,949	3,379,986
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#### Approved Complement—209

The amounts that may be expended from these funds for each program are as follows:

Supervision of State Chartered Financial Institutions	1,216,457	1,212,432
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Investment Protection	541,657	539,976
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Consumer Services	289,747	288,454
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Regulation of Insurance Companies	837,733	831,099
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	1976	1977
	\$	\$
General Support	543,355	508,025
<p>The commission with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.</p>		
Sec. 33. EXAMINING BOARD OF ABSTRACTORS . .		2,185
Sec. 34. EXAMINING BOARD OF ACCOUNTANCY .		73,000
Sec. 35. EXAMINING BOARD OF ARCHITECTS, ENGINEERS, AND SURVEYORS .		164,159
Sec. 36. EXAMINING BOARD OF BARBERS . . . . .		59,985
Sec. 37. EXAMINING BOARD OF COSMETOLOGY . .		255,863
Approved Complement—15		
Sec. 38. EXAMINING BOARD OF ELECTRICITY . . .		1,235,535
Approved Complement—18		
Sec. 39. EXAMINING BOARD OF WATCHMAKING .		11,381
Sec. 40. STATE BOXING COMMISSION . . . . .	26,000	27,000
Sec. 41. LABOR AND INDUSTRY		
Subdivision 1. Salaries . . . . .	2,772,030	2,760,570
Approved Complement—230		
Subd. 2. Supplies and Expense .	533,000	517,500
Sec. 42. MEDIATION SERVICES		
Subdivision 1. Salaries . . . . .	430,000	430,000
Approved Complement—26		

	1976	1977
	\$	\$
Subd. 2. Supplies and Expense.	124,000	130,000
<b>Sec. 43. PUBLIC SERVICE</b>		
General Operations and Management .....	3,159,944	3,104,197

**Approved Complement—160**

The amounts that may be expended from these funds for each program are as follows:

<b>Utilities</b>		
Regulation 986,971	838,539	
<b>Warehouse and Transportation</b>		
Regulation 520,499	533,473	
<b>Weights and Measures</b>		
Regulation 767,311	791,528	
<b>General Support</b>		
885,163	940,657	

The public service department may transfer unexpended balances among the above programs, except that no funds shall be transferred from the weights and measures program until the department has consulted with the appropriate division of the house appropriations committee and the senate finance committee and it has made its recommendation thereon. Such recommendation shall be advisory only and failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

If at any time during the biennium ending June 30, 1975, the workload of the utilities regulation program falls below that which is anticipated and the executive director determines that the appropriated resources are in excess of that program's needs, he shall notify the commissioner of administra-

	1976	1977
	\$	\$

tion. The commissioner of administration may transfer any resources so deemed to be in excess to the state department of energy if that department can demonstrate sufficient need, and provided that no employee of the state shall lose any accrued rights or benefits.

**44. ECONOMIC DEVELOPMENT**

Subdivision 1. Salaries, Supplies, and Expense .....	1,260,130	1,162,795
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Approved Complement — 42

The appropriation for 1976 includes sufficient moneys for the development and publication of a statewide pictorial guide and a statewide vacation guide.

No more than one research project may be undertaken. The commissioner shall report to the next legislative session specific requests for research projects for the next biennium.

Subd. 2. Media Advertising ..	262,500	262,500
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None of these funds shall be expended for promotional expense.

Subd. 3. Matching Grants for Regional or Local Tourist Development .....	250,000	100,000
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The commissioner of economic development may enter into contractual project agreements with organizations or corporations for the purpose of developing the tourism potential of the state.

If in the judgment of the commissioner, a project will make a meaningful contribution to the tourism development of

	1976	1977
	\$	\$
the state, he may enter into local or regional agreements. No agreement shall be for more than 50 percent of the total annual project cost.		
<b>Sec. 45. AERONAUTICS</b>		
Subdivision 1. Salaries . . . . .	478,044	480,344
Approved Complement — 33		
Subd. 2. Supplies and Expense . . . . .	128,000	128,000
Subd. 3. Aeronautics Proceedings . . . . .	9,000	9,000
This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings.		
Subd. 4. Aeronautics Safety and Education . . . . .	22,100	21,100
Subd. 5. Airport Construction and Improvements		
(a) Key system airports . . . .	2,915,085	3,217,401
(b) Intermediate system airports . . . . .	800,635	858,977
(c) State landing strips . . . .	803,295	872,902

The appropriations made in this subdivision shall be expended only for grant-in-aid programs for airports which are not state owned.

These appropriations are to be expended in accordance with Minnesota Statutes, Section 360.305, Subdivision 4 (1), (2), (4), and (5).

The commissioner of aeronautics may transfer unexpended balances between the above items with the approval of the governor after consultation with the legislative advisory committee.

	1976	1977
	\$	\$
Subd. 6. Navigational Aids . . .	638,700	607,000
Subd. 7. Striping Airport Runways . . . . .	29,500	22,500
Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.		
Subd. 8. Operation and Maintenance of State Owned Airports . . . . .	25,300	

Not more than the indicated amounts shall be expended for each of the following:

- Orr \$17,100
- Thief River Falls 8,200

Provided that all income which is received from the operation of these airports shall be utilized for operation. Provided further that the ownership of these airports shall be transferred to their respective communities, counties or regions prior to June 30, 1976.

In the event that the ownership is not transferred prior to June 30, 1976, the commissioner of aeronautics is directed to cease operations and close the airports to public or private use on July 1, 1976.

Subd. 9. Pine Creek — Construction . . . . .	22,500
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This appropriation shall not cancel but shall remain available until expended or the project completed or abandoned.

Notwithstanding the provisions of Minnesota Statutes, Section 360.021, Subdivision 1, or any other law to the contrary, the commissioner of aeronautics shall acquire no

	1976	1977
	\$	\$

additional state airports, nor shall he establish any additional state-owned airports during the biennium ending June 30, 1977.

No moneys shall be expended by the commissioner of aeronautics under the appropriations made by subdivisions 5, 6, and 7, or any other law, for land acquisition, or for the construction, improvement, maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and such authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with Minnesota Statutes 360.061 to 360.074.

The commissioner of aeronautics is directed to make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Any unexpended balance remaining in subdivisions 5 through 7 the first year shall not cancel but shall be available for the second year of the biennium.

The amounts appropriated by this section are from the state airport fund.

**Sec. 46. DEPARTMENT OF AGRICULTURE**

General Operations and Management . . . . .  
Approved Complement — 540  
The amounts that may be ex-

	6,167,231	6,242,277
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	1976	1977
	\$	\$
<p>pended from these funds for each program are as follows:</p>		
Marketing Services and Market Development	573,821	580,198
Food Products and Poultry, Regulation and Supervision	836,722	833,723
Protection and Development of Agricultural Resources	4,053,914	4,106,903
General Support	702,774	721,453

The commissioner of agriculture with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

All moneys collected by authority of Minnesota Statutes, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes, Section 21.47 to 21.58.

The fees charged for grain inspection and weighing shall be in accordance with Minnesota Statutes 1974, Section 17B.15, as amended by this act.

#### Sec. 47. LIVESTOCK SANITARY BOARD

Subdivision 1. Salaries . . . . .	602,646	602,646
Approved Complement — 46		
Subd. 2. Supplies and Expense	181,800	176,982
Subd. 3. Indemnities . . . . .	80,000	

	1976	1977
	\$	\$

No payment for less than \$1 for indemnities may be made.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Field Laboratories . .	67,000	67,000
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For the operation of field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases.

Subd. 5. Contingent Account.	128,800	
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The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board.

Of these funds \$28,800 is designated to be spent in the biennium for operation of a swine brucellosis program only if the state receives federal funds in the amount of at least \$115,000 for the biennium for that program. If federal funds are not obtained, this amount shall cancel to the general fund.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 48. REVENUE

Subdivision 1. Salaries . . . . .	10,790,490	10,784,450
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Approved Complement — 872

Subd. 2. Supplies and Expense	4,749,625	4,900,447
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The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by de-

	1976	1977
	\$	\$
partment are to be deposited in the general fund.		
The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously per- formed by the University of Minnesota.		
Subd. 3. Assessors Tuition . . .	60,000	60,000
Sec. 49. INVESTMENT BOARD . . . . .	665,363	689,613
Approved Complement — 27		
Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating ma- chine.		
Sec. 50. ENERGY		
Subdivision 1. Salaries . . . . .	435,335	435,156
Approved Complement — 29		
Subd. 2. Supplies and Expense	267,529	234,675
Sec. 51. NATURAL RESOURCES		
General Operations and Man- agement . . . . .	29,625,293	28,379,893
Approved Complement — 1,265		
The amounts that may be ex- pended from these funds for each program are as follows:		
Administrative Management Services	3,520,980	3,320,980
Regional Administra- tion	1,599,899	1,599,899
Field Services Sup- port	2,980,923	2,547,923
Water Resources Man- agement	1,066,758	1,066,758
Minerals Resources Manage- ment	906,830	906,830

		1976	1977
		\$	\$
Forest Management	3,746,208	3,738,808	
Fish Management	3,843,807	3,393,807	
Wildlife Management	3,108,434	3,113,434	
Ecological Surveys and Services	371,681	371,681	
Parks and Recreation Management	4,467,558	4,467,558	
Soil and Water Conservation Commission	471,428	471,428	
Enforcement of Natural Resource Laws, Rules and Regulations	3,540,787	3,380,787	

The commissioner of natural resources with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Of the amounts herein provided, \$18,445,006 for the first year and \$17,912,150 for the second year are appropriated from the general fund; \$10,580,287 for the first year and \$9,867,743 for the second year are appropriated from the game and fish fund; and \$600,000 each year is appropriated from the wildlife acquisition account.

In addition to the amounts herein appropriated, all moneys credited to the game and fish fund under Minnesota Statutes, Section 296.421, Subdivision 4, are appropriated to the commissioner of

1976

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natural resources for the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement.

This appropriation provides additional personnel to staff regional administration offices so that certain functions now performed in St. Paul will be assigned to regional administration offices. Positions in the central office which are vacated or whose duties have been transferred are abolished no later than June 30, 1976. The positions designated for elimination shall total 7 as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

Of the amounts appropriated for water resources management, \$12,000 each year is intended for a continuation of the sand plains area groundwater study as authorized by Laws 1973, Chapter 720, Section 43.

Of the amount appropriated for the enforcement and safety training for the first year, \$160,000 is designated for upgrading of radio communication equipment. The department is directed to seek federal assistance in the completion of this project. Any reimbursements or grants received which are in excess of the financial resources necessary for the completion of this project shall be deposited as non-dedicated receipts as follows: 60 percent to the game and fish fund and 40 percent to the general fund.

	1976	1977
	\$	\$

Subd. 2. Forest Inventory Supplemental ..... 650,000

For the costs of employing temporary staff and other costs relating to the first stage of a forest growth inventory.

Any balance remaining the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. Environmental Impact Statement — Reserve Mining Company Disposal Sites

For 1975 — \$200,000

This appropriation shall be for analysis of all proposed on-land sites for tailings disposal. Should this appropriation prove to be insufficient, the commissioner shall inform the commissioner of administration and request that additional moneys be made available from whatever sources are appropriate.

This appropriation shall not cancel June 30, 1975, but shall be available until June 30, 1977.

Subd. 4. Canoe and Boating River Sites ..... 300,000

Subd. 5. Youth Conservation Corps ..... 150,000

To provide residential summer work camps offering jobs in conservation and environmental education instruction to young people through the state.

Subd. 6. Reservation Conservation Law Enforcement .... 150,000

The commissioner of natural resources is authorized to contract with Indian reservations for the enforcement of state conservation laws by Indian game wardens within reservation boundaries.

	1976	1977
	\$	\$

Any balance remaining the first year in subdivisions 4, 5 and 6 shall not cancel but shall be available for the second year of the biennium.

Sec. 52. WATER RE-SOURCES BOARD .....	75,293	75,493
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Approved Complement — 3

All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

**Sec. 53. POLLUTION CONTROL AGENCY**

Subdivision 1. Salaries, Supplies, and Expense .....	3,284,676	3,184,993
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Approved Complement — 176

The agency is hereby authorized up to 7 additional positions upon the approval by the commissioner of administration of the agency's work program, priorities, and proposed job assignments. Such financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of any of these additional employees.

The health department will continue to render such staff services as the agency may require from time to time through health's division of environmental health. The health department is to be reimbursed from this appropriation for the cost thereof.

Subd. 2. Additional Special Studies .....	245,000	
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The appropriation in subdivision 2 includes funds for groundwater analysis of the proposed housing development

	1976	1977
	\$	\$
at the former Republic Creosote Company site in St. Louis Park.		

The agency is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. Automobile Recycling .....	800,000	800,000
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The agency shall report to the 1977 session of the legislature the extent of the problem remaining and the necessity to continue this program at the current level.

Subd. 4. Packaging Program	42,000	42,000
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Subd. 5. Recycle Solid Wastes—Grants-in-Aid .....	616,000	
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This appropriation shall be expended only for feasibility studies and construction as provided in Minnesota Statutes, Section 116F.03, and not for administrative costs of the agency.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

**Sec. 54. ZOOLOGICAL BOARD**

For operation and pre-opening costs of the state zoological garden .....	700,000	1,800,000
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Sec. 55. NATURAL RESOURCES ACCELERATION

Subdivision 1. Minnesota Resources Commission together with any sums received as grants-in-aid from federal sources and any sums granted by private sources to carry out the purposes of the commission. . . . .

299,750

The commission shall during the 1975-77 biennium review the work programs and progress reports required under subdivision 10 of this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other appropriate committees. The commission shall report to the 70th session of the legislature its findings and recommendations regarding payments in lieu of taxes on state and federally owned land. The commission shall report its recommendations regarding recodification and classification of the laws pertaining to the Minnesota outdoor recreation resources commission and the Minnesota Resources Commission.

The commission shall continue to monitor the activities regarding establishment and development of Voyageurs National Park, and will cooperate and coordinate with the citizens advisory committee if established and all appropriate state, federal and local agencies and shall advise the legislature on matters affecting state policy related thereto. The commission shall study the question of the state role in the use of aban-

doned railroad lands and report its recommendations to the legislature.

Natural resources acceleration appropriations to state agencies that receive programmatic appropriations shall be added to and disbursed from those respective programmatic appropriations. Those agencies will identify the source and disbursement of all moneys contained within the activities financed all or in part by programmatic appropriations and/or natural resources acceleration appropriations.

Subd. 2. Department of Administration

a. Acquisition of state recreation lands and trails . . . . . 3,725,000

To be expended in accordance with the purposes and criteria of the outdoor recreation act of 1975 if enacted, and according to the priorities established by project 80. These funds may only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers, canoe and boating route riversites and state scientific and natural areas.

b. Acquisition of land—state forests . . . . . 350,000

c. Acquisition of land—wildlife habitat . . . . . 250,000

d. Acquisition of scenic easements—St. Croix riverway

Notwithstanding any law to the contrary, the amount appropriated in Laws 1973, Chapter 720, Section 43, Subdivision 2, paragraph c, but not expended due to adminis-

	1976	1977
	\$	\$
trative delays, is hereby re-appropriated for the biennium ending June 30, 1977.		
e. Voyageurs National Park Advisory Committee	35,000	
f. Acquire land — Helmer Myre State Park	350,000	
This appropriation shall be available only if expansion of the present statutory boundaries of the current state park is enacted.		
g. Grants-in-aid for local recreation and natural areas . . . .	4,000,000	

This appropriation is to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, paragraph g.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government.

This appropriation shall be expended with the approval of the governor after consultation

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with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

h. Grants-in-aid for regional recreation and natural areas. .

4,000,000

The state planning agency shall administer the natural resources and land and water grants-in-aid program.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473B.011, Subdivision 2.

The amount needed but not to exceed \$2,000,000 of this appropriation shall be transferred to the metropolitan council to pay principal and interest coming due in fiscal year 1976 on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

This appropriation is available to pay up to 100 percent of the local share for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

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Priorities for use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

i. City of St. Paul . . . . .

500,000

For acquisition of the property known as the Crosby farm

The commissioner of administration shall transfer this amount to the city contingent upon proof that at least an equal amount of other than state funds is provided for the same purpose by local government.

j. If legislation is enacted which authorizes the issuance of state bonds to provide money for acquisition of land or interests in land for natural resource programs, the appropriations made in subdivision 2, paragraphs (a), (b), (c) and (f) of this section for state land acquisition, for wild, scenic and recreational rivers, state parks, state trails, state forests, and fish and wildlife habitat purposes, shall be combined into one account and remain available for expenditure, provided that no moneys shall be expended until the Minnesota resources commission establishes an expenditure program. Allocations from the account shall be made by the governor after

	1976	1977
	\$	\$
consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations regarding such allocations.		

Subd. 3. Department of Education

- |   |        |  |
|---|--------|--|
| a. FFA stocking of upland game birds .....        | 75,000 |  |
| b. Matching funds for weather gauge program ..... | 15,000 |  |

This appropriation is available to pay 50 percent of the cost of weather gauges to be supplied to local FFA chapters. The state FFA supervisor shall recommend distribution of these moneys.

Subd. 4. Department of Health .....	11,000	
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For evaluation of problems relating to water pollution resulting from abandoned wells in southeast Minnesota.

Subd. 5. Minnesota Historical Society

- |   |           |  |
|---|-----------|--|
| a. Ft. Snelling restoration — final appropriation ..... | 1,250,000 |  |
| b. Historic trails study .....                          | 20,000    |  |
| c. Interpretive Centers Plan..                          | 100,000   |  |

For preparation of a plan that includes analysis of the historical resources of the various regions of the state, the feasibility and need for interpretation of those resources and the long-range costs and benefits associated with establishment of interpretive centers; the plan shall also include a priority listing of existing and prospective centers.

- |   |         |  |
|---|---------|--|
| d. Historic Interpretive Centers — Construction Aid ..... | 200,000 |  |
|---|---------|--|

Provided that no construction assistance grants shall be made

	1976	1977
	\$	\$
until the Minnesota historical society has completed the interpretive centers plan and the plan has been reviewed by the Minnesota resources commission.		

e. Historic Buildings and Sites Restoration Plan . . . . .	50,000	
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For development of a restoration plan for historic sites. The plan shall include an explanation of the need for preservation, long-range costs and benefits associated with restoration and a priority listing of prospective sites.

f. Grants-in-aid for restoration of major historical structures.	570,000	
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Of the amount appropriated, not more than \$450,000 shall be available to Minnesota Landmarks, Inc., and the city of St. Paul for restoration of the old federal courts building, contingent upon proof that at least an equal amount is provided by other than state sources, after July 1, 1975.

Of the amount appropriated not more than \$100,000 shall be available for the restoration of the old Washington county courthouse contingent upon proof that at least an equal amount is provided by other than state sources, after July 1, 1975.

Of the amount appropriated, not more than \$20,000 shall be available for the restoration of the old Hinckley depot.

g. Preservation and restoration officers row, Fort Snelling historic district . . . . .	75,000	
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This appropriation shall be used only for major mechani-

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cal and structural renovation of the houses on Taylor Avenue and the annex in Fort Snelling. Non-profit organizations and agencies may refurbish and utilize the structures by agreement with the Minnesota historical society and at no expense to the state.

Demolition of the structures may only occur with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such action.

h. Study of grist mills . . . . . 25,000

The study shall include documentary evidence, field surveys and shall explain the need for preservation and the long range costs and benefits associated with restoration.

i. Restore state map collection 30,000

j. The Minnesota historical society is hereby authorized to establish and collect such fees as it may deem reasonable for admission to the state-owned sites which are under its control. All such fees that are collected from the operation of these state-owned sites shall be deposited in the general fund.

For the purposes of this subdivision, the Minnesota historical society is exempted from the competitive bidding procedures of Minnesota Statutes, Section 16.07.

Subd. 6. Department of Natural Resources

	1976	1977
	\$	\$
a. State land recreation development .....	3,336,000	

To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1975 if enacted and in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments and state waysides, state trails, state wild, scenic and recreational rivers, state scientific and natural areas. Of the above amount, \$1,800,000 is appropriated from the state parks development account.

The commissioner of natural resources shall describe the proposed expenditures from this appropriation to the committee on finance of the senate, the committee on appropriations of the house of representatives and the Minnesota resources commission.

Of the above amount, \$1,536,000 shall be expended only upon projects which are eligible for federal land and water conservation reimbursements.

b. Level B Study of the Mississippi River .....	50,000
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This appropriation provides staff and related expenses required to maintain state input to a state-federal study of the upper Mississippi river. The appropriation is available for the department of natural resources, \$32,000; for the pollution control agency, \$8,000; and the water resources coun-

	1976	1977
	\$	\$

cil, \$10,000. The state input will be coordinated by the commissioner of natural resources.

c. Acceleration project—game lake management .....	200,000
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For construction of two small dams, repair of outlet dam and channel excavation to manage water levels on Heron Lake in Jackson county.

d. Management—Upper St. Croix .....	93,900
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This appropriation provides staff and related expenses to coordinate the state portion of acquisition and related activities for the upper St. Croix national scenic riverway.

e. Planning for wild, scenic and recreational rivers .....	300,000
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This appropriation provides expenses related to data gathering, planning, public hearings and other activities necessary prior to official designation of rivers or river segments as wild, scenic or recreational.

f. State soil and water conservation commission, grant-in-aid program for sediment and erosion control, demonstration project .....	300,000
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This appropriation is available to provide funds for a demonstration grant-in-aid program to assist local units of government or local soil and water conservation districts in solving sediment and erosion control problems by providing matching funds not to exceed 50 percent of the total cost or 50 percent of the

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local share if federal funds are used. Guidelines for program operation and grant distribution shall be subject to approval by the Minnesota resources commission. Of the amount provided, not less than 85 percent shall be distributed as grants-in-aid.

The state soil and water conservation commission shall administer the grant-in-aid program. Priority for distribution of funds shall be given to projects eligible for federal matching funds. Projects designed to solve streambank and roadside erosion shall be given first priority.

g. Dam repair and reconstruction .....

60,000

For the city of Grand Meadow as state participation in the repair and reconstruction including siltation removal of the dam at Pine Lawn Park, provided that the plan for reconstruction is approved by the commissioner of natural resources.

h. Dam repair and reconstruction .....

The unexpended balance amounting to \$79,611 of the appropriation made in Laws 1969, Chapter 1139, Section 48, Subdivision 7, paragraph h, to the commissioner of natural resources for the city of Anoka to repair a dam on the Rum river is hereby reappropriated. The commissioner of natural resources is directed to reimburse the city of Anoka to fulfill the intent of the original grant.

i. Nursery Modification .....

75,000

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To modify General Andrews nursery cold storage operations to facilitate timely transfer of nursery stock to various areas of the state consistent with variations in planting seasons.

Subd. 7. State Planning Agency

a. Develop air photo plan . . . . . 10,000

The state planning agency shall coordinate the efforts of the various state agencies in developing a plan for acquiring aerial photography. The plan shall adequately address the needs of the user agencies and shall insure that there is a minimum but sufficient amount of photography and related mapping activity conducted by the state. This plan shall be completed and presented to the Minnesota resources commission prior to the expenditure of any money in paragraph b.

b. Small scale air photo maps . . . . . 150,000

The state planning agency shall coordinate the efforts of the various user agencies such that the maps produced provide a logical, consistent set of information for state agency use.

c. Develop uniform generalized forest map for the entire state . . . . . 8,000

The state planning agency shall coordinate the efforts of the various state agencies to secure the information necessary and produce a map of forested lands in the state which is uniform and generalized.

d. Implementation of Minnesota Outdoor Recreation Act of 1975 . . . . . 600,000

	1976	1977
	\$	\$
For allocation to appropriate state agencies to review the classification of resources and prepare management plans in accordance with the Minnesota outdoor recreation act of 1975. This appropriation is contingent upon enactment of the outdoor recreation act of 1975.		
e. Copper-nickel regional environmental impact statement	920,000	
Provided that the Minnesota environmental quality council shall establish priorities for the expenditure of these moneys.		
Subd. 8. Regents of the University of Minnesota . . . . .	100,000	
For acceleration of detailed county soil surveys. The costs of the program shall be shared between local, state and federal units of government.		
Subd. 9. Professional services		
a. Department of natural resources		
Of the amounts appropriated to the commissioner of natural resources in this section, not more than \$1,026,300 may be expended for professional services.		
b. Department of administration		
Of the amounts appropriated to the commissioner of administration, not more than \$620,750 may be expended for professional services related to land acquisition.		
c. State planning agency		
Of the amounts appropriated in subdivision 2, paragraphs g and h of this section, the commissioner of administration		

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shall transfer \$196,000 to the state planning agency for administration of the grants-in-aid programs specified therein.

Subd. 10. It shall be a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in such form as may be determined by the Minnesota resources commission. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

Subd. 11. Natural Resources Federal Reimbursement Account

Reimbursements and matching moneys received from the federal government for the purposes described in Minnesota Statutes, Chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or matching funds, shall in the first instance be credited to a federal receipt account by the state agency receiving such reimbursements or matching moneys.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, which receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account. Of the amounts transferred, \$1,000,000 is appropriated for the purposes of that account. The balance of

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funds so transferred shall be deposited in the general fund. The provision for transfer shall not apply to federal aid reimbursements received under Minnesota Statutes, Section 16A.68.

Any Land and Water Conservation Fund moneys received over and above the normal state apportionment from that fund are also appropriated for the purposes of the natural resources federal reimbursement account. This appropriation shall be considered as additional to the specific amount appropriated from the amounts transferred in this subdivision.

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963 through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

These appropriations are available for the purposes of state land acquisition and development as described in this section, when such acquisition and development is deemed to be of an emergency or critical nature. In addition these moneys shall be available for studies initiated by the Minnesota resources commission which are found to be proper in order for the commission to carry out its legislative charge.

All requests for allocation from the account for acquisi-

tion or development must be accompanied by a certificate signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state outdoor recreation act of 1975 if enacted, the state recreation plan and project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee. The Minnesota resources commission shall make recommendations to the legislative advisory committee regarding such expenditures.

Any unexpended balance remaining in the first year from appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

#### Sec. 56. WORKMEN'S COMPENSATION

For 1975—\$273,765.72

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Agriculture	35,977.80
Economic Development	933.83

	1976	1977
	\$	\$
Judicial-District Court Judges	2,312.90	
Military Affairs	22,743.49	
Natural Resources	126,098.64	
Legislative Audit Commission	4,568.68	
Public Safety	26,805.94	
Public Service	4,849.25	
Revenue	33,062.68	
Governor	3,932.15	
Livestock Sanitary Board	11,782.45	
Tax Court	697.91	
<b>Sec. 57. UNEMPLOYMENT COMPENSATION</b>		
For 1975—\$614,341.91		
Agriculture	17,023.58	
Indian Affairs	1,039.68	
Natural Resources	581,709.81	
Minnesota Legisla- tive Building Commission	1,280.00	
Military Affairs	4,090.05	
Minnesota Commis- sion for the Handicapped	2,210.00	
Attorney General	2,207.46	
Labor and Industry	3,044.24	
Governor's	1,737.09	
Of the amount appropriated, \$159,090 is from the game and fish fund.		

Sec. 58. [TRANSFER OF FUNDS.] The commissioner of finance is hereby directed to make the following transfers;

Subdivision 1. There is hereby transferred to the general fund the sum of \$1,337,419.72 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1973-75 biennium from the highway user tax distribution fund.

Subd. 2. There is hereby transferred from the general fund the sum of \$1,228.50 to correct an overestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 3. There is hereby transferred from the general fund the sum of \$137.54 to correct an overestimate in the cost of mailing gas tax refunds during the 1971-73 biennium, the sum to be transferred to the highway user tax distribution fund.

Subd. 4. There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

(a) From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1975  
 .....\$15,000.00

(b) From the trunk highway fund for the Mississippi river parkway commission, for the year ending June 30, 1975 .....\$ 7,337.51

Sec. 59. Any moneys made available to any state department or agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 60. [OPEN APPROPRIATION FOR EMPLOYEE COMPENSATION INCREASES.] Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation and other economic benefits of classified and unclassified officers and employees of the legislative, executive, and judicial branches of state government, members of the state highway patrol, and employees of the Minnesota historical society and non-academic employees of the university of Minnesota who are paid from state funds, if such increases are authorized by law during the 1975 session of the legislature or if such increases are authorized by appropriate resolution for employees of the legislature.

Subd. 2. The commissioner shall certify the amounts necessary in accordance with subdivision 1 of this section to the commissioner of finance, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1975.

Subd. 3. Any sums certified and transferred to the university of Minnesota under the provisions of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increased cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury.

Subd. 4. Notwithstanding any other law to the contrary, the appropriations made to the commissioner of administration in Laws

1973, Chapter 720, Section 58, shall continue to be available for the purposes specified until June 30, 1977, unless those purposes are amended or modified during the 1975 session of the legislature.

Sec. 61. Any balance remaining on June 30, 1975, of the appropriation made to the public service commission by Laws 1973, Chapter 209, for passenger railroad service is hereby reappropriated for the biennium ending June 30, 1977.

Sec. 62. The balance of the appropriation made by Laws 1973, Chapter 748, Section 9, which has been encumbered for contracts with regions, municipalities, and public institutions for the purposes of Minnesota Statutes, Section 116F.03 shall not cancel on June 30, 1975, but shall remain available until expended.

Sec. 63. Minnesota Statutes 1974, Section 3.102, is amended to read:

3.102 [LEGISLATIVE LIVING EXPENSES.] Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity incurred while engaged in official business when the legislature is not in session. The amount of such reimbursement shall not exceed \$33 per day as a per diem expense allowance for all expenses incurred except travel and lodging. *He* The member shall also be reimbursed for his travel and lodging expenses in the same manner and amount as state employees are reimbursed for such travel.

~~Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.~~

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 64. Minnesota Statutes 1974, Section 4.11, Subdivision 5, is amended to read:

Subd. 5. The governor may direct any state department or other agency of the state government to furnish the state planning agency with such personnel, equipment, and services as are necessary to enable it to carry out its powers and duties, and prescribe the terms thereof ; including reimbursement of costs thereof. Any moneys paid to a state department or other agency of the state government pursuant to this subdivision are hereby annually appropriated to such department or agency for the same purposes for which its funds were expended in furnishing personnel, equipment, and services to the state planning agency. . When requested by the state planning agency to perform planning work, state agencies will be expected to use existing staff.

Sec. 65. Minnesota Statutes 1974, Section 5.08, Subdivision 2, is amended to read:

Subd. 2. [DISTRIBUTION.] 15,000 copies of the legislative manual shall be printed and distributed as follows:

- ~~(1)~~ 50 copies to the president of the Senate;
- ~~(2)~~ (1) 25 copies shall be available to each member of the legislature on request;
- ~~(3)~~ (2) 50 copies to the state historical society;
- ~~(4)~~ (3) 25 copies to the state university;
- ~~(5)~~ (4) 60 copies to the state library;
- ~~(6)~~ (5) Two copies each to the library of Congress, the Minnesota veterans home, the state colleges, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;
- ~~(7)~~ (6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;
- ~~(8)~~ (7) One copy to each public school, to be distributed through the county superintendent of schools each school district ; and
- ~~(9)~~ (8) The remainder may be disposed of as the secretary of state deems best , and at a price the secretary of state shall establish. All receipts from the sale of the legislative manual shall be deposited to the general fund .

Sec. 66. [MISAPPROPRIATION OF FUNDS.] It shall be illegal for any state officer or head of any state department or any employees thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, provided however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

Sec. 67. Minnesota Statutes 1974, Section 12.21, Subdivision 3, is amended to read:

Subd. 3. In performing his duties under this chapter and to effect its policy and purpose, the governor is further authorized and empowered:

- (1) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government and without complying with sections 15.0411 to 15.049, inclusive, but no order, rule or regulation

shall have the force and effect of law except as provided by section 12.32;

(2) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into and coordinated with the civil defense plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for civil defense by the political subdivisions of this state, such plans to be integrated into and coordinated with the civil defense plan and program of this state to the fullest possible extent;

(3) In accordance with such plan and program for the civil defense of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of civil defense organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need;

(4) To make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for civil defense, and to plan for the most efficient emergency use thereof;

(5) On behalf of this state, to enter into mutual aid arrangements with other states and to coordinate mutual aid plans between political subdivisions of this state;

(6) To delegate any administrative authority vested in him under this chapter, except the power to make rules and regulations, to provide for the subdelegation of any such authority;

(7) To appoint, in cooperation with local authorities, metropolitan area directors when practicable;

(8) To cooperate with the president and the heads of the armed forces, the civil defense agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the civil defense of the state and nation, including the direction or control of

(a) blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises;

(b) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(c) the effective screening or extinguishing of all lights and lighting devices and appliances;

(d) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(e) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack;

(f) public meetings or gatherings; and

(g) the evacuation, reception, and sheltering of the civilian population;

(9) To contribute, with the approval of the executive council, to a political subdivision, within the limits of the appropriation therefor, not more than 25 percent of the cost of acquiring organizational equipment which meets standards established by him;

(10) To formulate and execute, with the approval of the executive council, plans and regulations for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, materials for national defense and war or for use in any war industry, for the conservation of critical materials or for civil defense purposes, and to coordinate the activities of the departments or agencies of the state and of the political subdivisions thereof concerned directly or indirectly with public highways and streets, in a manner which will best effectuate such plans.

Sec. 68. Minnesota Statutes 1974, Section 16.012, is amended to read:

16.012 [LEASE OF SPACE IN CERTAIN STATE BUILDINGS TO STATE DEPARTMENTS.] The commissioner of administration may lease portions of the state owned building located at 117 West University Avenue, St. Paul, Minnesota, and the state owned building known as the centennial building buildings in the capitol complex, the capitol square building, the health building, and the building at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied. Notwithstanding the provisions of any law to the contrary, all moneys collected as rent pursuant to the terms of this section shall be deposited in the state treasury and credited to the account known as the general fund. *Moneys collected as rent for the purpose of recovering depreciation costs of buildings built with state dedicated funds shall be credited to the dedicated funds which funded the original acquisition or construction. All other moneys received shall be credited to the general fund.*

Sec. 69. Minnesota Statutes 1974, Chapter 16, is amended by adding a section to read:

[16 . . . ] [REIMBURSEMENTS TO THE STATE BY EMPLOYEES.] *By October 1, 1975, the commissioner of administration shall develop, implement, and, as needed, amend rules, reimbursement rates and necessary operating policies regarding state-owned vehicles assigned to individual employees for extended use in the performance of their assigned duties. Reimbursement to the state by employees shall be made for the full cost to the state for travel by the employee to and from his place of residence. Such rules, rates and operating policies shall not be subject to the provisions of the administrative procedures act. All moneys received under this provision shall be deposited as nondedicated receipts to the credit of the fund from which the costs of operating the individual vehicles are paid.*

Sec. 70. Minnesota Statutes 1974, Section 17B.15, is amended to read:

17B.15 [FEES FOR INSPECTION AND WEIGHING.] *Subdivision 1.* The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. If the grain is in transit, such fees shall be paid by the carrier and treated as advance charges, and, if received for storage, such fees shall be paid by the warehouseman, and added to the storage charges.

All moneys so collected and all fines and penalties for violation of any provision of this chapter shall be paid into the state treasury.

*Subd. 2. The commissioner is directed to adjust his schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation, an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year is more than 103 percent of the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of that expenditure less the amount of the excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year is less than the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from the fees during that year, and plus three percent of the total expenditure for both the latter and the first year referred to herein. The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.*

Sec. 71. Minnesota Statutes 1974, Section 29.021, is amended to read:

29.021 [POWERS AND DUTIES OF COMMISSIONER OF AGRICULTURE.] The commissioner of agriculture shall have the power to employ such persons as are necessary to carry out the provisions of sections 29.021 to 29.091, and to fix all salaries and provide for expenses generally not inconsistent with law. The commissioner is authorized and directed to formulate and adopt plans whereby owners of poultry flocks and poultry breeding flocks may, upon application, have their flocks culled, inspected, and supervised, to the end that these flocks may be accredited and certified for standard type and egg quality and production; and likewise, poultry hatcheries and dealers may be accredited and certified as hatching and selling products produced only from accredited and certified flocks. The commissioner is authorized to

make, publish, and enforce rules and regulations to these ends, not inconsistent with law, and to define, prescribe, and authorize the use of uniform terminology to apply to varying degrees of accreditation and certification. The commissioner is authorized to adopt the "standard breeding plan" of accreditation and certification sponsored by the United States department of agriculture, or any other plan, and to cooperate with that department in matters of poultry improvement, egg quality and production. The commissioner is authorized to prescribe and collect fees for inspection and supervision, and to prescribe and furnish labels, leg bands, and certificates of accreditation and certification and such other supplies as may be necessary, and to prescribe and collect fees for the same. *Fees shall be fixed by the commissioner at the beginning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall, insofar as practicable, cover the cost of all services rendered.* The commissioner is authorized to do such other things as he may deem needful and expedient to improve poultry breeding and practices and egg quality and production and to give effect to sections 29.021 to 29.091, in connection with those parties who wish to comply with the programs promulgated in accordance with this section.

Sec. 72. Minnesota Statutes 1974, Section 30.20, is amended to read:

30.20 [FEES.] Fees for inspection shall be determined by the commissioner. *Fees shall be reviewed and, if necessary, adjusted each six months to the end that such fees shall, insofar as it is practicable, cover the cost of the services rendered.*

Sec. 73. Minnesota Statutes 1974, Section 116C.05, is amended to read:

116C.05 [CITIZENS ADVISORY COMMITTEE.] Subdivision 1. There is established a citizens advisory committee composed of one resident from each congressional district and three members at large as a vehicle for citizen participation in the activities of the council. The governor shall appoint the members of the citizens advisory committee with the advice and consent of the senate, and the committee annually shall elect one of their members to serve as chairman. Members of the committee shall serve four year terms coterminous with the governor. Each member may receive as compensation for his services the sum of \$35 per day or fraction thereof spent in attending meetings of the citizens advisory committees or in performing other duties required by law, and each member of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees.

Subd. 2. The duties and functions of the committee shall be as follows:

(a) ~~To review and appraise the various programs and activities of the state government in light of environmental quality concerns for the purpose of determining the extent to which such programs and activities are contributing to state environmental policies and goals;~~

(b) (a) To hold meetings throughout the state as it deems necessary for the purpose of gathering information on public and private opinions concerning the adequacy of the state's environmental quality policies and the extent to which these policies are being implemented;

(c) (b) To meet with the environmental quality council at least four times a year at approximately three month intervals, to give advice and counsel to the council ; ~~and~~ on the basis of the information gathered pursuant to (a)

(d) To make recommendations to the governor, legislature and the public on or before December 31 of each year regarding any needed state policy or program changes to foster and promote the improvement of environmental quality .

Sec. 74. Minnesota Statutes 1974, Section 116D.04, Subdivision 3, is amended to read:

Subd. 3. Upon the filing with the council of a petition of not less than 500 persons requesting an environmental impact statement on a particular action, the council shall review ~~the petition~~ *those petitions deemed by the council to involve potential for significant environmental effects or to concern an action of more than local significance* and, where there is material evidence of the need for an environmental review, require the preparation of an environmental impact statement in accordance with provisions of this section.

Sec. 75. Minnesota Statutes 1974, Section 144.61, is amended to read:

144.61 [ANNUAL REGISTRATION.] Every such person so registered with the state board of health shall register with the board on dates specified by the board and pay a registration fee in an amount prescribed by the board pursuant to section 144.122. All fees received under sections 144.59 to 144.65 shall be paid *deposited* by the state board of health ~~to the state treasurer and the amount so paid to the state treasurer is hereby appropriated out of any money to the credit of the general fund in the state treasury not otherwise appropriated, to the state board of health for the purpose of .~~ *The expenses of the state board of health in carrying out the provisions of sections 144.59 to 144.65 shall be paid out of the appropriations made to the state board of health .*

Sec. 76. Minnesota Statutes 1974, Section 149.04, is amended to read:

149.04 [RENEWAL OF LICENSE.] Any license may be renewed from time to time and shall be in force after such renewal for a period specified by the state board of health upon the payment of a renewal fee in an amount prescribed by the board pursuant to section 144.122.

All fees received under this chapter shall be paid by the state board of health ~~to the state treasurer and an amount of money equal to the amount so paid over by the board to the state treasurer is hereby appropriated out of any money credit of the general fund~~

in the state treasury not otherwise appropriated to the board for the purpose of carrying out the provisions of this chapter. The salaries of the necessary employees of the board, the per diem of the inspectors and examiners, their expenses, and all incidental expenses of the board in carrying out the provisions of this chapter shall be paid on order of the board from such appropriation from the appropriations made to the state board of health, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 77. Minnesota Statutes 1974, Section 176.611, Subdivision 6a, is amended to read:

Subd. 6a. There is hereby appropriated from the general fund in the state treasury to the state compensation revolving fund the sum of ~~\$435,000~~ ~~\$967,690~~ to be used to pay claims of employees of the state. This appropriation together with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund and ~~\$1,960,086.88~~ ~~\$2,395,986.88~~ heretofore appropriated from the general fund totals ~~\$2,470,000~~ ~~\$3,437,960~~ and constitutes the revolving fund.

Sec. 78. Minnesota Statutes 1974, Section 181A.07, Subdivision 1, is amended to read:

181A.07 [EXEMPTIONS.] Subdivision 1. Minors employed in corn detasseling operations and other agricultural operations, with the permission of their parents or guardian, shall be exempt from the provisions of section 181A.04, subdivision 4. *Such minors 12 years of age or older are exempt from the age provision of section 181A.04, Subdivision 1.*

Sec. 79. Minnesota Statutes 1974, Section 299D.03, is amended by adding a subdivision to read:

*Subd. 3a. [AIR PATROL, SALARY INCREASE BASED ON HOURLY OPERATION.] After the commissioner has determined the amount of maximum monthly increase that a member of the patrol assigned to aircraft operation may receive pursuant to subdivision 3, he shall divide that amount by 174 to determine the hourly rate of increased salary compensation. The amount of increased compensation that any individual pilot officer shall receive shall be determined by multiplying his hourly rate by the number of hours that he was actually engaged in aircraft operation during a pay period.*

Sec. 80. Minnesota Statutes 1974, Chapter 299D, is amended by adding a section to read:

[299D.06] [INSPECTIONS; WEIGHING.] *Personnel to enforce the laws relating to motor vehicle equipment, school bus equipment, drivers license, motor vehicle registration, motor vehicle size and weight, and motor vehicle petroleum tax, to enforce public service commission regulations relating to motor carriers, to enforce pollution control agency regulations relating to motor vehicle noise abatement, and to enforce laws relating to directing the movement of vehicles shall be classified employees of the commissioner of public safety assigned to the division of highway*

*patrol. Employees engaged in these duties, while actually on the job during their working hours only, shall have power to arrest and prepare notices to appear in court for violation of these laws and regulations, in the manner provided in section 169.91. They shall not be armed and shall have none of the other powers and privileges reserved to peace officers.*

Sec. 81. Minnesota Statutes 1974, Section 308.905, is amended to read:

**308.905 [FEES AND EXPENSES.]** Any cooperative association which makes application to the commissioner for any of the services permitted under sections 308.902 to 308.905 shall pay all of the costs of such services, including the compensation of the accountants employed, transportation, meals, lodging, and all other expenses in connection with or incidental to the services performed, payment of such costs to be made by such association upon presentation of a bill therefor by the commissioner, who shall deposit the same with the state treasurer to the credit of the cooperative accounting fund, and which shall be subject to the order of the commissioner, on warrant of the commissioner of finance, for the purposes of sections 308.902 to 308.905 general fund.

Sec. 82. Minnesota Statutes 1974, Section 326.44, is amended to read:

**326.44 [FEES PAID TO GENERAL FUND.]** All fees received under sections 326.37 to 326.45 shall be paid deposited by the state board of health to the state treasurer, and an amount of money equal to the amount so paid over by the board to the treasurer is hereby appropriated, out of any moneys to the credit of the general fund in the state treasury not otherwise appropriated, to the board for the purpose of carrying out the provisions of sections 326.37 to 326.45. The salaries of the necessary employees of the board and the per diem of the inspectors and examiners hereinbefore provided, their expenses and all incidental expenses of the board in carrying out the provisions of sections 326.37 to 326.45, shall be paid, on order of the board, from such appropriation from the appropriations made to the state board of health, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 83. Minnesota Statutes 1974, Section 326.64, is amended to read:

**326.64 [FEES DEPOSITED.]** All fees received under sections 326.57 to 326.66 shall be paid deposited by the state board of health to the state treasurer and the amount thereof is appropriated annually out of any money to the credit of the general fund in the state treasury to the board for the purpose of carrying out the provisions of sections 326.57 to 326.66. The salaries of the necessary employees of the board and the per diem of the inspectors and examiners hereinbefore provided, their expenses and the incidental expenses of the board in carrying out the provisions of sections 326.57 to 326.66 shall be paid; on order of the board, from such appropriation from the appropriations made to the state board of health but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Sec. 84. Minnesota Statutes 1974, Section 347.33, Subdivision 3, is amended to read:

Subd. 3. [FEES; ISSUANCE OF LICENSE.] The annual license fee is \$10 for each kennel licensed. All license fees collected by the board shall be deposited in the state treasury and credited to the kennel license account, which is hereby established in the state treasury. All money in the state treasury credited to the kennel license account is annually appropriated to the livestock sanitary board to administer and enforce the provisions of sections 347.31 to 347.40 general fund .

When application is made to the livestock sanitary board, complete in the manner set forth by regulation to be issued by the livestock sanitary board, and upon payment of the license fee, the license shall be issued by said board if, after inspection of the premises, the board determines that the dog kennel complies with sections 347.31 to 347.40 and the rules and regulations promulgated pursuant to it.

Sec. 85. Minnesota Statutes 1974, Section 484.54, is amended to read:

484.54 [EXPENSES OF JUDGES.] The judges of the district court shall be paid, in addition to the amounts now provided by law, all sums they shall hereafter pay out as necessary traveling and hotel expenses while absent from their places of residence in the discharge of their official duties, and all sums they shall necessarily hereafter pay out for telephone tolls, postage, expressage, and stationery, including printed letterheads and envelopes for official business except that a judge shall not be paid such traveling expenses for travel from his place of residence to and from his permanent chambers. Each judge may file monthly and shall file within 90 days after the expenses are incurred, unless the time is extended by the commissioner of finance, with the commissioner of finance an itemized statement, verified by him, of all such expenses actually paid by him which shall be audited by the commissioner of finance and paid upon his warrant.

There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated such sums as may, from time to time, be necessary to pay these warrants.

Sec. 86. Laws 1965, Chapter 415, Section 1, Subdivision 2, is amended to read:

Subd. 2. In the furtherance of public safety in the Soudan state park, the ~~department commissioner of conservation~~ *natural resources* shall utilize any available services of the ~~safety division of the state industrial commission~~ *department of labor and industry* and shall may contract with the county of St. Louis in a sum not exceeding \$500 annually for payment of all for reasonable and necessary inspections of said mine and all equipment used therein, as provided by the rules and regulations of the ~~safety division of the state industrial commission~~ *department of labor and industry* . There shall be appropriated to the ~~commissioner of conservation~~ *commissioner of conservation* from the general revenue fund of the state of Minnesota the sum

of \$500 annually to carry out the purposes of this act. Cost of inspections shall be paid from appropriations made to the department of natural resources.

Sec. 87. Laws 1965, Chapter 415, Section 1, Subdivision 3, is amended to read:

Subd. 3. If at any time the state industrial commission commissioner of labor and industry deems that said mine or its equipment is not safe for public use, the commission commissioner shall issue an order that said mine shall be closed, and the public shall be barred therefrom until further order of the commission commissioner authorizing the reopening of said mine.

Sec. 88. Minnesota Statutes 1974, Chapter 16A, is amended by adding a section to read:

[16A....] [REPORT ON FEES.] *The commissioner of finance shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of collections of the fee and the service provided for the fee appear excessive in relation to the amount of the fee collected. The report shall be submitted by November 15 of any even numbered year to the committee on finance of the senate and the committee on appropriations of the house of representatives.*

Sec. 89. When any state agency or department proposes to contract with a person, other than a state employee, for information relating to whether or not an activity should be undertaken, that agency or department shall consult with the state planning agency prior to entering into any contract. The state planning agency shall advise as to whether the information to be obtained through the proposed contract can be obtained more economically in another way, such as through the services of another state agency or department. If a consulting contract is entered into by the state, a copy of the contract shall be immediately filed with the state planning agency, which shall continuously monitor work performed under the contract. The contracting agency shall also continuously monitor work performed under the contract.

Sec. 90. Minnesota Statutes 1974, Section 3.97, Subdivision 5, is amended to read:

Subd. 5. *The legislative auditor may appoint a deputy legislative auditor and a confidential secretary each of whom shall serve at his pleasure in the unclassified service shall establish a financial audits division and a program evaluation division to fulfill the duties prescribed in section 3.97. Each division shall be supervised by a deputy auditor, appointed by the legislative auditor, with the approval of the commission, for a term coterminous with the legislative auditor's term. The deputy auditors may be removed before the expiration of their terms only for cause. The legislative auditor and deputy auditors may each appoint a confidential secretary to serve at his pleasure. Except as may be otherwise provided for by law the legislative auditor. The commission shall fix their the salaries of the deputy auditors and confidential secretaries. The*

deputy *auditors* may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor ~~and is~~ *when* authorized so to do by the legislative auditor. ~~All~~ *The deputy auditors and the confidential secretaries shall serve in the unclassified civil service, but all other officers and employees of the legislative auditor shall continue to be in the classified civil service.*

Sec. 91. Minnesota Statutes 1974, Section 3.971, is amended to read:

3.971 [POWERS AND DUTIES OF LEGISLATIVE AUDITOR.] *Subdivision 1. To perform financial audits* the legislative auditor shall post-audit and make a complete examination and verification of all accounts, records, inventories, vouchers, receipts, funds, securities, and other assets of all state departments, boards, commissions, and other state agencies at least once a year, if funds and personnel permit, and oftener if deemed necessary or as directed by the legislature or the legislative audit commission. Audits may include detailed checking of every transaction or test checking as the legislative auditor deems best. The books of the state treasurer and commissioner of finance may be examined monthly. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with by all departments and agencies of the state government.

A copy of all post-audits, reports and results of examinations made by the legislative auditor shall be deposited with the legislative reference library.

*Subd. 2. To perform program evaluation, the legislative auditor shall determine the degree to which the activities and programs entered into or funded by the state are accomplishing their goals and objectives, including an evaluation of goals and objectives, measurement of program results and effectiveness, alternative means of achieving the same results, and efficiency in the allocation of resources.*

Sec. 92. Minnesota Statutes 1974, Section 138.025, Subdivision 1, is amended to read:

138.025 [TRANSFER OF CONTROL OF CERTAIN HISTORIC SITES.] *Subdivision 1. [AUTHORITY.] The authority of the ~~department commissioner~~ of natural resources ~~and its division of parks and recreation~~, or any successor thereto, to administer and control the historic sites enumerated in this section is withdrawn, and is hereby conferred upon the Minnesota historical society. The society shall exercise the general administration and control of such sites, preserve their historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform such additional duties and services at such sites as may be deemed necessary and beneficial to such sites. *The commissioner of natural resources shall continue to administer and control the state parks enumerated in this section excepting the portions thereof designated as historic sites, the administration and control of which is by this section vested in the Minnesota historical society. The Minnesota historical society may contract with**

*existing state departments and agencies for such materials and services, including utility services, as may be necessary for the administration and maintenance of the sites listed in this section.*

Sec. 93. Minnesota Statutes 1974, Section 138.025, is amended by adding a subdivision to read:

*Subd. 9. [FORT SNELLING OFFICERS' ROW.] The commissioner of natural resources may contract with the Minnesota historical society for the purpose of preserving the historic homes along Taylor avenue, Fort Snelling, known as "Officers' Row" and the annex building, buildings numbered 151 to 161.*

*The Minnesota historical society may contract with state departments, agencies, public and private organizations and individuals for occupancy of the "Officers' Row" homes, provided the occupancy conforms to rules and regulations set down by the Minnesota historical society.*

*It is in the public interest of the people of Minnesota to further the preservation of this historic area.*

Sec. 94. Minnesota Statutes 1974, Section 201.021, is amended to read:

**201.021 [PERMANENT REGISTRATION SYSTEM.]** A permanent system of voter registration by county is established. Any county containing no city with a population of 10,000 or more may by resolution of the county board be exempted from the provisions of sections 201.021 to 201.221. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.

Sec. 95. The appropriations made by this act to the commissioner of natural resources for parks and recreation management include \$500,000 each year for trails financed by  $\frac{3}{8}$  of one percent of the unrefunded gasoline tax used by snowmobiles. If the gasoline excise tax is increased from 7 to 9 cents in the 1975 session, these appropriations shall be increased by \$150,000 each year of the biennium. The appropriations for recreational trails described above are to be expended in the same proportions as directed in Laws 1973, Chapter 648, Subdivision 6.

Sec. 96. The commissioner of corrections may use any funds available to him to provide for the payment of expenses of the members of the health advisory committee incurred in attendance of meetings under the provisions of Minnesota Statutes, Section 43.329. The committee is limited to 25 reimbursable meetings per year.

Sec. 97. Minnesota Statutes 1974, Section 27.07, is amended to read:

**27.07 [GRADES ESTABLISHED; INSPECTION.]** The commissioner shall have power to establish grades on all produce and when deemed necessary shall provide for inspecting and grading produce subject to sale at such marketing points within the state as the commissioner may designate, and provide for the issuing of

certificates of inspection showing the grade, quality, and conditions of the produce, and may charge and collect a reasonable fee therefor, a schedule thereof to be adopted and published from time to time. Such certificates of inspection shall be prima facie evidence in all courts of this state as to the grade, quality, and condition of the produce at the time the inspection was made. When any person having produce desires to have it inspected he may apply to the commissioner for the service of an inspector and, if it appears to the commissioner that the volume of the produce is sufficient to justify the request, he may grant the service upon terms and conditions to be fixed by him. Any inspection service so ordered and maintained shall be self-supporting. The commissioner may require a deposit, prior to the establishment of the inspection service, in amount equal to the costs thereof as estimated by him and he may further require that such deposits be renewed, from time to time, in such manner that a permanent account shall be maintained; *deposits are* sufficient at all time to pay the costs of such inspection service for a period of not less than 15 days in advance. *Moneys placed in the hands of the commissioner for this purpose shall be placed in a separate account, to be known as the produce inspection account, and the sums such persons shall contribute to each account shall be kept separate on the books of the commissioner. No money shall be paid from this account for inspection services rendered to any person in excess of the moneys on hand accredited to his account. This money shall be deposited in the state treasury in the same manner as other departmental receipts are deposited, credited to the account herein created, and paid out only upon order of the commissioner.* When any such agreement shall terminate by action of either party thereto, the commissioner shall withdraw from such account the full amount of all such bills payable for services rendered and return pay to the depositor any moneys remaining to his credit *after the deduction of the costs* at the time such agreement terminates. *Any sums deposited in the state treasury under the provisions of sections 27.01 to 27.15 and 27.19 are hereby appropriated for the purposes set forth therein.*

Sec. 98. The commissioner of agriculture may disburse one time only from the funds of the department of agriculture in fiscal year 1975 the sum of \$5,000 to a nonprofit corporation engaged in a program of reforestation in the control of dutch elm and oak wilt disease.

Sec. 99. The appropriation for the construction of the Grand Mound interpretive center made in Laws 1973, Chapter 720, Section 43, Subdivision 7(c), shall not cancel but shall be available until the project is completed or abandoned.

Sec. 100. Minnesota Statutes 1974, 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 ~~two~~ 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. 101. The unexpended balances of appropriations as certified by the commissioner of administration to the commissioner of finance heretofore made by the legislature by Laws 1969, Chapter 1159, Section 2, Subdivision 15, (1), and Laws 1971, Chapter 963, Section 2, Subdivision 17, (1) and Section 4, (3) (a) are hereby reappropriated to the commissioner of administration as follows:

Laws 1969, Chapter 1159, as detailed above . . . . . \$3,057.29

Laws 1971, Chapter 963, as detailed above \$62,265.33 to be used for the following purpose:

(a) to supplement the appropriation made by Laws 1975, Chapter 64, Section 1, for the restoration, repair and rehabilitation of the exterior of the capitol building . . . . . \$65,322.62

Sec. 102. The unexpended balance of \$230,879.20, as certified by the commissioner of administration to the commissioner of finance, remaining from the appropriation heretofore made by the legislature by Laws 1971, Chapter 963, Section 2, Subdivision 18 (1), is hereby reappropriated to the commissioner of administration to remodel available space in state institutions for state agencies pursuant to the provisions of Laws 1973, Chapter 720, Section 51.

Sec. 103. There is hereby transferred from the general fund the sum of \$28,674.50 and from the highway safety account 74035:00 20 the sum of \$5,130.85 to the trunk highway fund for engineering services provided by the highway department for rail crossing safety projects and clearances.

Sec. 104. Notwithstanding the provisions of any other law, the approved complement set forth in this act for various state agencies pertains only to the complement financed all or in part from direct legislative appropriations.

Sec. 105. The staffs of the senate finance committee and the house appropriations committee shall, at the request of agencies receiving appropriations herein and the executive branch budgetary authority, provide wherever available detailed information as to the activities and object of expenditures that go into the appropriation totals.

Sec. 106. Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32 are repealed."

Further amend by striking the title in its entirety and substituting in lieu thereof the following:

"A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; authorizing the disposal of certain property; authorizing fixing and limiting the amount of fees to be collected in certain cases; requiring certain reports to be prepared; authorizing certain grants-in-aid; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 3.102; 3.97, Subdivision

5; 3.971 and by adding a subdivision; 4.11, Subdivision 5; 5.08, Subdivision 2; 12.21, Subdivision 3; Chapter 16 by adding a section; 16.012; 16.757; 16A by adding a section; 17B.15 and by adding a subdivision; 27.07; 29.021; 30.20; 116C.05; 116D.04, Subdivision 3; 138.025, Subdivision 1 and by adding a subdivision; 144.61; 149.04; 176.611, Subdivision 6a; 181A.07, Subdivision 1; 201.021; 238.04, Subdivision 1; Chapter 299D by adding a section; 299D.03 by adding a subdivision; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32."

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: (Signed) Neil S. Haugerud, Willis R. Eken, Gordon O. Voss, Gerald Knickerbocker, Fred C. Norton.

Senate Conferees: (Signed) Gerald L. Willet, John C. Chenoweth, Winston W. Borden, Richard W. Fitzsimons, J. A. Josefson.

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1759 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. 1759: A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; authorizing the disposal of certain property; authorizing fixing and limiting the amount of fees to be collected in certain cases; requiring certain reports to be prepared; authorizing certain grants-in-aid; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 3.102; 3.97, Subdivision 5; 3.971 and by adding a subdivision; 4.11, Subdivision 5; 5.08, Subdivision 2; 12.21, Subdivision 3; Chapter 16 by adding a section; 16.012; 16.757; 16A by adding a section; 17B.15 and by adding a subdivision; 27.07; 29.021; 30.20; 116C.05; 116D.04, Subdivision 3; 138.025, Subdivision 1 and by adding a subdivision; 144.61; 149.04; 176.611, Subdivision 6a; 181A.07, Subdivision 1; 201.021; 238.04, Subdivision 1; Chapter 299D by adding a section; 299D.03 by adding a subdivision; 308.905; 326.44; 326.64; 347.33, Subdivision 3; 484.54; Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; 201.34; and 246.32.

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 64 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Brataas	Conzemius	Fitzsimons
Arnold	Bernhagen	Chenoweth	Davies	Frederick
Ashbach	Blatz	Chmielewski	Doty	Gearty
Bang	Borden	Coleman	Dunn	Hansen, Baldy

Hansen, Mel	Kleinbaum	Nelson	Perpich, A. J.	Spear
Hanson, R.	Knutson	North	Perpich, G.	Stassen
Hughes	Kowalczyk	Ogdahl	Pillsbury	Stokowski
Humphrey	Larson	Olhoft	Purfeerst	Stumpf
Jensen	Laufenburger	Olson, A. G.	Renneke	Tennessee
Josefson	Lewis	Olson, H. D.	Schaaf	Ueland
Keefe, J.	McCutcheon	Olson, J. L.	Schmitz	Wegener
Keefe, S.	Merriam	O'Neill	Sillers	Willet
Kirchner	Moe	Patton	Solon	

Messrs. Brown, Milton and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1743, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

House File No. 1743 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

#### SUSPENSION OF RULES

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1743.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Ogdahl	Schmitz
Arnold	Doty	Kleinbaum	Olhoft	Schrom
Ashbach	Dunn	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Borden	Hansen, Mel	Lewis	Patton	Stumpf
Brataas	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Merriam	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Keefe, J.	Moe	Renneke	
Conzemius	Keefe, S.	Nelson	Schaaf	

Messrs. Bang, Brown, Josefson, North and Sillers voted in the negative.

The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 1743**

A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

May 19, 1975

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. 1743 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1743 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, CORRECTIONS OMBUDSMAN, AND VARIOUS HEALTH RELATED BOARDS TO EXPEND MONEYS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

**APPROPRIATIONS**

Available for the Year  
Ending June 30,

1976

1977

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**Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE**

Subd. 1. Program and Administrative Support . . . . .

6,568,000

6,821,000

Approved Complement—306.3

Estimated federal funds to be deposited in the general fund which are earned by the various accounts of the department of public welfare are detailed on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the

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office of the commissioner of administration and the commissioner of finance. If federal funds anticipated are less than those shown on the official worksheets, the commissioners of administration and finance shall reduce the amount available from the specific appropriation by a like amount. Such reductions shall be noted in the budget document submitted to the 70th legislature in addition to an estimate of similar federal funds anticipated for the 1977-1979 biennium.

Notwithstanding any other law to the contrary, not more than \$5,000 annually is appropriated from salary savings to be used for the payment of necessary travel expenses to and from interviews arranged by the department of public welfare, incurred by job applicants for professional, administrative, or highly technical positions recruited by the department of public welfare.

Notwithstanding any state law to the contrary, the commissioner of public welfare shall not adjust the budget standards for any categorical aid program in excess of the amount authorized by the legislature, unless federal law or regulation require such action.

In determining the amount of the public assistance grant, except for general assistance, the commissioner shall effect a 4 percent increase on or after July 1, 1975.

Subd. 2. Centralized Disbursement .....

5,625,000

5,660,000

The commissioner of public welfare shall submit a report to

	1976	1977
	\$	\$
<p>the 1977 legislature regarding the effectiveness of the twelve positions granted by the 1975 legislature for increasing support payments.</p> <p>Provided that the appropriations made in this subdivision shall be immediately available upon final passage of this act to compensate for the delay in receipt of federal earnings.</p>		
<p>Subd. 3. Community Based Residential Services—Mentally Retarded . . . . .</p>	788,000	788,000
<p>Provided that \$450,000 of the amount appropriated in this subdivision shall be expended in accordance with the provisions of Minnesota Statutes 1974, Section 252.30.</p>		
<p>Subd. 4. Community Based Residential Services — Chemically Dependent . . . . .</p> <p>1975 — \$600,000 Deficiency Appropriation</p>	3,531,200	3,881,000
<p>Provided that \$525,000 of the appropriations for 1976 and 1977 shall be immediately available upon final passage of this act, for the purpose of providing funds for an anticipated deficiency in fiscal year 1975 and for funding of this activity for the 1975-1977 biennium.</p> <p>Provided that reimbursement from state funds for detoxification centers shall be prorated if the appropriation made in this subdivision is insufficient to pay the cost as provided by Minnesota Statutes 1974, Section 254A.08, Subdivision 3.</p>		
<p>Subd. 5. Community Based Residential Services—Mentally Ill . . . . .</p>	186,700	513,100
<p>Provided that each appropriation provided by Subdivisions</p>		

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3, 4, and 5 shall primarily apply to one state hospital receiving district.

The commissioner of public welfare shall submit a report on the expenditure of the appropriations in Subdivisions 3, 4, and 5 to the 1977 legislature.

Subd. 6. Community Mental Health Centers . . . . .

6,687,600

7,346,900

1975 — \$123,125 deficiency appropriation

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by equalization aid, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

Approved Complement — 4.4

	1976	1977
	\$	\$
Subd. 7. Aid to Families with Dependent Children, Minnesota Supplemental Assistance, and Medical Assistance . . . . .	109,400,000	119,900,000

Approved Complement — 11.3

Notwithstanding the provisions of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

The commissioner of public welfare shall provide supplementary grants for aid to families with dependent children and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps, supplementary dietary needs not covered by medical assistance, and replacement of essential household furnishings and essential major appliances.

Notwithstanding the provisions of any other law to the contrary, the commissioner of public welfare may transfer funds provided in the above subdivision to the department of health for the non-federal

	1976	1977
	\$	\$
<p>share of periodic medical review, including fiscal year 1975.</p> <p>Provided that the amount appropriated for implementation of Minnesota Statutes 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund.</p> <p>For purposes of administering the medical assistance budget during the biennium, the department of public welfare shall not freeze rates nor withhold increases for budgetary reasons solely for rates paid to skilled and intermediate care licensed nursing home facilities certified under Title XIX of the Social Security Act, but, rather if the medical assistance budget appears to need adjustment during the biennium because of insufficient appropriations, such adjustments shall be made on a non-discriminatory basis for all categories of assistance in the medical assistance program.</p>		
Subd. 8. General Assistance . .	6,300,000	6,300,000
Approved Complement — .8		
Subd. 9. County Administrative Cost Reimbursement . . . .	10,000,000	11,000,000
Subd. 10. Programs for the Aging . . . . .	135,000	135,000

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the

	1976	1977
	\$	\$
appropriate matching of federal funds provided to programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.		

Subd. 11. Vocational Rehabilitation of the Blind . . . . .	1,083,600	1,125,900
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Approved Complement—42

The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 12. Special Financial Aids to Counties . . . . .	2,761,700	2,876,800
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All payments from funds appropriated for equalization aid shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the worksheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures for computation of equalization aid shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

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Notwithstanding any law to the contrary, initial payments for equalization aid to counties shall be made on or before October 1, 1975, for fiscal year 1976 and on or before October 1, 1976, for fiscal year 1977. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of equalization aid, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: medical assistance, aid to dependent children, Minnesota supplemental assistance, payments to the commissioner of public welfare for care and treatment of patients in state institutions, medical relief, hospital charges, maintenance of children not under state guardianship, general assistance, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that where funds are otherwise unavailable, a transfer may be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfer shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment of rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds re-

	1976	1977
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<p>ceived in lieu of taxes because of federal grants shall be available for welfare purposes.</p> <p>Provided that no county shall receive from the equalization aid payment an amount in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.</p> <p>Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.</p> <p>Provided that any funds appropriated by this subdivision for the Red Lake Band of Chippewa Indians in excess of the county costs for this purpose shall cancel to the general fund.</p> <p>Provided that reimbursements for general relief—Indians and the Red Lake Band of Chippewa Indians shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.</p> <p>Subd. 13. Daytime Activity Centers for the Mentally Retarded</p>		
a. Grant-in-aid funding . . . . .	4,514,600	4,923,300
Approved Complement—2		

The above funds provided for a 60 percent matching, except for counties affected by equalization aid payments, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds

	1976	1977
	\$	\$
resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.		
b. Transportation aids . . . . .	2,100,000	2,100,000
Subd. 14. Cost of Care Grants—Mentally Retarded . . . . .	2,998,700	3,268,600
Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.		
Provided that this appropriation shall be reduced by \$150,000 each year if separate legislation for a parent subsidy program is not enacted.		
Subd. 15. Cost of Care Grants—Emotionally Disturbed . . . .	1,106,000	1,106,000
Notwithstanding any other law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.		
Subd. 16. Foster Grandparents Program . . . . .	220,000	242,000
Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1974, Section 256.976.		
Subd. 17. Day Care Services Development and Funding . .	821,300	978,200
Of the \$352,000 provided in this subdivision for migrant labor day care services, \$100,000 shall be immediately available.		
Subd. 17. State Hospitals . . .	67,508,800	67,801,000
Approved Complement—		
July 1, 1975—5,317		

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July 1, 1976—5,367

The amounts that may be expended for each category from these appropriations are as follows:

- (a) Current Expense
  - \$ 9,784,000 for fiscal year 1976
  - \$10,537,000 for fiscal year 1977
- (b) Salaries
  - \$56,439,000 for fiscal year 1976
  - \$57,264,000 for fiscal year 1977
- (c) Repairs and Replacements—\$1,285,800

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service may be provided for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organ-

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izations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act and review boards for veterans hospitals.

Provided that all new positions granted in these appropriations shall be direct patient care positions.

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

The budgets for the schools, nursing homes, and hospitals shall be submitted to the 1977 legislature on an individual hospital basis together with a summary budget in the same format as the legislature appropriated funds.

Notwithstanding any law to the contrary, the commissioner of public welfare may request of the commissioner of administration the use of available funds previously appropriated remaining in any department of public welfare building accounts to be used for remodeling for Life Safety Code and licensure requirements necessary to obtain Title XVIII and XIX federal government funds. \$100,000 of this amount may be used

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for remodeling Lake Owasso childrens home. Such funds shall not be expended until the commissioner of welfare has submitted a written plan to the house appropriations and senate finance committees.

Funds from this subdivision shall be used for payment for the Lake Owasso Children's Home according to the contract specifications. In addition, the complement shall be reduced by the number of positions at Lake Owasso upon entering into such contractual agreement. The funds appropriated for Lake Owasso are the maximum amount which may be expended and any unnecessary funds occurring as a result of contract specifications shall cancel to the general fund.

The commissioner of public welfare shall present a comprehensive report to the legislature by January 5, 1976, setting forth in detail a plan to phase down or cease operations at one or more state hospitals. The plan shall be submitted to and acted upon by the 1976 legislature.

The commissioner of public welfare may enter into negotiations with other units of government or private agencies or organizations to explore transfer of control of any building, facility, or institution under the jurisdiction of the commissioner. The commissioner of public welfare shall submit a progress report of any negotiations undertaken pursuant to this provision in his January 5, 1976, report to the legislature.

	1976	1977
	\$	\$
<p>Any unexpended balance remaining in the first year for repairs and replacements shall not cancel but shall be available for the second year of the biennium.</p> <p>The department of public welfare shall consolidate the laundries of the state hospitals as follows: Rochester to Faribault, Fergus Falls to Brainerd, Glen Lake to St. Peter, and Hastings to Faribault.</p>		
Subd. 19. Special Schools . . . .	2,836,900	2,839,700
Approved Complement—223.5		

The amounts that may be expended for each category from these appropriations are as follows:

(a) Current Expense  
 \$314,400 for fiscal year 1976  
 \$333,400 for fiscal year 1977

(b) Salaries  
 \$2,363,600 for fiscal year 1976  
 \$2,363,600 for fiscal year 1977

(c) Repairs and Replacements  
 \$49,700 for fiscal year 1976  
 \$35,200 for fiscal year 1977

(d) Regional Library for the Blind  
 \$109,200 for fiscal year 1976  
 \$107,500 for fiscal year 1977

Approved Complement—10.5

Provided that state funding for two positions currently funded by federal monies shall only become available if federal funds are withdrawn.

	1976	1977
	\$	\$
<p>The commissioner of public welfare shall begin consolidation of support services for the Faribault state hospital, school for the deaf, and the braille and sight saving school, as soon as feasible. Such consolidation shall include, but not be limited to: laundry service, food service, maintenance and business office functions.</p>		
Subd. 20. Rehabilitate Dow Hall .....	137,000	
<p>Provided that these funds shall not be expended until a plan has been reviewed by the senate and house appropriation committees.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 21. State Operated Nursing Homes .....	7,296,500	7,333,300
<p>Approved Complement—610</p> <p>The amounts that may be expended for each category from these appropriations are as follows:</p>		
<p>(a) Current Expense</p> <p style="padding-left: 20px;">\$1,171,000 for fiscal year 1976</p> <p style="padding-left: 20px;">\$1,224,600 for fiscal year 1977</p>		
<p>(b) Salaries</p> <p style="padding-left: 20px;">\$6,052,000 for fiscal year 1976</p> <p style="padding-left: 20px;">\$6,052,000 for fiscal year 1977</p>		
<p>(c) Repairs and Replacements</p> <p style="padding-left: 20px;">\$73,500 for fiscal year 1976</p> <p style="padding-left: 20px;">\$56,700 for fiscal year 1977</p>		
Subd. 22. Special Equipment for the State Hospitals, Spe-		

	1976	1977
	\$	\$
cial Schools and State Operated Nursing Homes . . . . .	730,000	
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 23. Commissioner of Public Welfare . . . . .	100,000	
<p>The commissioner of public welfare shall pay \$25.00 per diem plus travel expenses in the same manner and amount as state employees to the members of the Northwest Citizens Advisory Task Force on the use of Fergus Falls state hospital and the West Central Citizens Advisory Task Force on the use of Fergus Falls state hospital. Public employees shall not receive any per diem payments. Staffing and expenses may be provided as necessary from this appropriation. Each task force shall be comprised of county commissioners, licensed professionals, welfare directors, public members, and a non-voting member appointed by the commissioner of public welfare. The efforts of the two task forces shall be coordinated by a joint coordinating committee.</p> <p>A preliminary report shall be submitted to the legislature on or before February 1, 1976, and a final report on or before January 2, 1977.</p> <p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
Subd. 24. Support of Human Services Boards . . . . .	450,000	450,000
<p>The amount available in this</p>		

1976

1977

\$

\$

subdivision for the state planning agency shall be used for the financial assistance, providing primary support for operating human services boards, and implementing a program for standardization of personnel policies, evaluation and fiscal practices, forms and procedures among the departments of public welfare, health, corrections, employment services and the division of vocational rehabilitation in the department of education and the federal categorical program activities in their relationship to human services boards. The state planning agency may direct any of the agencies to furnish them with personnel and services necessary to discharge duties and prescribe the terms of assistance, and shall present an interim report to the 1976 legislature and a final report to the 1977 legislature for the reorganization of the delivery of state and local human services. Notwithstanding M. S. 402.02, Subdivision 1, human services boards are not required to have citizen members. Not later than 365 days after establishment of an operating human services board, present local operating boards shall cease operation.

**Sec. 3. TO THE COMMISSIONER OF CORRECTIONS**

**Subdivision 1. Administration**

(a) Salaries, supplies and expense .....

4,503,000

5,173,000

**Approved Complement—**

1976—238.75

1977—244.75

No new program may be implemented unless a statistical

	1976	1977
evaluation of its objectives and accomplishments accompanies the development of such program.	\$	\$
Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.		
Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.		
(b) County Reimbursement. .	770,000	770,000
Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.		
Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of		

the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes 260.311, Subdivision 5.

Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

	1976	1977
	\$	\$
(c) Sheriffs Expense Conveying Prisoners .....	30,000	30,000
(d) Planning and Implementing Institutional Population Changes .....	335,000	

A committee of ten and necessary staff shall be appointed by the commissioner of corrections to recommend to the 1976 legislature the following:

- a. The placement of inmates in the Minnesota security hospital who are under the exclusive control of the commissioner of corrections.
- b. An action plan to assure reducing the prison population to a maximum of 350 and where the excess population will be located.
- c. The necessary construction and demolition to accomplish a maximum

1976

1977

\$

\$

population of 350 in the state prison.

d. The future of the industry programs.

The commissioner of corrections is authorized to pay members of the committee \$25.00 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of personnel, however, no public employee may receive a per diem payment. \$35,000 is available from this appropriation to finance the committee and its staff to submit its report to the 1976 legislature.

\$300,000 of this appropriation is available after submission of the above plan to the senate finance and house appropriations committees, to develop for the 1977 legislature the following:

- a. Preliminary architectural plans.
- b. A progress report on the population changes.
- c. A master plan for the 1977 to 1979 biennium.

Subd. 2. Corrections Subsidy Act .....

7,369,900

As counties begin participating in the corrections subsidy act, the complement of the central office shall be reduced by the number of positions transferred to the counties entering the act.

The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the ap-

	1976	1977
	\$	\$
propriate finance committees of the legislature.		
Subd. 3. Health Care Services.	1,137,000	1,175,000
Approved Complement—13		
The amount appropriated by this subdivision shall be used to provide professional health care to persons confined in institutions under the control of the commissioner of corrections, and to cover costs of their care in hospitals and other medical facilities not under the control of the commissioner of corrections, including the secure treatment unit operated by the St. Paul-Ramsey Hospital. All reimbursements for such health care services shall be credited to this account and become a part thereof.		
Subd. 4. Personnel Training . .	616,700	
This appropriation includes funds for training of group home parents in county homes.		
Subd. 5. Vocational Training .	140,000	
The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.		
Subd. 6. Foster Group Care . .	400,000	400,000
The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse		

	1976	1977
	\$	\$
counties pursuant to Minnesota Statutes 1974, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.		
The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.		
Subd. 7. Work Release and Newgate Programs . . . . .	457,000	
This appropriation includes \$217,000 for the Newgate program.		
Subd. 8. Community Corrections Centers . . . . .	212,500	212,500
Subd. 9. Regional Jails, Area Lock-ups, and Detention Centers . . . . .	281,300	281,300
Subd. 10. Special Projects . . . . .	298,200	66,200

This appropriation is intended as the state match for applications for federal grants.

The commissioner of finance is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.

Subd. 11. Correctional Institutions

This appropriation is for the Minnesota state prison, state reformatory for men, Minnesota correctional institution for women, state training school, Willow River camp, Minnesota home school, and

	1976	1977
	\$	\$
the metropolitan training center.		
(a) Current Expense . . . . .	3,317,200	3,478,100
(b) Salaries . . . . .	15,349,000	15,378,000
Approved Complement — 1086.75		
(c) Special Equipment . . . . .	320,000	
(d) Repairs and Replacements . . . . .	730,000	

Vocational rehabilitation funds received by the department of corrections for the Willow River camp shall cancel to the general fund.

The commissioner of corrections may utilize the institutions under his control in the manner he determines to be most efficient and designate the programs to be conducted therein.

The academic school program at the state training school and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1977.

(e) License Plate Plant . . . . .	272,000
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The amount provided by clause (e) is appropriated from the highway user tax

	1976	1977
	\$	\$

distribution fund, and shall be available for immediate encumbrance.

Any unexpended balances in subdivisions 1(d), 2, 4, 5, 7, 11(c), 11(d), and 11(e) remaining in the first year shall not cancel but shall be available for the second year of the biennium.

**Sec. 4. HEALTH RELATED BOARDS**

Subd. 1. Board of Examiners for Nursing Home Administrators . . . . .	62,200	63,000
Subd. 2. Board of Examiners for Psychologists . . . . .	20,700	22,500
Subd. 3. Board of Medical Examiners . . . . .		251,800
Subd. 4. Board of Nursing . . . . .		363,200
Subd. 5. Board of Pharmacy . . . . .		150,400
Subd. 6. Board of Veterinary Examiners . . . . .		21,400
Subd. 7. Board of Podiatry . . . . .		5,300
Subd. 8. Board of Dentistry . . . . .		117,300
Subd. 9. Board of Chiropractic Examiners . . . . .		28,300
Subd. 10. Board of Optometry . . . . .		24,700

Provided that the commissioners of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this section in excess of the anticipated biennial revenues.

**Sec. 5. BOARD OF HEALTH**

Subd. 1. Preventive and Personal Health Services . . . . .	5,613,700	6,092,700
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Approved Complement—181

Provided that the commission-

	1976	1977
	\$	\$
<p>ers of administration and finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this subdivision for hotel, resort and restaurant licensing in excess of anticipated revenues.</p>		
Subd. 2. Health Systems Quality Assurance .....	1,002,100	1,014,500
Approved Complement—54.25		
<p>Of the amounts provided in this item, \$198,600 for fiscal year 1976 and \$211,100 for fiscal year 1977 are appropriated from the trunk highway fund for emergency medical services activities.</p>		
Subd. 3. Management, Planning, and Information Services	1,160,400	1,213,600
Approved Complement—49.25		
<p>All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.</p> <p>Provided that administrative support for health related boards shall be provided by the health department. The health department shall be reimbursed for the cost of providing this service</p>		
Subd. 4. Dental Health Education Program .....	142,500	
<p>Sec. 6. CORRECTIONS OMBUDSMAN</p>		
Subd. 1. Salaries, Supplies and Expense .....	139,300	139,300
<p>Sec. 7. COMMISSIONER OF PUBLIC WELFARE</p>		
Subd. 1. Community Action Programs .....	1,200,000	

	1976	1977
	\$	\$

This appropriation shall be used to make grants for local match increases to fund costs for on-going programs for Minnesota community action agencies, and to fund match moneys for emergency and community partnership programs. A report shall be submitted to the 1976 and 1977 legislature regarding the expenditure of this appropriation.

Sec. 8. CONTINGENT FOR STATE INSTITUTIONS . . . . .	1,225,000
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The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance in Section 5, subd. 4, Section 7, and Section 8 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the June, 1975, wholesale food price index, but

such adjustment shall be pro-rated if the wholesale food price index adjustment would require funds in excess of this appropriation.

#### **Sec. 9. EMPLOYEES COMPENSATION**

To be transferred by the commissioner of finance to the department of labor and industry, compensation revolving fund, for fiscal year 1975, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare	\$653,622.74
Corrections	\$113,607.11

#### **Sec. 10. UNEMPLOYMENT COMPENSATION**

To unemployment compensation fund for fiscal year 1975, in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections	\$118,671.69
Department of Public Welfare	\$490,442.88

**Sec. 11. CERTAIN FUNDS USED FOR CERTAIN PURPOSES.** Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

**Sec. 12. APPROVED COMPLEMENT.** Except as otherwise provided herein, whenever an appropriation to any institution or agency discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emer-

gency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

Sec. 13. CERTAIN EMPLOYEES. Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

Sec. 14. RECEIPTS. All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 7, 10, 11, and 12.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

Sec. 15. COMMISSARY AND QUARTER ALLOWANCE. No commissary privileges including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The commissioner of administration is hereby directed to charge a fair rental rate including utility costs to any persons who reside on state institution grounds. The legislature directs the department of corrections to reduce staff housing as soon as possible.

Quarters and a stipend allowance of not to exceed \$150 per

month may be authorized by the commissioner of welfare for medical students and physician fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 16. PROVISIONS. Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated, except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 17. FEDERAL GRANTS. Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations hereinbefore provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be

budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

Sec. 18. Provided that the commissioner of public welfare and the commissioner of health shall not transfer any funds to or from personnel services, or claims, grants and shared-revenues, as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, except for those transfers which have the written approval of the governor, who shall consult with the legislative advisory committee for its recommendations, which shall be advisory only.

Sec. 19. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1975, June 30, 1976, and June 30, 1977.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state and all federal aid and contributions or reimbursements are hereby reappropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

Sec. 20. TRANSFER OF FUNDS. (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 3, 4, 5, 6, 7, 13, 14 and 15. Provided further that if the appropriation under section 2, subdivision 7 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3 except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a funds may be transferred from this appropriation to other appropriations in section 3 but in no case may transfers from the other appropriations in section 3 be made to section 3 subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

Sec. 21. TRANSFER OF PERSONNEL. (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between the institutions under

his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20(b).

Sec. 22. Notwithstanding any other law to the contrary, the departments of health, public welfare, and corrections shall not put into effect any rule, regulation, or standard, which has a fiscal impact in excess of \$100,000 annually without first providing the house appropriations and the senate finance committees with a fiscal note.

Sec. 23. Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the commissioner of personnel and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The commissioner of personnel is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Sec. 24. The commissioner of public welfare shall notify the house appropriations and senate finance committees of the terms of any contractual arrangement entered into by the commissioner and the attorney general, pursuant to an order of any court of law, which provides for the receipt of funds by the commissioner.

Any funds recovered or received by the commissioner pursuant to an order of any court of law shall be placed in the general fund.

#### Sec. 25. Dental Health Education Program.

Subd. 1. Development of Program. The board of health shall assist school and community personnel, including dental professionals, to develop a comprehensive preventive oral health program in the elementary school community.

Subd. 2. Objectives. The program shall be operated so as to achieve the following:

(a) Decreasing oral disease through an instruction program or oral health education for teachers;

(b) Improving oral health knowledge, attitudes, and behavior of both the student and the wider school community, including educators, administrators, and parents; and

(c) Planning a sequential oral health education curriculum

emphasizing behavior modification for the total health education program of a school system.

Subd. 3. Duties of board of health.

(a) Technical assistance teams; inservice training of educators. The board of health shall establish technical assistance teams of dental hygienists, consulting dentists, and consulting health educators. The initial program will place one team in four state health regions and reflecting rural, suburban, and urban communities. The teams shall provide inservice education to teachers in the district on methods and techniques of dental behavior change.

(b) Guidelines for implementation in schools. The board of health shall provide guidelines to selected schools for the implementation of their programs to train classroom teachers to be dental health educators. The teachers shall participate in oral health education, analysis, and recording of data.

(c) Standards; evaluation. The board of health shall establish standards for program performance. These standards, together with accepted dental indices, shall be used by the technical assistance teams to evaluate school programs of oral health knowledge and behavior modification on test and control groups.

(d) Consultation to dental personnel. The board of health shall provide information and assistance to dental personnel on methods and techniques of oral health behavior improvement.

Sec. 26. Minnesota Statutes 1974, Section 241.01, Subdivision 7, is amended to read: Subdivision 7. [USE OF FACILITIES OF INSTITUTION BY OUTSIDE AGENCIES.] The commissioner of corrections may authorize and permit public or private social service, educational or rehabilitation agencies or organizations and their clients to enter upon and utilize use the facilities, staff and other resources of institutions under his control and may require the participating agencies or organizations to pay all or part of the costs thereof. All sums of money received pursuant to the agreements herein authorized *shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner during that period,* and are hereby appropriated annually to the commissioner of corrections for the purposes of this subdivision.

Sec. 27. Minnesota Statutes 1974, Section 260.151, Subdivision 1, is amended to read: 260.151 [INVESTIGATION; PHYSICAL AND MENTAL EXAMINATION.] Subdivision 1. Upon request of the court the county welfare board or probation officer shall investigate the personal and family history and environment of any minor coming within the jurisdiction of the court under section 260.111 and shall report its findings to the court. The court may order any minor coming within its jurisdiction to be examined by a duly qualified physician, psychiatrist, or psychologist appointed by the court ; or, . With the consent of the commissioner of corrections and agreement of the county to pay the costs thereof, the court may, by order, place ~~such~~ a minor coming within its jurisdiction in an institution maintained by the commissioner

for the detention, diagnosis, custody and treatment of persons adjudicated to be delinquent, in order that the condition of the minor be given due consideration in the disposition of the case. Adoption investigations shall be conducted in accordance with the laws relating to adoptions. Any funds received under the provisions of this subdivision or under provisions of section 260.175, clause (d) shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner of corrections during that period, and are hereby appropriated annually to the commissioner of corrections to furnish diagnostic services for wards of the Minnesota corrections authority as reimbursement of the costs of providing these services to the juvenile courts.

Sec. 28. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read: [8.14] [ACTIONS CHALLENGING STATE EXPENDITURES: INTERVENTION.] *In any action in which the state of Minnesota or any of its officers is a party and the amount of state expenditures for a particular purpose is challenged on the ground that the expenditure is insufficient to enable the state or any of its agencies to comply with the alleged requirements of the constitution of the United States or of federal law, the attorney general shall petition on behalf of and provide representation for (1) an individual taxpayer, who as an authorized representative of a particular class of recipients or beneficiaries of significant state appropriations, has requested the representation or (2) any other state agency that wishes to intervene in the action. The attorney general shall oppose any attempt to require the state to expend money for any purpose in excess of the amounts appropriated for that purpose by law.*

Sec. 29. Sections 26 and 27 of this act are effective the day following its final enactment.

Further amend the title as follows:

Page 1, last line, after "relief" and before the period insert "; amending Minnesota Statutes 1974, Chapter 8 by adding a section, Sections 241.01, Subdivision 7; and 260.151, Subdivision 1"

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: (Signed) Don Samuelson, Walter Hanson, Paul McCarron, Al Wieser, Jr., Fred C. Norton.

Senate Conferees: (Signed) George Conzemius, Ralph Doty, John Olson, W. G. Kirchner, Robert Tennesen.

Mr. Conzemius moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1743 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. 1743: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the

use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief; amending Minnesota Statutes 1974, Chapter 8 by adding a section, Sections 241.01, Subdivision 7; and 260.151, Subdivision 1.

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 49 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Schrom
Arnold	Gearty	Kowalczyk	Olson, H. D.	Solon
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Spear
Borden	Hanson, R.	Laufenburger	Patton	Stassen
Brataas	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Merriam	Pillsbury	Stumpf
Chmielewski	Jensen	Moe	Purfeerst	Tennessee
Coleman	Josefson	Nelson	Renneke	Wegener
Conzemius	Keefe, S.	Ogdahl	Schaaf	Willet
Doty	Kleinbaum	Olhoft	Schmitz	

Those who voted in the negative were:

Berg	Brown	Keefe, J.	Milton	Perpich, G.
Bernhagen	Hansen, Mel	Lewis	North	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE—CONTINUED

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. 1741, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1741: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

House File No. 1741 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 19, 1975

**SUSPENSION OF RULES**

Mr. Coleman moved that Joint Rule 13 be suspended as to the printing requirement for the Conference Committee report on H. F. No. 1741. The motion prevailed.

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 1741**

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

May 19, 1975

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. 1741 report that we have agreed upon the items in dispute and recommend as follows: The Senate recede from its amendments to H. F. No. 1741 and that the bill be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

**APPROPRIATIONS**

Available for the Year  
Ending June 30,

	1976	1977
\$		\$

**Sec. 2. GENERAL GOVERNMENT**

Subdivision 1. Minnesota-Wisconsin Boundary Area Commission .....

41,200	46,000
--------	--------

For 1975—\$6,000

	1976	1977
	\$	\$
Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin.		
Subd. 2. Uniform Laws Commission .....	9,900	9,900
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
Subd. 3. Great Lakes Commission .....	27,500	27,500
<b>Sec. 3. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES</b>		
Subdivision 1. Societies and Associations		
(a) State Horticultural Society		
1. For maintenance .....	22,500	22,500
(b) For expenses for the Junior Livestock Show in Duluth	1,400	1,400
Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show.		
(c) For aid to Minnesota Livestock Breeders Association .....	14,100	14,200
(d) For aid to Northern Sheep Growers Associations..	1,125	1,125
(e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota.....	500	500

	1976	1977
	\$	\$
(f) For Red River Valley Livestock Associations . . . . .	7,500	7,500

Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.

(g) For the Red River Valley Dairymen's Association, Inc., for the purpose of promoting better dairying . . . . .	1,500	1,500
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Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.

**Subd. 2. Aid to Agricultural Societies and Poultry Associations**

(a) Aid to county and district agricultural societies . . . . .	240,000	240,000
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Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

Provided that the amount appropriated by item (a) hereof shall be disbursed according to Minnesota Statutes, Section 38.02.

Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by

	1976	1977
	\$	\$
them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.		

(b) County Fair Bicentennial Exhibits and Projects . . . . .	100,000	
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Provided that these funds shall be used to reimburse county fairs who received funds under Laws 1973, Chapter 592, Section 4, Subdivision 2(a).

The payment to each county fair from this appropriation shall not exceed 20 percent of its total premiums paid in 1974.

(c) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8 . . . . .	3,500	3,500
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Provided that out of the amounts appropriated by item (c) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the payment of premiums and other necessary expenses, exclusive of salaries or wages of any kind, at its annual exhibition.

Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150.

Provided that no one association or society will receive an amount greater than the an-

1976

1977

\$

\$

nual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allotted to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

Sec. 4. SOCIAL SECURITY

Subdivision 1. Minnesota Veterans Home

(a) Maintenance and repairs.

651,946

678,503

Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,300,410 is for salaries for the year ending June 30, 1976, and \$1,301,710 is for salaries for the year ending June 30, 1977, but may be augmented by such specific sums as are ap-

1976

1977

\$

\$

appropriated for salary increases by the 1975 legislature.

Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for, however, any income in excess of \$1,402,300 for fiscal year 1976, and \$1,462,300 for fiscal year 1977 shall reduce the general fund appropriation by a like amount.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

(b) Repairs and replacements

30,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. Miscellaneous Accounts

(a) Disabled American Veterans

1. For salaries, supplies and

	1976	1977
	\$	\$
expense to be expended as provided by Laws 1941, Chapter 425 .....	10,000	10,000
(b) Veterans of Foreign Wars		
1. For carrying out the provisions of Laws 1945, Chapter 455 .....	10,500	10,500
<b>Sec. 5. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION</b>		
Subdivision 1. Minnesota Historical Society		
(a) Grants and Aids.....	2,325,285	2,466,082

The above appropriation includes sufficient funds to pay salary increases authorized January 1, 1975.

From the appropriation made to the Historical Society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the weekday schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota historical society of this amount

	1976	1977
	\$	\$

to the commissioner of finance.

Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioners of finance and administration, and the appropriate finance committees of the house and senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.

(b) Museum Program . . . . .	200,000
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The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

(c) Historic Sites Improvement . . . . .	150,000
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(d) Construction Archaeology . . . . .	50,000
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(c) Contingent Account . . . . .	30,000
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(f) Historic Sites Program . . . . .	475,000
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	1976	1977
	\$	\$
(g) Harkin-Massopust Store .	50,000	
(h) Grand Mound Interpretive Center . . . . .	25,000	
<p>These funds shall be available upon completion of construction of the Grand Mound interpretive center.</p>		
<p>Any unexpended balances in subdivision 1 (b), (c), (d), (e), (f), (g), and (h) remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>		
(i) Minnesota History and Learning Center . . . . .	25,000	25,000
(j) Regional History Centers .	60,000	60,000
Subd. 2. For maintenance of the Sibley House, to be expended by the Sibley House Association . . . . .	15,000	15,000
<p>Notwithstanding any other law to the contrary, the amount of \$1,500 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance.</p>		
Subd. 3. Minnesota Academy of Science . . . . .	16,200	16,200
Subd. 4. Minnesota State Arts Council . . . . .	500,000	500,000

Provided that the state arts council shall create 13 local arts development task forces using state economic development region lines as district boundaries. The state arts council shall recognize one task force from each district. Each task force shall meet at least bimonthly and shall act as a clearing house with right of review and recommendation for proposals generated by groups

1976

1977

\$

\$

and individuals within its region. This program shall be for local art development and not for professional touring or special projects.

The state arts council shall be responsible for the administration of the professional touring program. Grants made under the touring program shall be used only for payment of touring costs.

Provided that the state arts council shall develop a comprehensive statewide information and publicity system and that it shall include a progress report on its activities in its annual report to the legislature.

Provided that not less than 55 percent of program moneys shall be expended in regions outside the seven-county metropolitan area.

Provided that none of the state share of grants and subsidies shall be used for matching salary expenditures of any of the various arts councils.

Every publication, program or other graphic material prepared by the Minnesota state arts council or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible in part by a grant provided by the Minnesota state legislature and the Congress of the United States."

None of the appropriation for the second year of the biennium shall be expended until the state arts council has first consulted with the committee

1976

1977

\$

\$

on appropriations of the house and the committee on finance of the senate and received its recommendation thereon. Such recommendation shall be advisory only.

Subsidies may be allocated to the major arts organizations, provided that the Minnesota state arts council shall set guidelines and shall be responsible for the disbursement of the following funds. In no event will the subsidy exceed the projected deficit in the year in which it is given. If these guidelines and restrictions are established and met, there is available \$75,000 for fiscal year 1976 and \$125,000 for fiscal year 1977 from the appropriation provided in this subdivision.

Provided that state funding for grants and subsidies may not be expended unless matched by federal funds except for the \$200,000 subsidy appropriation.

Subd. 5. Minnesota Safety Council .....

47,500

47,500

The moneys appropriated by this act shall be from the trunk highway fund and shall be disbursed by the commissioner of finance on certification of need therefor by the president of the Minnesota safety council. The commissioner of finance shall disburse upon such certification 25 percent of the annual appropriation on the first day of July, October, January, and April of each fiscal year.

Sec. 6. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS .....

15,000

15,000

Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.

Provided further that a report shall be submitted to the 1976 and 1977 legislature regarding expenditures for public information programs.

Sec. 7. COUNTY ATTORNEYS COUNCIL .....	50,000	50,000
Sec. 8. PORT AUTHORITY OF DULUTH .....	80,000	80,000

These amounts are appropriated to the Port Authority of Duluth, organized under Minnesota Statutes, Sections 458.09 to 458.19, and shall be used for the promotion of seaway trade.

The Port Authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1975, and November 1, 1976.

Sec. 9. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION .....	40,000	40,000
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**Sec. 10. UNEMPLOYMENT COMPENSATION**

For 1975 — \$5,586.93

In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota Veterans Home.

**Sec. 11. WORKMEN'S COMPENSATION**

For 1975—\$17,209.55

To be transferred by the commissioner of finance to the department of labor and industry compensation revolving fund, in payment of obli-

gations incurred by the following agencies in the amounts as indicated:

Historical Society	\$11,318.53
Minnesota Veterans Home	5,891.02

Sec. 12. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1975, June 30, 1976, and June 30, 1977, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1975, June 30, 1976, and June 30, 1977, and the unobligated balances on hand as of June 30, 1976, and June 30, 1977, appropriated out of any other funds shall be cancelled into the fund from which they are appropriated as of June 30, 1976, and June 30, 1977. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 13. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Section 355.50 and 352.04, Subdivision 5."

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: (Signed) A. J. (Tony) Eckstein, James Swanson, Wendell Erickson, John Arlandson.

Senate Conferees: (Signed) Clarence Purfeerst, Gerald Willet, Gene Merriam, William Kirchner, Harmon Ogdahl.

The hour of 12:00 midnight having arrived, Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon Tuesday, January 27, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

**COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT  
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. 783, 1035 and 1379.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

**Mr. President:**

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 177, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 177: A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

Senate File No. 177 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

**Mr. President:**

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1026, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

Senate File No. 1026 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 19, 1975

**REPORT FROM THE SECRETARY OF THE SENATE**

May 20, 1975

The Honorable Nicholas D. Coleman  
Chairman, Committee on Rules and Administration

Pursuant to Senate Rule 51, the following bills remaining on

General Orders after adjournment on May 19, 1975, were returned to the Committees indicated:

S. F. No. 357 and H. F. Nos. 717, 951 and 1057 to the Committee on Education.

S. F. Nos. 661, 755, 804, 1253, 1313 and 1527 to the Committee on Finance.

S. F. No. 596 and H. F. Nos. 109, 527 and 586 to the Committee on Governmental Operations.

S. F. Nos. 53, 1315 and H. F. Nos. 718, 719, 831, 1145 and 1330 to the Committee on Judiciary.

S. F. Nos. 325, 750, 1619 and H. F. Nos. 404, 447, 493, 1304 and 1335 to the Committee on Labor and Commerce.

S. F. Nos. 855, 1294, 1532 and H. F. Nos. 61, 1099 and 1207 to the Committee on Metropolitan and Urban Affairs.

S. F. Nos. 564, 1627 and H. F. No. 503 to the Committee on Natural Resources and Agriculture.

H. F. No. 369 to the Committee on Rules and Administration.

S. F. Nos. 911, 927 and 1661 to the Committee on Taxes and Tax Laws.

S. F. Nos. 615, 1291, 1297 and H. F. Nos. 1104 and 1527 to the Committee on Transportation and General Legislation.

Pursuant to Joint Rule 23a, the following Senate Files being considered by conference committees were returned to the Senate and laid on the table and the conference committees discharged:

S. F. Nos. 250, 499 and 1428.

NOTE: S. F. No. 1308 had been reported out by its conference committee and is awaiting action at the Senate Desk.

Pursuant to Joint Rule 23a, the conference committee on H. F. No. 943 was discharged and the bill was laid on the table in the House of Representatives.

Pursuant to Joint Rule 23b, the following bills were returned to the committees indicated:

S. F. No. 1689 and H. F. No. 1721 to Education.

S. F. Nos. 1581 and 1717 to Governmental Operations.

Patrick E. Flahaven, Secretary of the Senate

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

May 20, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts

of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
102		159	May 17	May 19
114		160	May 17	May 19
303		161	May 17	May 19
332		162	May 17	May 19
413		163	May 17	May 19
458		164	May 17	May 19
987		165	May 17	May 19
1055		166	May 17	May 19
1098		167	May 17	May 19
1142		168	May 17	May 19
1166		169	May 17	May 19
1196		170	May 17	May 19
	78	171	May 17	May 19
	100	172	May 17	May 19
	184	173	May 17	May 19
	197	174	May 17	May 19
	249	175	May 17	May 19
	264	176	May 17	May 19
	281	177	May 17	May 19
	416	178	May 17	May 19
	432	179	May 17	May 19
	434	180	May 17	May 19
	486	181	May 17	May 19
	490	182	May 17	May 19
	583	183	May 17	May 19
	587	184	May 17	May 19
	588	185	May 17	May 19
	590	186	May 17	May 19

Sincerely,  
Joan Anderson Growe  
Secretary of State

May 20, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	596	187	May 17	May 19
	666	188	May 17	May 19
	688	189	May 17	May 19
	779	190	May 17	May 19
	794	191	May 17	May 19
	864	192	May 17	May 19
	899	193	May 17	May 19
	927	194	May 17	May 19
	1129	195	May 17	May 19
	1156	196	May 17	May 19
	1254	197	May 17	May 19
	1262	198	May 17	May 19
	1488	199	May 17	May 19
	1501	200	May 17	May 19
	1506	201	May 17	May 19
	1569	202	May 17	May 19

Sincerely,  
 Joan Anderson Growe  
 Secretary of State

May 30, 1975

The Honorable Martin O. Sabo  
 Speaker of the House of Representatives

The Honorable Alec G. Olson  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1722	203	May 30	May 30
	1759	204	May 30	May 30

Sincerely,  
 Joan Anderson Growe  
 Secretary of State

June 2, 1975

The Honorable Alec G. 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. 39, An Act relating to taxation; providing exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1974, Section 297B.03.

S. F. No. 46, An Act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.27, Subdivision 1; 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

S. F. No. 51, An Act relating to courts; district court term in Sibley county; amending Minnesota Statutes 1974, Section 484.09, Subdivision 8.

S. F. No. 143, An Act relating to drivers licenses; permitting persons holding drivers licenses not including school bus endorsements to drive passenger automobiles used as school buses; amending Minnesota Statutes 1974, Section 171.321, Subdivision 1.

S. F. No. 167, An Act relating to the regulation and control of junk yards adjacent to trunk highways; extending the deadline for removal or relocation of unauthorized junk yards; amending Minnesota Statutes 1974, Section 161.242, Subdivision 3.

S. F. No. 220, An Act relating to health; providing for loans to medical and osteopathy students enrolled in an accredited medical school within or without the state who agree to practice in rural communities within the state, amending Minnesota Statutes 1974, Section 147.30.

S. F. No. 282, An Act relating to towns; removing the levy limit for road and bridge purposes; amending Minnesota Statutes 1974, Section 164.04, Subdivision 2.

S. F. No. 306, An Act relating to courts; authorizing county boards to direct county and municipal courts to hold conciliation court sessions during the evening and on Saturday and at specified locations throughout the county or municipality; amending Minnesota Statutes 1974, Sections 487.30, 488A.13, Subdivision 5; 488A.30, Subdivision 4; and 491.02.

S. F. No. 318, An Act relating to the cities of St. Charles, Dover and Eyota and the sanitary sewer board of the Dover, Eyota and St. Charles area sanitary district in the counties of Olmsted and Winona; providing certain powers; amending Laws 1973, Chapter 160, Section 10, Subdivision 3; Section 12, Subdivisions 1 and 2, and by adding a section.

S. F. No. 336, An Act relating to the operation of state government; providing for definitions of types of state agencies; naming and renaming certain agencies, boards, commissions, committees, and councils; amending Minnesota Statutes 1974, Sections 15.01; 115.71, Subdivision 4; and 115.74, Subdivision 1.

S. F. No. 366, An Act relating to deferred compensation; authorizing participation by state and other public employees in the state deferred compensation plan; transferring duties; appropriating money; amending Minnesota Statutes 1974, Chapter 352, by adding a section; repealing Minnesota Statutes 1974, Section 16.A-17, Subdivision 8.

S. F. No. 583, An Act relating to towns; providing for optional forms of town government and authorizing the combination of certain offices in certain towns; amending Minnesota Statutes 1974, Sections 366.01, Subdivision 1; and 367.03, Subdivision 1.

S. F. No. 803, An Act relating to Chisago county; authorizing the expenditure of funds for certain purposes.

S. F. No. 867, An Act relating to state employees; authorizing training, development and compensation of state personnel designated as managerial; amending Minnesota Statutes 1974, Section 15.56, Subdivision 3; and Chapter 43, by adding a section.

S. F. No. 874, An Act relating to the state board of investment; authorizing investment of state retirement system funds in obligations guaranteed by the federal small business administration; amending Minnesota Statutes 1974, Section 11.16, Subdivision 9.

S. F. No. 888, An Act relating to counties; publication of financial statements; extending the time for publication and removing the requirement to publish certain detailed accounts; amending Minnesota Statutes 1974, Section 375.17.

S. F. No. 903, An Act relating to counties; providing for the filling of vacancies in the office of county commissioner; amending Minnesota Statutes 1974, Chapter 375, by adding a section; Section 375.03; repealing Minnesota Statutes 1974, Section 375.10.

S. F. No. 912, An Act relating to counties; authorizing blanket performance bonds covering all county officers and employees in lieu of individually required bonds; amending Minnesota Statutes 1974, Section 382.153.

S. F. No. 921, An Act relating to railroads; providing for toilet facilities in certain railroad company motor vehicles; amending Minnesota Statutes 1974, Section 219.562, Subdivision 1; repealing Minnesota Statutes 1974, Section 219.562, Subdivision 2.

S. F. No. 949, An Act relating to motor vehicles; registration of school buses; requiring certificate of conformance before registration of school buses; amending Minnesota Statutes 1974, Chapter 168, by adding a section.

S. F. No. 954, An Act relating to elections; rearranging the laws regulating campaign practices and penalties; providing penalties; amending Minnesota Statutes 1974, Sections 123.015; 290.09, Subdivision 2; and 290.21, Subdivision 3; repealing Minnesota Statutes 1974, Sections 210.01 to 210.21 and 211.01 to 211.41.

S. F. No. 977, An Act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12, as amended; and Laws 1933, Chapter 291, Section 16, as amended.

S. F. No. 1113, An Act relating to public safety; providing safety devices on certain equipment; providing penalties.

S. F. No. 1119, An Act relating to the city of Alexandria, the towns of Alexandria, Carlos, Hudson and LaGrand in the county

of Douglas, and the Alexandria lake area sanitary district; authorizing formation of certain service regions; providing certain procedures for allocating costs; amending Laws 1971, Chapter 869, Sections 2, by adding a subdivision; 9, Subdivision 1, and by adding a subdivision; 10, Subdivision 3, and by adding subdivisions; and 18, Subdivisions 4, and 6, as amended, and by adding a subdivision; repealing Laws 1971, Chapter 869, Section 9, Subdivisions 2, 3, 4, and 5.

S. F. No. 1168, An Act relating to certain political subdivisions; authorizing the governing bodies of cities and counties to advance expense money; amending Minnesota Statutes 1974, Section 471.96, Subdivision 1; and Chapter 471, by adding a section.

S. F. No. 1184, An Act relating to Hennepin county; authorizing the county board to make appropriations from its county road and bridge fund to certain municipalities within the county for roads and streets.

S. F. No. 1222, An Act relating to courts; Hennepin county municipal court; providing for assignment of retired judges to hear certain causes; amending Minnesota Statutes 1974, Section 488A.021, by adding a subdivision.

S. F. No. 1299, An Act relating to education; fluctuating school enrollments; providing for study by an advisory commission; appropriating money; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

S. F. No. 1353, An Act relating to elections; providing certain precinct caucus requirements; amending Laws 1975, Chapter 5, Sections 5, Subdivisions 1 and 3; 6, Subdivision 1; and 9, Subdivision 2.

S. F. No. 1415, An Act relating to public welfare; authorizing an experimental program for the cost of home care of mentally retarded children; amending Minnesota Statutes 1974, Section 252.27, by adding a subdivision.

S. F. No. 1434, An Act relating to counties; providing for formation of water and sewer districts; amending Minnesota Statutes 1974, Sections 116A.01, Subdivisions 1a, and 4, and by adding a subdivision; 116A.02, Subdivision 3, and by adding a subdivision; 116A.12, Subdivision 8; 116A.19, by adding a subdivision; 116A.20, Subdivisions 1, 2 and 5, and by adding a subdivision; and 116A.24, Subdivisions 1, 2 and 4.

S. F. No. 1554, An Act relating to taxation; providing additional duties and powers for the state board of equalization; providing for tax equalization when one taxing jurisdiction includes two or more counties; amending Minnesota Statutes 1974, Section 270.12.

S. F. No. 1577, An Act relating to the city of Motley; authorizing the city to issue certificates of indebtedness to purchase certain fire equipment.

Sincerely,  
Wendell R. Anderson, Governor

June 2, 1975

The Honorable Alec G. 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. 892, An Act relating to crimes; application of the prohibitions of the crime of conspiracy to persons outside the state; amending Minnesota Statutes 1974, Section 609.175, Subdivision 3.

Sincerely,  
Wendell R. Anderson, Governor

June 3, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	2	205	June 2	June 2
	4	206	June 2	June 2
	46	207	June 2	June 2
	48	208	June 2	June 2
	49	209	June 2	June 2
	68	210	June 2	June 2
	79	211	June 2	June 2
	80	212	June 2	June 2
	119	213	June 2	June 2
	142	214	June 2	June 2
	177	215	June 2	June 2
	209	216	June 2	June 2
	231	217	June 2	June 2
	251	218	June 2	June 2
	257	219	June 2	June 2
	276	220	June 2	June 2
	306	221	June 2	June 2
	339	222	June 2	June 2
	344	223	June 2	June 2
	382	224	June 2	June 2
	409	225	June 2	June 2
	474	226	June 2	June 2
	481	227	June 2	June 2

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	483	228	June 2	June 2
	519	229	June 2	June 2
	521	230	June 2	June 2
	558	231	June 2	June 2
	581	232	June 2	June 2
	599	233	June 2	June 2

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 3, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	600	234	June 2	June 2
	628	235	June 2	June 2
	638	236	June 2	June 2
	643	237	June 2	June 2
	685	238	June 2	June 2
	739	239	June 2	June 2
	784	240	June 2	June 2
	866	241	June 2	June 2
	872	242	June 2	June 2
	907	243	June 2	June 2
	911	244	June 2	June 2
	982	245	June 2	June 2
	986	246	June 2	June 2
	1074	247	June 2	June 2
	1167	248	June 2	June 2
	1180	249	June 2	June 2
	1247	250	June 2	June 2
	1252	251	June 2	June 2
	1277	252	June 2	June 2
	1288	253	June 2	June 2
	1315	254	June 2	June 2
	1422	255	June 2	June 2
	1423	256	June 2	June 2
	1436	257	June 2	June 2
	1456	258	June 2	June 2

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1476	259	June 2	June 2
	1513	260	June 2	June 2
	1518	261	June 2	June 2

Sincerely,  
 Joan Anderson Growe  
 Secretary of State

June 3, 1975

The Honorable Martin O. Sabo  
 Speaker of the House of Representatives

The Honorable Alec G. Olson  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
39		262	June 2	June 2
46		263	June 2	June 2
51		264	June 2	June 2
143		265	June 2	June 2
167		266	June 2	June 2
220		267	June 2	June 2
282		268	June 2	June 2
306		269	June 2	June 2
318		270	June 2	June 2
336		271	June 2	June 2
1577		272	June 2	June 2
366		273	June 2	June 2
583		274	June 2	June 2
803		275	June 2	June 2
867		276	June 2	June 2
874		277	June 2	June 2
888		278	June 2	June 2
892		279	June 2	June 2
903		280	June 2	June 2
912		281	June 2	June 2
921		282	June 2	June 2
949		283	June 2	June 2
954		284	June 2	June 2
977		285	June 2	June 2
1113		286	June 2	June 2
1119		287	June 2	June 2
1168		288	June 2	June 2

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
1184		289	June 2	June 2
1222		290	June 2	June 2
1299		291	June 2	June 2

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 3, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
1353		292	June 2	June 2
1415		293	June 2	June 2
1434		294	June 2	June 2
1554		295	June 2	June 2

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 5, 1975

The Honorable Alec G. 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. 66, An Act relating to game and fish; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

S. F. No. 115, An Act relating to the arts; creating a board of the arts to succeed the state arts council; prescribing powers and duties; amending Minnesota Statutes 1974, Chapter 139, by adding sections; repealing Minnesota Statutes 1974, Sections 139.01, 139.02, 139.03, 139.04 and 139.05.

S. F. No. 126, An Act relating to game and fish; methods of

taking bear; providing a penalty; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

S. F. No. 177, An Act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2, 3 and 5; 145.74; 145.76; 145.78; 145.80; 145.82; Chapter 145; by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

S. F. No. 199, An Act relating to commerce; authorizing state banks to acquire and lease personal property to customers; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

S. F. No. 211, An Act relating to counties; altering compensation of county officers; amending Minnesota Statutes 1974, Sections 38.38; 106.431, Subdivision 1; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

S. F. No. 226, An Act relating to employment services; unemployment compensation; administrative expense; re-establishing the contingent account, providing for its funding; appropriating Reed Act federal moneys; amending Minnesota Statutes 1974, Sections 268.05, Subdivision 5; 268.15, Subdivision 3; and 268.16, Subdivisions 1 and 2.

S. F. No. 230, An Act relating to credit unions; raising application fees for new state chartered credit unions; amending Minnesota Statutes 1974, Section 52.01.

S. F. No. 242, An Act relating to corrections; defining powers and duties of the commissioner of corrections; authorizing the appointment of an employee of the department of corrections to serve as a voting member of the Minnesota Corrections Authority on a temporary basis; authorizing the purchase of parole and probation services from public and private agencies; expanding provisions for the establishment of private industry on grounds of correctional institutions; providing for the employment of inmates at certain wages; providing for the designation of community corrections planning counties; providing employment for state correctional officers; expanding the composition of corrections advisory boards; permitting prospective payment of subsidies; changing the subsidy formula; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 5a, and by adding a subdivision; 241.045, Subdivision 7; 243.09, Subdivisions 1 and 3; 243.88, Subdivisions 1 and 2; 401.02, by adding a subdivision; 401.04; 401.08; 401.10; 401.11; 401.14; 401.15, Subdivision 1; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

S. F. No. 244, An Act relating to the city of Minneapolis; authorizing the issuance of on-sale liquor licenses to certain establishments.

S. F. No. 469, An Act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; employer contributions for teachers retirement fund associations in cities of the first class; firemen's relief benefits in the city of New Ulm; providing additional lump sum payments to certain annuitants and beneficiaries of various retirement funds; appropriating money; amending Minnesota Statutes 1974, Sections 354.05, Subdivisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.41, by adding subdivisions; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; 354.62, Subdivision 5; Chapter 354A, by adding sections; and Laws 1973, Chapter 182, Section 1; repealing Minnesota Statutes 1974, Sections 275.126; 354A.06; and 354A.07.

S. F. No. 476, An Act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

S. F. No. 460, An Act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

S. F. No. 488, An Act relating to insurance premium financing; clarifying the definition of an open end premium finance agreement; allowing additional premiums to be added to an open end insurance premium finance agreement, and prescribing the conditions therefor; prohibiting flat service fees for adding additional premiums; allowing a finance charge for additional premiums added to an open end insurance premium finance agreement; amending Minnesota Statutes 1974, Section 59A.08, Subdivision 3.

S. F. No. 578, An Act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; amending Minnesota Statutes 1974, Sections 62D.21; 144.02; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 2, 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

S. F. No. 624, An Act relating to local water and related land resources management; granting municipalities authority to construct flood prevention or control facilities on certain bodies of water; amending Minnesota Statutes 1974, Section 459.20.

S. F. No. 711, An Act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served to individuals who are 60 years of age

or over, and their spouses or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, and by adding a subdivision.

S. F. No. 741, An Act relating to the department of public service; confidentiality of accident reports submitted by common carriers; railroad crossings; subjecting accommodation transportation to regulations; fees; permitting the department to grant extension of authority ex parte; identification cards; enforcement powers; offenses; registration; warehouses; warehousemen; weights and measures; providing penalties; amending Minnesota Statutes 1974, Sections 218.031, Subdivision 2; 219.39; 219.40; 221.011, Subdivisions 16 and 22; 221.061; 221.071; 221.121; 221.131; 221.141; 221.151, Subdivision 1, and by adding a subdivision; 221.221; 221.291; 221.293; 221.296, Subdivisions 4, 5 and 8; 221.64; 231.01, Subdivision 5; 231.02; 231.16; and 239.38; repealing Minnesota Statutes 1974, Sections 239.39; 239.40; 239.41; 239.42; and 239.43.

S. F. No. 747, An Act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; providing penalties for certain acts relating to livestock; providing for the collection of damages; amending Minnesota Statutes 1974, Chapter 609, by adding sections.

S. F. No. 753, An Act relating to state government; regulating advisory councils, boards and commissions; amending Minnesota Statutes 1974, Chapter 15, by adding a section; Sections 16.853; 16.91; 16.911, Subdivision 1; 31.60, Subdivisions 2 and 3; 52.061; 82.30, Subdivision 1; 116C.05; 121.87, Subdivisions 1 and 3; 145.865, Subdivision 1; 156A.06, Subdivision 1; 175.007, Subdivision 1; 182.656, Subdivision 3; 184.23, Subdivisions 1 and 3; 254A.04; 256.482, Subdivision 1; 268.12, Subdivision 6; 299C.47; 299F.55; 362.09, Subdivision 3; and 483.02; repealing Minnesota Statutes 1974, Sections 82.30, Subdivisions 2 and 3; 145.865, Subdivision 2; 175.007, Subdivision 3; 182.656, Subdivision 2; 184.23, Subdivision 2; 254A.05, Subdivision 2; 256.482, Subdivision 6; 483.03; and 483.04.

S. F. No. 757, An Act relating to taxation; restricting the right to repurchase tax-forfeited lands; amending Minnesota Statutes 1974, Section 282.241.

S. F. No. 767, An Act relating to motor vehicle carriers; reinstating the rights of certain permit carriers upon filing proof of insurance or other security; amending Minnesota Statutes 1974, Section 221.141.

S. F. No. 782, An Act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1; repealing Minnesota Statutes 1974, Section 593.18.

S. F. No. 783, An Act relating to agriculture; providing for a state farm census; appropriating money; amending Minnesota Statutes 1974, Section 17.03, Subdivision 2.

S. F. No. 795, An Act relating to Special School District No. 1; extending bonding authority; amending Laws 1959, Chapter 462, Section 3, Subdivision 7, as amended.

S. F. No. 829, An Act relating to state colleges; requiring the state college board to designate certain colleges as state universities; amending Minnesota Statutes 1974, Section 136.01.

S. F. No. 917, An Act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; removing operator's permit exception for certain nonresidents; amending Minnesota Statutes 1974, Sections 361.041, Subdivision 2; 361.09, Subdivision 2; and 361.27, Subdivision 1.

S. F. No. 963, An Act relating to insurance; prohibiting offsets in certain contracts for disability benefits received or receivable under the federal Social Security Act; the Railroad Retirement Act, any Veteran's Disability Compensation and Survivor Benefits Act, Worker's Compensation or any similar federal or state law; amending Minnesota Statutes 1974, Chapter 62A, by adding a section; Sections 62B.06, Subdivision 2; 62C.14, by adding a subdivision; 62D.12, by adding a subdivision; and 64A.31, by adding a subdivision.

S. F. No. 1026, An Act relating to agriculture; clarifying restrictions upon farming by corporation; amending Minnesota Statutes 1974, Section 500.24.

S. F. No. 1035, An Act relating to railroad safety; appropriating money to the department of public service for the purpose of enforcing certain railroad track safety standards.

S. F. No. 1102, An Act relating to the Seaway Port Authority of Duluth; permitting the authority to buy, lease or otherwise contract for vessels.

S. F. No. 1215, An Act relating to intoxicating liquor; filing of wholesale price schedules; amending Minnesota Statutes 1974, Section 340.983.

S. F. No. 1221, An Act relating to courts; Hennepin county conciliation court; providing for compensation for referees, amending Minnesota Statutes 1974, Section 488A.13, Subdivision 1.

S. F. No. 1290, An Act relating to architects, engineers, surveyors and landscape architects; providing for registration and regulation of landscape architects; changing the number of board members required to revoke, suspend or reissue a certification of registration; amending Minnesota Statutes 1974, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1, 2, 4, and 5; 326.12; 326.13; and 326.14.

S. F. No. 1305, An Act relating to intoxicating liquor; places

where sale prohibited; amending Minnesota Statutes 1974, Section 340.14, Subdivision 3.

S. F. No. 1379, An Act relating to economic development; participation in federal programs by the area redevelopment agency; authorizing the state agency to make certain loans and guarantees and to expend funds for certain purposes; authorizing community development corporation projects; appropriating money; amending Minnesota Statutes 1974, Section 472.13, by adding a subdivision.

S. F. No. 1425, An Act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971; requiring approval of such contracts by the metropolitan council.

S. F. No. 1446, An Act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

S. F. No. 1466, An Act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

S. F. No. 1558, An Act relating to the city of Brainerd; authorizing the issuance of general obligation bonds to finance the razing of hazardous buildings.

Sincerely,  
Wendell R. Anderson, Governor

June 6, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
66		296	June 4	June 5
115		297	June 5	June 5
126		298	June 4	June 5
177		299	June 4	June 5
199		300	June 4	June 5
211		301	June 4	June 5
226		302	June 4	June 5
230		303	June 4	June 5
242		304	June 4	June 5
244		305	June 4	June 5

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
469		306	June 4	June 5
476		307	June 4	June 5
460		308	June 4	June 5
488		309	June 4	June 5
578		310	June 4	June 5
624		311	June 4	June 5
711		312	June 4	June 5
741		313	June 4	June 5
747		314	June 4	June 5
753		315	June 4	June 5
757		316	June 4	June 5
767		317	June 4	June 5
782		318	June 5	June 5
783		319	June 5	June 5
795		320	June 4	June 5
829		321	June 4	June 5
917		322	June 4	June 5
963		323	June 4	June 5
1026		324	June 4	June 5

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 6, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
1035		325	June 4	June 5
1102		326	June 4	June 5
1215		327	June 4	June 5
1221		328	June 4	June 5
1290		329	June 4	June 5
1305		330	June 4	June 5
1379		331	June 4	June 5
1425		332	June 4	June 5
1446		333	June 4	June 5
1466		334	June 4	June 5
1558		335	June 4	June 5
	1	336	June 4	June 5

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	67	337	June 5	June 5
	69	338	June 4	June 5
	133	339	June 4	June 5
	135	340	June 4	June 5
	146	341	June 4	June 5
	153	342	June 4	June 5
	161	343	June 4	June 5
	175	344	June 4	June 5
	176	345	June 4	June 5
	210	346	June 5	June 5
	216	347	June 5	June 5
	218	348	June 4	June 5
	229	349	June 4	June 5
	232	350	June 4	June 5
	308	351	June 4	June 5
	332	352	June 4	June 5
	343	353	June 4	June 5

Sincerely,  
 Joan Anderson Growe  
 Secretary of State

June 6, 1975

The Honorable Martin O. Sabo  
 Speaker of the House of Representatives

The Honorable Alec G. Olson  
 President of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	398	354	June 4	June 5
	439	355	June 4	June 5
	470	356	June 5	June 5
	494	357	June 4	June 5
	511	358	June 5	June 5
	522	359	June 4	June 5
	532	360	June 5	June 5
	533	361	June 4	June 5
	534	362	June 4	June 5
	556	363	June 4	June 5
	557	364	June 4	June 5
	562	365	June 4	June 5
	576	366	June 4	June 5
	580	367	June 3	June 5

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	593	368	June 4	June 5
	597	369	June 5	June 5
	605	370	June 5	June 5
	618	371	June 4	June 5
	619	372	June 4	June 5
	629	373	June 5	June 5
	654	374	June 5	June 5
	661	375	June 4	June 5
	669	376	June 4	June 5
	674	377	June 4	June 5
	679	378	June 4	June 5
	696	379	June 4	June 5
	702	380	June 4	June 5
	703	381	June 4	June 5
	704	382	June 4	June 5

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 6, 1975

The Honorable Martin O. Sabo  
Speaker of the House of Representatives

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	710	383	June 5	June 5
	715	384	June 4	June 5
	720	385	June 5	June 5
	745	386	June 4	June 5
	757	387	June 4	June 5
	775	388	June 4	June 5
	778	389	June 4	June 5
	787	390	June 4	June 5
	789	391	June 4	June 5
	795	392	June 5	June 5
	837	393	June 5	June 5
	858	394	June 4	June 5
	884	395	June 4	June 5
	914	396	June 4	June 5
	981	397	June 4	June 5
	999	398	June 5	June 5
	1007	399	June 4	June 5

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1009	400	June 4	June 5
	1014	401	June 5	June 5
	1020	402	June 4	June 5
	1043	403	June 4	June 5
	1058	404	June 4	June 5
	1073	405	June 4	June 5
	1107	406	June 4	June 5
	1127	407	June 4	June 5
	1133	408	June 4	June 5
	1140	409	June 4	June 5
	1146	410	June 4	June 5
	1160	411	June 4	June 5

Sincerely,  
 Joan Anderson Growe  
 Secretary of State

June 6, 1975

The Honorable Martin O. Sabo  
 Speaker of the House of Representatives

The Honorable Alec G. Olson  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1169	412	June 4	June 5
	1187	413	June 4	June 5
	1217	414	June 4	June 5
	1241	415	June 4	June 5
	1309	416	June 4	June 5
	1311	417	June 4	June 5
	1313	418	June 4	June 5
	1328	419	June 4	June 5
	1331	420	June 4	June 5
	1428	421	June 4	June 5
	1441	422	June 4	June 5
	1448	423	June 4	June 5
	1499	424	June 4	June 5
	1500	425	June 4	June 5
	1526	426	June 4	June 5
	1536	427	June 4	June 5
	1551	428	June 4	June 5
	1596	429	June 4	June 5
	1638	430	June 4	June 5
	1769	431	June 4	June 5
	235	432	June 4	June 5

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	1758	433	June 5	June 5
	1743	434	June 4	June 5
	1798	435	June 4	June 5
	1810	436	June 4	June 5
	1674	437	June 6	June 6

Sincerely,  
Joan Anderson Growe  
Secretary of State

June 23, 1975

The Honorable Alec G. Olson  
President of the Senate

Dear Sir:

Mr. Davies, Chairman of the Committee on Committees, reports the following appointments by the Senate Committee on Committees:

Advisory Task Force on Small Business, pursuant to Laws 1975, Chapter 344:

Messrs. Willet and Dunn.

Great Lakes Commission, pursuant to Minnesota Statutes 1974, Section 1.22:

Reappointed: Messrs. Doty and Stokowski.

Education Commission of the States, pursuant to Minnesota Statutes 1974, Sections 121.81 and 121.82:

Reappointed: Mr. Hughes.

Joint Committee to Review Tuition Policy at Post-secondary Vocational Schools, pursuant to Laws 1975, Chapter 433:

Messrs. Anderson; Humphrey; Milton; Olson, J. L. and Hansen, Mel.

Legislative Commission to Review Administrative Rules, pursuant to Minnesota Statutes 1974, Section 3.965, Subdivision 1, as amended by Laws 1975, Chapter 271, Section 3, Clause (15):

Reappointed: Messrs. Coleman; Conzemius; Olson, A. G.; Ogdahl and Josefson.

Mississippi River Parkway Commission, pursuant to Minnesota Statutes 1974, Section 161.1419, Subdivision 2:

Reappointed: Messrs. Larson, Laufenburger and Willet.

Privacy Study Commission, pursuant to Laws 1975, Chapter 401, Section 8:

Messrs. Tennesen, Merriam and Keefe, J.

Tax Study Commission, pursuant to Laws 1973, Chapter 601, as amended by Laws 1975, Chapter 437, Article VII:

Reappointed: Messrs. Olson, A. G.; Blatz; Conzemius; O'Neill and Perpich, A. J.

(Note: See also letter of July 18, 1975.)

Advisory Committee on Women's Affairs, pursuant to Minnesota Statutes 1974, Section 363.04, Subdivision 8:

Reappointed: Mr. Doty.

Commission on Interstate Cooperation, pursuant to Minnesota Statutes 1974, Section 3.29:

Reappointed: Messrs. Blatz, Humphrey, Josefson, Tennessen and Olson, A. G.

(Note: See also letter of July 18, 1975.)

Indian Affairs Board, pursuant to Minnesota Statutes 1974, Section 3.922, as amended by Laws 1975, Chapter 271, Section 3, Clause (12):

Reappointed: Messrs. McCutcheon, Spear and Hanson, R.

Respectfully submitted,  
Jack Davies  
Chairman

July 18, 1975

The Honorable Alec G. Olson  
President of the Senate

Dear Sir:

Pursuant to Minnesota Laws 1973, Chapter 741, Section 7, the following appointments have been made.

Joint Legislative Review Commission (Commission on Minnesota's Future):

Reappointed: Mr. Keefe, S.

Appointed: Messrs. Kleinbaum and Olson, H. D.

Sincerely,  
Nicholas D. Coleman  
Senate Majority Leader

July 18, 1975

The Honorable Alec G. Olson  
President of the Senate

Dear Sir:

Mr. Davies, Chairman of the Committee on Committees, reports the following appointments by the Senate Committee on Committees:

Citizens' Committee on Voyageurs National Park, pursuant to Laws 1975, Chapter 235:

Messrs. Stumpf and Jensen.

Legislative Commission on Minnesota Resources, pursuant to Minnesota Statutes 1974, Section 86.07, as amended by Laws 1975, Chapter 271, Section 3, Clause (26):

Appointed: Mr. Moe.

Reappointed: Messrs. Anderson, Arnold, Brown, Fitzsimons, Chenoweth and Renneke.

Study Commission to Evaluate the Policies, Programs, Projects, Costs and Financing of the Minnesota Department of Highways, pursuant to Laws 1975, Chapter 203, Section 21:

Messrs. Purfeerst; Keefe, S.; Josefson; Laufenburger and Bang. Mr. Arnold appointed by statute.

Tax Study Commission, pursuant to Laws 1973, Chapter 601,

Section 1, Subdivision 2, as amended by Laws 1975, Chapter 437:

Mr. Wegener to replace Mr. Perpich, A. J.

Commission on Interstate Cooperation, pursuant to Minnesota Statutes 1974, Section 3.29, Subdivision 2:

Mr. North to replace Mr. Olson, A. G., who will continue to serve on the commission as an ex officio member pursuant to law.

Respectfully submitted,  
Jack Davies  
Chairman

October 24, 1975

The Honorable Alec G. Olson  
President of the Senate

Dear Sir:

Pursuant to Minnesota Laws 1973, Chapter 741, Section 7, the following appointments have been made.

Joint Legislative Review Committee (Commission on Minnesota's Future)

Reappointed: Messrs. Josefson, Pillsbury and Stassen.

Sincerely,  
Robert O. Ashbach  
Senate Minority Leader

#### REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Minnesota Education Commission and Education Council, 1974; Minnesota Department of Health, Health Maintenance Organizations, April 1, 1975; Minnesota Society for the Prevention of Cruelty to Animals; Metropolitan Transit Commission, Coordination of Taxi Service, Summary Report, 1975; Metropolitan Transit Commission Integration of School Bus and Public Transit Service, Summary Report, 1975; Judicial Council, Biennial Report, 1974; Minnesota Department of Aeronautics, Biennial Report, July 1, 1972 to June 30, 1974; Department of Education, Educational Service Area, November 1974; Metropolitan Council Rules and Regulations for the Review of Matters of Metropolitan Significance, April 10, 1975; Department of Economic Development, Annual Report, 1975; Minnesota Department of Human Rights, 1974 Annual Report; Capitol Area Architectural and Planning Commission, Biennial Report, 1973-75; Minnesota State Planning Agency, Special Report of State Demographer, 1975; Department of Iron Range Resources and Rehabilitation, Biennial Report, 1972-74; Metropolitan Council, Study of Solid Waste Management and Resource Recovery in the Twin Cities Metropolitan Area, March, 1975; Minneapolis Teachers' Retirement Fund Association, Sixty-fifth Annual Report of the Board of Trustees, 1974; Second Annual Report on the Quality of the Environment, January 1975; Minnesota State Planning Agency, Special Report of the Minnesota Demographer, 1975; Mayo Medical School, Admissions Policies, Preliminary Report; Department of Public Safety, Facts on Motor Vehicle Crashes, 1974.