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STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDREDTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 8, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Schreiber
Adams, S.	Dirlam	Jopp	Miller, M.	Schulz
Andersen, R.	Eckstein	Jude	Moe	Searle
Anderson, D.	Eken	Kahn	Munger	Sherwood
Anderson, G.	Enebo	Kelly	Myrah	Sieben, H.
Anderson, I.	Erdahl	Kempe	Nelson	Sieben, M.
Becklin	Erickson	Klaus	Newcome	Skaar
Belisle	Esau	Knickerbocker	Niehaus	Smith
Bell	Farcy	Knoll	Norton	Spanish
Bennett	Ferderer	Kostohryz	Ohnstad	Stangeland
Berg	Fjoslien	Kvam	Ojala	Stanton
Berglin	Forsythe	Laidig	Parish	Swanson
Biersdorf	Fudro	Larson	Patton	Tomlinson
Braun	Fugina	LaVoy	Pavlak, R.	Ulland
Brinkman	Graba	Lemke	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	Lindstrom, E.	Peterson	Vento
Carlson, B.	Growe	Lindstrom, J.	Pieper	Voss
Carlson, D.	Hagedorn	Lombardi	Pleasant	Weaver
Carlson, L.	Hanson	Long	Prahl	Wenzel
Casserly	Haugerud	Mann	Quirin	Wigley
Cleary	Heinitz	McArthur	Resner	Wohlwend
Clifford	Hook	McCarron	Rice	Wolcott
Connors	Jacobs	McCauley	St. Onge	Mr. Speaker
Culhane	Jaros	McEachern	Salchert	
Cummiskey	Johnson, C.	McFarlin	Samuelson	
Dahl	Johnson, D.	McMillan	Sarna	
DeGroat	Johnson, J.	Menke	Savelkoul	

A quorum was present.

Mueller, Pehler, and Ryan were excused.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1834, ~~2743~~ 2773, 3183, 3223, 3224, 3254, 3288, 3330, 3352, 3399, 3489, 858, 1842, 3310, 3400, and 3404 and S. F. Nos. 2840, 2871, 3045, 2214, 2949, 2951, 2972, 3009, 3281, 3467, 3068, 3129, 3159, 3208, 3311, 2846, 2971, 2984, 2995, 3060, 461, 2295, 2497, 2516, 2558, 3239, 2661, 3031, 3108, 3218, 3464, 1253, 2753, 2794, 2830, 2865, 3002, 3016, 3064, and 3271 have been placed in the members' files.

S. F. No. 3249 and H. F. No. 3339, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McCauley moved that S. F. No. 3249 be substituted for H. F. No. 3339 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3389 and H. F. No. 3567, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Skaar moved that S. F. No. 3389 be substituted for H. F. No. 3567 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2951 and H. F. No. 3283, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

LaVoy moved that S. F. No. 2951 be substituted for H. F. No. 3283 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2973 and H. F. No. 3079, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kempe moved that S. F. No. 2973 be substituted for H. F. No. 3079 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2450 and H. F. No. 2454, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hanson moved that S. F. No. 2450 be substituted for H. F. No. 2454 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2953 and H. F. No. 3028, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Larson moved that S. F. No. 2953 be substituted for H. F. No. 3028 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2949 and H. F. No. 3282, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

LaVoy moved that S. F. No. 2949 be substituted for H. F. No. 3282 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2972 and H. F. No. 3080, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kempe moved that S. F. No. 2972 be substituted for H. F. No. 3080 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3169 and H. F. No. 3231, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, I., moved that S. F. No. 3169 be substituted for H. F. No. 3231 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2504 and H. F. No. 2543, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Dieterich moved that S. F. No. 2504 be substituted for H. F. No. 2543 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3108 and H. F. No. 3351, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Menke moved that S. F. No. 3108 be substituted for H. F. No. 3351 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2830 and H. F. No. 3110, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Fugina moved that S. F. No. 2830 be substituted for H. F. No. 3110 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3016 and H. F. No. 3165, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Johnson, D., moved that S. F. No. 3016 be substituted for H. F. No. 3165 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3075 and H. F. No. 3133, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Resner moved that S. F. No. 3075 be substituted for H. F. No. 3133 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2930, A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2967, A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3045, A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses

allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3422, A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Reported the same back with the following amendments:

Page 1, line 24, strike "creation of a new route to" and insert "extension of a route on".

Page 1, line 30, strike "Beginning at a" and insert in lieu thereof: "Route No. 279. Beginning at a point in Dakota county southwesterly of Fort Snelling in the proximity of the state zoological garden entrance, thence westerly to Dakota county road 23, thence extending in a general northerly direction across the Minnesota river to a point on Route No. 114 in Minneapolis.

Sec. 3. The route established in section 2 is a substitute for Route No. 279 as contained and described in Minnesota Statutes 1971, Section 161.115, and said route as so contained and described in said section is discontinued and removed from the trunk highway system."

Page 1, strike line 31.

Page 2, strike lines 1, 2, 3.

Renumber the sections accordingly.

Page 2, line 9, after "completed" insert ", if possible,".

Page 2, strike lines 12, 13, and 14, and insert:

"Sec. 5. The revisor of statutes, in compiling the Minnesota Statutes, shall substitute the route established in section 2 hereof for the route discontinued and removed from the trunk highway system in section 3 hereof."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3506, A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3507, A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 3307, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.27, Subdivisions 4 and 18; 353.29, Subdivision 2; 353.32, Subdivision 1; and 353.651, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

Reported back the same with the following amendments:

Page 7, line 20, after "duration" strike the ".".

Page 7, line 21, strike "An 'indefinite duration'" and insert in lieu thereof "which".

Page 8, line 8, strike "15" and insert "17".

Page 8, after line 9, insert the following:

"Sec. 9. Minnesota Statutes, 1973 Supplement, Section 353.03, Subdivision 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 13 members, who shall be known as the board of trustees. This board shall consist of three trustees, one of whom shall be designated by each of the following associations, Minnesota school boards association, League of Minnesota Municipalities, and Association of Minnesota Counties, and nine trustees, who shall be elected from the membership by the members of the retirement association, and one trustee who shall be a retired annuitant elected by other annuitants. Elected trustees shall hold office for a term of (THREE) *four* years. (ON NOVEMBER 1 OF EACH YEAR, AND) For seven days *beginning December 1 of each year, except 1974 and every fourth year* thereafter, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. The candidate shall submit at the time of his filing a nominating petition signed by 25 or more members of the fund, and in the case of a retired annuitant, a nominating petition signed by 25 or more such annuitants. No nominee may withdraw his name from nomination after (NOVEMBER) *December 15*. Candidates shall file at large for all seats vacant at the forthcoming election. By (DECEMBER) *January 10* of each year the board shall distribute by mail to the members and annuitants ballots listing the candidates, the number of positions to be filled and blank lines for write in votes. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be (DECEMBER) *January 31*. All terms expire on (DECEMBER) *January 31* of the (THIRD) *fourth* year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. The election shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries."

Page 11, after line 14, insert the following:

"Sec. 15. Minnesota Statutes, 1973 Supplement, Section 353.31, Subdivision 1, is amended to read:

353.31 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN.]

DREN; BEFORE RETIREMENT.] Upon the death of a "basic member" before retirement or upon the death of a "basic member" who was disabled and receiving disability benefits pursuant to section 353.33 at the time of his death who has had at least 18 months of credited allowable service, his surviving dependent spouse and dependent children, as defined in section 353.01, subdivisions 15 and 20, shall receive the monthly benefit provided below:

(a) Surviving dependent spouse — 30 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death

(b) Each dependent child — 10 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding death.

Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefits for any one family shall not exceed (\$400) \$450, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" said average salary, subject to the aforementioned maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a "basic member" whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision.

Under the terms of this subdivision there are no survivor benefits, as such, payable to the surviving spouse or dependent children of any deceased "coordinated member".

Page 14, after line 11, insert the following:

"Sec. 20. Minnesota Statutes, 1973 Supplement, Section 353.657, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS; CHILDREN; BEFORE RETIREMENT.] Each dependent child, until the child reaches the age of 18 years, shall receive a monthly benefit equal to ten percent of the member's average monthly salary earned as a police officer or fire fighter on which employee contributions were paid over the last full six months of allowable service preceding death. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed (\$400) \$450, and the minimum benefit per family

shall not be less than 30 percent of the member's said average salary, subject to the aforementioned maximum.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 353.71, Subdivision 2, is amended to read:

Subd. 2. [DEFERRED ANNUITY COMPUTATION; AUGMENTATION.] The deferred annuity, if any, accruing under subdivision 1, or sections 353.34, subdivision 3, and 353.68, subdivision 4, shall be computed in the manner provided in said sections, on the basis of allowable service prior to termination of public service and augmented as provided herein. The required reserves applicable to a deferred annuity, or to an annuity for which a former member was eligible but had not applied, or to any deferred segment of an annuity shall be determined as of the date the annuity begins to accrue and shall be augmented by interest at the rate of (THREE AND ONE HALF) five percent per annum compounded annually from the first day of the month following the month in which the former member ceased to be a public employee, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. If a person has more than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the present value of the annuity. Uninterrupted service for the purpose of this subdivision shall mean periods of covered employment during which the employee has not been separated from public service for more than two years. If a person repays a refund, the service restored thereby shall be considered as continuous with the next period of service for which the employee has credit with this association. The formula percentages used for each period of uninterrupted service shall be those as would be applicable to a new employee. This section shall not reduce the annuity otherwise payable under this chapter. This subdivision shall apply to deferred annuitants of record on July 1, 1971 and to employees who thereafter become deferred annuitants; it shall also apply from July 1, 1971 to former members who make application for an annuity after July 1, 1973.

Sec. 22. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.85] *A qualified survivor of a "basic" member or a member of the police and fire fund where such member died after June 15, 1973 and was entitled to salary or vacation pay after June 30, 1973 shall in lieu of all other association survivor benefits be entitled to the survivor benefits payable under the law in effect on July 1, 1973.*

Sec. 23. [ASSOCIATION OF MINNESOTA COUNTIES EMPLOYEES.] Subdivision 1. From and after July 1, 1974, employees of the association of Minnesota counties, hereinafter

referred to as the association, shall become members of the public employees retirement association unless specifically exempt under section 1 of this act.

Subd. 2. An employee of the association shall pay contributions and have his rights determined under the law applicable to "coordinated" public employees retirement association members.

Sec. 24. [PURCHASE OF PRIOR SERVICE CREDIT.] A person who becomes a member of the public employees retirement association pursuant to this act may purchase prior service credit with respect to employment with the association by (a) paying to the public employees retirement association prior to August 1, 1974, an employee contribution in an amount equal to six percent of his salary received from the association, not exceeding \$4,800 in any calendar year prior to June 30, 1965, and not exceeding \$6,000 per year from July 1, 1965 to June 30, 1967, and at the rate of six percent of total salary received from the association after July 1, 1967, plus accrued interest for the total period of service at the rate of five percent per annum compounded annually from the year of purchase to the date payment is made; (b) the member at the same time shall pay additionally a matching amount equal to that required to be paid under (a) representing employers contributions; provided the association may, in its sole discretion, for all employees included hereunder, pay the public employees retirement association the obligation under (b) or may reimburse its employees for such amount."

Renumber the remaining sections accordingly.

Further amend the title:

Page 1, line 4, after "law;" insert "providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the association of Minnesota counties in membership in the public employees retirement association;"

Page 1, line 8, after "subdivision;" insert "and Chapter 353, by adding a section;"

Page 1, line 11, after "20;" insert "353.03, Subdivision 1;"

Page 1, line 12, after "Subdivision 2;" insert "353.31, Subdivision 1;"

Page 1, line 13, after "Subdivision 1;" strike "and".

Page 1, line 14, after "2;" insert "353.657, Subdivision 3; and 353.71, Subdivision 2;"

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 1900, A bill for an act relating to tax-forfeited land sales; payment for expenses; providing that a greater portion of the receipts from tax-forfeited land sales be paid to the counties to defray expenses; amending Minnesota Statutes 1971, Section 282.226.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3115, A bill for an act relating to labor; public employees; powers and duties of the public employment relations board; amending Minnesota Statutes 1971, Section 179.72, Subdivision 4.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3119, A bill for an act relating to labor; public employees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 2842, A bill for an act relating to public health; authorizing school nurses and other qualified persons to take throat cultures for the purpose of detecting streptococcus infections.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 3079, A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 1887, A bill for an act relating to juvenile court; providing for payment by parents of attorneys fees of court-appointed counsel; amending Minnesota Statutes 1971, Section 260.251, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 1079, A bill for an act relating to local improvements; assessment procedures; notice of assessment; amending Minnesota Statutes 1971, Section 429.061, Subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1971, Section 429.021, Subdivision 3, is amended to read:

Subd. 3. [RELATION TO CHARTER AND OTHER LAWS.] When any portion of the cost of an improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property owners of the procedures they must follow under the charter in order to appeal the assessments to district court."

Renumber the remaining sections.

Further, amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections"; after "Subdivision 1" insert "; and 429.021, Subdivision 3".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 1902, A bill for an act relating to Itasca county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2170, A bill for an act relating to the salary of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 6.

Reported the same back with the following amendments:

Page 1, line 21, reinsert stricken language.

Page 2, line 19, strike "73" and insert "75".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2568, A bill for an act relating to the city of Cooley in Itasca county; providing for the dissolution of the city of Cooley.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2607, A bill for an act relating to cemeteries; authorizing disbursement of funds for maintenance of abandoned or neglected cemeteries; amending Minnesota Statutes 1971, Section 306.243, Subdivision 4.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 3432, A bill for an act relating to the Western Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Johnson, C., from the Committee on Education to which was referred:

H. F. No. 3274, A bill for an act relating to education; changing the funding of post-secondary vocational-technical education to a current funding basis; amending Minnesota Statutes 1971, Section 121.21, Subdivision 5.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [POST SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. **[PURPOSE.]** The purpose 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 vocational aid payments to the extent funds are available shall be made based on the approved budget for the current fiscal year.

Subd. 3. **[BUDGETS.]** Before January 1, 1976 and before January 1 of each year thereafter area vocational-technical institute budgets for the following fiscal year shall be submitted to the state board for vocational education. The commissioner, subject to the approval of the state board for vocational education, shall approve the state and federal portion of the budget for each district prior to May 15 of each year. 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 fiscal year 1975. Inflation and expansion occurring in fiscal year 1976 shall be incorporated into the fiscal year 1976 budget request. No district shall increase its indebtedness during fiscal year 1976 unless authorized by the state board for vocational education. The state board for vocational education shall before January 1, 1975 promulgate rules and regulations which establish the approval criteria of budgets including but not limited to the following: 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; 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 education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1974 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before January 1, 1975 and January 1 of each year thereafter.

Sec. 2. Minnesota Statutes 1971, Section 121.21, Subdivision 5, is amended to read:

Subd. 5. The commissioner with the approval of the state board for vocational education is authorized to apportion and distribute funds to the local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts; *provided however that in fiscal years 1975 and 1976 non-resident reimbursement shall be limited to: (a) expenditures approved by the state board for vocational education, (b) debt service, and (c) fixed costs; provided (HOWEVER) further that those school districts enrolling more than the state average of resident students shall receive nonresident aids based on the average percentage of nonresident attendance for the preceding school year for the state in area vocational-technical schools."*

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 2802, A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

Reported the same back with the recommendation that the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 2803 A bill for an act relating to courts; allowance of costs and disbursements in the supreme court; amending Minnesota Statutes 1971, Section 607.01, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Notwithstanding any rule promulgated by the supreme court to the contrary, the supreme court may allow costs and disbursements in any appeal to the supreme court to any public employee who prevails in an action for wrongfully denied or withheld employment benefits or rights in the same manner as the court allows costs and disbursements to any prevailing party."

Further amend the title:

Page 1, lines 2 to 5, strike the language and insert the following: "Relating to courts; allowance of costs and disbursements in the supreme court."

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 3227, A bill for an act relating to courts, Ramsey county; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

Reported the same back with the following amendments:

Page 10, line 27, strike the language.

Page 10, line 28, strike the language.

Page 11, line 1, strike the language and insert in lieu thereof: "*and compensation and actual expense incurred shall be paid pursuant to section 487.41 concerning any active county court judge so assigned.*"

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 3487, A bill for an act relating to Indians; criminal jurisdiction of the Nonremoval Mille Lacs Band of Chippewa Indians; providing for the retrocession to the United States

of America of all criminal jurisdiction in that area of Indian country.

Reported the same back with the recommendation that the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

H. F. No. 2068, A bill for an act relating to natural resources; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; requiring adoption and enforcement of ordinances therefor.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [LEGISLATIVE POLICY.] The legislature finds and declares that the rapid spread of urban development in the metropolitan area presents major problems in the management and use of the natural resources of the area. The effects of development policies extend beyond municipal and county boundaries, requiring coordination throughout the metropolitan area and assistance from the state. It is the policy of the state and the purpose of this act to provide for the protection of the health, safety and welfare of the people of the area and the conservation of natural resources by encouraging local governmental units to adopt and enforce sound policies regulating the subdivision, use and development of the limited land and water resources of the metropolitan area, and to provide the assistance of metropolitan and state agencies in achieving that objective.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purpose of this act, the terms defined in this section have the meanings given them.

Subd. 2. “Metropolitan area” means the area defined in Minnesota Statutes, Section 473B.02.

Subd. 3. “Metropolitan council” means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. “Local governmental unit” means a county, city or town in the metropolitan area having planning and zoning authority as defined in Minnesota Statutes, Chapter 394, or Section 462.353.

Sec. 3. [STANDARDS AND CRITERIA.] Subdivision 1. Before January 1, 1976, and thereafter when made necessary by changed conditions or advances in scientific knowledge, the metropolitan council shall, after public hearings, promulgate suggested standards and criteria and model ordinances for the regulation of the use and development of the land and water within the metropolitan area which will provide for:

(a) the protection and preservation of those wetlands and lowlands permanently or intermittently covered with waters, such as marshes, swamps, bogs, meadows, potholes and sloughs which are essential to hydrological or ecological systems or for flood control;

(b) the protection of groundwater recharge areas which contribute significantly to the recharge of groundwater aquifers;

(c) the minimum erosion of those slopes which are subject to severe or moderate erosion because of their degree of slope and soil type;

(d) the maximum retention of existing forests and woodlands, the minimum removal of trees for development, and the encouragement of replanting where removal is unavoidable;

(e) the determination of the suitability of soils or bedrock for development, design and construction measures for development which would compensate for existing soil or bedrock problems, and the prevention of the type of development for which such soils or bedrock are unsuitable;

(f) the protection and preservation of the natural watercourses, intermittent or permanent, and the minimum discharge of pollutants into water bodies and water courses by storm runoff and otherwise;

(g) local review and comment on applications for permits to change the course, current, or cross section of public waters pursuant to Minnesota Statutes, Section 105.42, and standards to govern the local review;

(h) the protection and preservation of areas containing unique or endangered species of plants and animals;

(i) the prevention of development for non-agricultural use of prime agricultural lands where such land is essential for agricultural purposes;

(j) the regulation of the extraction of minerals, including sand and gravel, to minimize undesirable environmental effects and provide for future utilization of the lands involved;

(k) the preservation of natural resource areas of particular historical significance.

Subd. 2. In preparation of these standards and criteria, and model ordinances, and in order to assure consistency with regulations, standards, criteria and model ordinances promulgated by other state agencies, the metropolitan council shall, where appropriate, seek the assistance and approval of the department of natural resources and the Minnesota environmental quality council. In addition, the metropolitan council shall, where appropriate, seek the assistance of the state planning agency, the Minnesota pollution control agency, soil and water conservation districts, the university of Minnesota, the department of agriculture, and other appropriate agencies.

Sec. 4. [LOCAL ORDINANCES.] Each local governmental unit in the metropolitan area may, after review and comment by the metropolitan council, adopt ordinances, separately or as a part of its zoning and subdivision ordinances, which meet the minimum standards proposed by the metropolitan council.

Sec. 5. [DISTRICTS.] In addition to all other authority relating to planning and zoning granted by Minnesota Statutes, Sections 394.25 or 462.357, local governmental units may establish zoning districts or zones in which the use of land and water areas are limited to purposes consistent with the standards and criteria established pursuant to this section.

Sec. 6. [COOPERATION.] In adopting and enforcing the ordinances for which standards and criteria are provided by this act, local governmental units may consult and cooperate with affected soil and water conservation districts, watershed districts, and lake conservation districts on matters of common concern.

Sec. 7. [METROPOLITAN COUNCIL ASSISTANCE.] The metropolitan council, in cooperation with local governmental units, shall collect information required for the development of sound standards and criteria in accordance with this act and sound standards and criteria for shoreland and floodplain management. The council may provide technical assistance to local governmental units to expedite adoption and enforcement of local ordinances under this act and Minnesota Statutes, Sections 104.04 and 105.485.”

Further amend the title as follows:

Page 1, line 5, strike “;” and insert “.”.

Page 1 strike lines 6 and 7.

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2930, 2967, 3045, 3422, 3506, 3507, and 3307 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3249, 3389, 2951, 2973, 2450, 2953, 2949, 2972, 3169, 2504, 3108, 2830, 3016, 3075, 1900, and 3115 were read for the second time.

LaVoy moved that S. F. No. 3115 and H. F. No. 3071, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3119 was read for the second time.

LaVoy moved that S. F. No. 3119 and H. F. No. 3073, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. Nos. 2842 and 3079 were read for the second time.

Menke moved that S. F. No. 3079 and H. F. No. 3064, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. Nos. 1887, 1079, 1902, 2170, 2568, 2607, and 3432 were read for the second time.

INTRODUCTION OF BILLS

Sieben, H., introduced:

H. F. No. 3677, A bill for an act relating to employment services; unemployment compensation; defining unemployment; amending Minnesota Statutes 1971, Section 268.04, Subdivision 23.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wigley; Fudro; Johnson, R.; Rice; and Sarna introduced:

H. F. No. 3678, A bill for an act relating to energy; regulating the distribution of energy; requiring reports; providing a penalty.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Wolcott, Fudro, Culhane, Spanish, and Sarna introduced:

H. F. No. 3679, A bill for an act relating to Minnesota Veterans Home; increasing veterans home board members compensation; amending Minnesota Statutes 1971, Section 198.071.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Salchert; Adams, J.; Enebo; Rice; and Anderson, I., introduced:

H. F. No. 3680, A bill for an act relating to the legislature; regulating leaving private employment by members for the purpose of serving in the legislature; providing for the restoration of their positions, and all other rights incident to employment, and providing for enforcement; amending Minnesota Statutes 1971, Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085, 3.086 and 3.087.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ojala, Prael, Fugina, Sarna, and McEachern introduced:

H. F. No. 3681, A bill for an act relating to insurance; carriers of workmen's compensation insurance; liability of insurers; amending Minnesota Statutes, 1973 Supplement, Section 79.28.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Tomlinson, Cummiskey, Vento, Ferderer, and Knickerbocker introduced:

H. F. No. 3682, A bill for an act relating to the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Wolcott, Fudro, Culhane, Spanish, and Sarna introduced:

H. F. No. 3683, A bill for an act relating to the transfer of the personal property a deceased resident leaves at the Minnesota veterans home; repealing Minnesota Statutes 1971, Section 198.23.

The bill was read for the first time and referred to the Committee on Judiciary.

Ojala, Fugina, Nelson, Stanton, and Ulland introduced:

H. F. No. 3684, A bill for an act relating to privacy; prohibiting the disclosure of telephone subscriber records to agencies or employees of federal, state, or local government except for certain purposes and under authority of subpoena; prescribing penalties.

The bill was read for the first time and referred to the Committee on Judiciary.

Schreiber, Salchert, Tomlinson, Knickerbocker, and Casserly introduced:

H. F. No. 3685, A bill for an act relating to review by the metropolitan council of municipal plans; establishing a deadline; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 7.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

McCarron introduced:

H. F. No. 3686, A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Nelson, Ojala, Ferderer, McArthur, and Norton introduced:

H. F. No. 3687, A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, re-establish the bracero program.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Schreiber, Jacobs, McArthur, Sarna, and Tomlinson introduced :

H. F. No. 3688, A bill for an act relating to taxation; excluding certain costs of municipalities from levy limitation; amending Minnesota Statutes, 1973 Supplement, Section 275.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2996, A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Sections 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Subdivisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

PATRICK E. FLAHAVEN, Secretary of the Senate

Graba moved that the House refuse to concur in the Senate amendments to H. F. No. 2996, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1866, A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

Resner moved that the House refuse to concur in the Senate amendments to H. F. No. 1866, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2148, A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCarron moved that the House concur in the Senate amendments to H. F. No. 2148 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2148, A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 114, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Hagedorn	Long	Pieper
Adams, S.	Culhane	Hanson	McArthur	Pleasant
Andersen, R.	Cummiskey	Haugerud	McCarron	Prahl
Anderson, D.	Dahl	Heinitz	McCauley	Resner
Anderson, G.	DeGroat	Jacobs	McEachern	Rice
Anderson, I.	Dieterich	Jaros	McFarlin	St. Onge
Becklin	Dirlam	Johnson, C.	McMillan	Salchert
Belisle	Eckstein	Johnson, D.	Menke	Samuelson
Bell	Eken	Johnson, J.	Miller, M.	Sarna
Bennett	Erdahl	Johnson, R.	Moe	Schreiber
Berg	Erickson	Jopp	Munger	Schulz
Berglin	Esau	Jude	Myrah	Sherwood
Biersdorf	Faricy	Kelly	Niehaus	Sieben, H.
Braun	Ferderer	Knickerbocker	Norton	Sieben, M.
Carlson, A.	Fjoslien	Kostohryz	Ohnstad	Skaar
Carlson, B.	Forsythe	Kvam	Ojala	Smith
Carlson, D.	Fudro	LaVoy	Parish	Spanish
Carlson, L.	Fugina	Lemke	Patton	Stangeland
Cassery	Graba	Lindstrom, E.	Pavlak, R.	Stanton
Cleary	Graw	Lindstrom, J.	Pavlak, R. L.	Swanson
Clifford	Growe	Lombardi	Peterson	Tomlinson

Ulland
Vanasek

Vento
Voss

Wenzel
Wigley

Wohlwend
Wolcott

Mr. Speaker

Those who voted in the negative were:

Savelkoul

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3039, A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 3039 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3039, A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.
Adams, S.
Andersen, R.
Anderson, D.
Anderson, G.
Anderson, I.
Becklin
Belisle
Bell
Bennett
Berg
Berglin
Biersdorf
Braun

Brinkman
Carlson, A.
Carlson, B.
Carlson, D.
Carlson, L.
Casserly
Cleary
Clifford
Connors
Culhane
Cummiskey
Dahl
DeGroat
Dieterich

Dirlam
Eckstein
Eken
Enebo
Erdahl
Erickson
Esau
Faricy
Ferderer
Fjoslien
Forsythe
Fudro
Fugina
Graba

Graw
Growe
Hagedorn
Hanson
Haugerud
Heinitz
Jacobs
Jaros
Johnson, C.
Johnson, D.
Johnson, J.
Johnson, R.
Jopp
Jude

Kahn
Kelly
Klaus
Knickerbocker
Knoll
Kostohryz
Laidig
Larson
LaVoy
Lemke
Lindstrom, E.
Lindstrom, J.
Long
Mann

McArthur	Myrah	Pleasant	Schulz	Tomlinson
McCarron	Niehaus	Prahl	Searle	Ulland
McCaughey	Norton	Quirin	Sherwood	Vanasek
McEachern	Ohnstad	Resner	Sieben, H.	Vento
McFarlin	Ojala	Rice	Sieben, M.	Voss
McMillan	Parish	St. Onge	Skaar	Wenzel
Menke	Patton	Salchert	Smith	Wigley
Miller, D.	Pavlak, R.	Samuelson	Spanish	Wohlwend
Miller, M.	Pavlak, R. L.	Sarna	Stangeland	Mr. Speaker
Moe	Peterson	Savelkoul	Stanton	
Munger	Pieper	Schreiber	Swanson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2909, A bill for an act relating to liquor; temporary licensing of clubs, charitable, religious, or non-profit associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McArthur moved that the House concur in the Senate amendments to H. F. No. 2909 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2909, A bill for an act relating to liquor; temporary licensing of clubs, charitable, religious, or non-profit associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 103, and nays 22, as followed:

Those who voted in the affirmative were:

Adams, J.	Bell	Brinkman	Cleary	Dahl
Adams, S.	Bennett	Carlson, A.	Clifford	Dieterich
Andersen, R.	Berg	Carlson, B.	Connors	Eckstein
Anderson, I.	Berglin	Carlson, L.	Culhane	Enebo
Belisle	Braun	Casserly	Cummiskey	Faricy

Ferderer	Jopp	McArthur	Pavlak, R.	Sieben, M.
Forsythe	Jude	McCarron	Pavlak, R. L.	Smith
Fudro	Kahn	McCauley	Pieper	Spanish
Fugina	Kelly	McEachern	Pleasant	Stanton
Graba	Kempe	McFarlin	Prahl	Swanson
Graw	Knickerbocker	McMillan	Quirin	Tomlinson
Growe	Knoll	Menke	Resner	Ulland
Hanson	Kostohryz	Miller, D.	Rice	Vanasek
Hangerud	Kvam	Miller, M.	St. Onge	Vento
Heinitz	Laidig	Moe	Salchert	Voss
Jacobs	LaVoy	Munger	Samuelson	Wenzel
Jaros	Lemke	Myrah	Sarna	Wohlwend
Johnson, C.	Lindstrom, E.	Norton	Savelkoul	Wolcott
Johnson, D.	Lindstrom, J.	Ojala	Schreiber	Mr. Speaker
Johnson, J.	Lombardi	Parish	Schulz	
Johnson, R.	Mann	Patton	Sieben, H.	

Those who voted in the negative were :

Anderson, D.	Dirlam	Fjoslien	Niehaus	Skaar
Anderson, G.	Eken	Hagedorn	Ohnstad	Stangeland
Becklin	Erdahl	Klaus	Peterson	
Carlson, D.	Erickson	Larson	Searle	
DeGroat	Esau	Long	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2908, A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Quirin moved that the House concur in the Senate amendments to H. F. No. 2908 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2908, A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	McMillan	Savelkoul
Adams, S.	DeGroat	Johnson, R.	Menke	Schreiber
Andersen, R.	Dieterich	Jopp	Miller, D.	Schulz
Anderson, D.	Dirlam	Jude	Miller, M.	Searle
Anderson, G.	Eckstein	Kahn	Moe	Sherwood
Anderson, I.	Eken	Kelly	Munger	Sieben, H.
Becklin	Enebo	Kempe	Myrah	Sieben, M.
Belisle	Erdahl	Klaus	Niehaus	Skaar
Bell	Erickson	Knickerbocker	Norton	Smith
Bennett	Esau	Knoll	Ohnstad	Spanish
Berg	Farcy	Kostohryz	Ojala	Stanton
Berglin	Forsythe	Kvam	Parish	Swanson
Biersdorf	Fudro	Laidig	Patton	Tomlinson
Braun	Fugina	Larson	Pavlak, R.	Ulland
Brinkman	Graba	LaVoy	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	Lemke	Peterson	Vento
Carlson, B.	Grove	Lindstrom, E.	Pieper	Voss
Carlson, D.	Hagedorn	Lindstrom, J.	Pleasant	Wenzel
Carlson, L.	Hanson	Long	Quirin	Wigley
Casserly	Haugerud	Mann	Resner	Wohlwend
Cleary	Heinitz	McArthur	Rice	Wolcott
Clifford	Jacobs	McCarron	St. Onge	Mr. Speaker
Connors	Jaros	McCauley	Salchert	
Culhane	Johnson, C.	McEachern	Samuelson	
Cummiskey	Johnson, D.	McFarlin	Sarna	

Those who voted in the negative were:

Ferderer Prah Stangeland

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2876, A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stanton moved that the House concur in the Senate amendments to H. F. No. 2876 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2876, A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 114, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Jopp	Miller, D.	Savelkoul
Anderson, G.	Eckstein	Jude	Miller, M.	Schreiber
Anderson, I.	Eken	Kahn	Munger	Schulz
Becklin	Enebo	Kelly	Myrah	Sherwood
Bell	Erdahl	Kempe	Niehaus	Sieben, H.
Bennett	Erickson	Klaus	Norton	Sieben, M.
Berg	Faricy	Knickerbocker	Ohnstad	Smith
Berglin	Ferderer	Knoll	Ojala	Spanish
Biersdorf	Fjoslien	Kostohryz	Parish	Stangeland
Brinkman	Forsythe	Laidig	Patton	Stanton
Carlson, A.	Fudro	LaVoy	Pavlak, R.	Swanson
Carlson, B.	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Carlson, D.	Graw	Lindstrom, E.	Peterson	Ulland
Carlson, L.	Grove	Lindstrom, J.	Pieper	Vanasek
Casserly	Hagedorn	Long	Pleasant	Vento
Cleary	Hanson	Mann	Prahl	Wenzel
Clifford	Haugerud	McArthur	Quirin	Wigley
Connors	Heinitz	McCarron	Resner	Wohlwend
Culhane	Jacobs	McCauley	Rice	Wolcott
Cummiskey	Jaros	McEachern	St. Onge	Mr. Speaker
Dahl	Johnson, C.	McFarlin	Salchert	

Those who voted in the negative were:

Anderson, D.	Belisle	Kvam	Searle	Skaar
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 713, A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08;

178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jaros moved that the House concur in the Senate amendments to H. F. No. 713 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 713, A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	Schreiber
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Schulz
Andersen, R.	Eckstein	Jopp	Miller, M.	Searle
Anderson, D.	Eken	Jude	Moe	Sherwood
Anderson, G.	Enebo	Kahn	Munger	Sieben, H.
Anderson, I.	Erdahl	Kelly	Myrah	Sieben, M.
Becklin	Erickson	Kempe	Niehaus	Skaar
Belisle	Esau	Klaus	Norton	Smith
Bell	Faricy	Knickerbocker	Ohnstad	Spanish
Berg	Ferderer	Knoll	Ojala	Stangeland
Berglin	Fjoslien	Kostohryz	Parish	Stanton
Biersdorf	Forsythe	Kvam	Patton	Swanson
Braun	Fudro	Laidig	Pavlak, R.	Tomlinson
Brinkman	Fugina	LaVoy	Pavlak, R. L.	Ulland
Carlson, A.	Graba	Lemke	Peterson	Vanasek
Carlson, B.	Graw	Lindstrom, E.	Pieper	Vento
Carlson, D.	Growe	Lindstrom, J.	Pleasant	Voss
Carlson, L.	Hagedorn	Lombardi	Prahl	Weaver
Casserly	Hanson	Long	Quirin	Wenzel
Cleary	Haugerud	Mann	Resner	Wigley
Clifford	Heimitz	McArthur	Rice	Wohlwend
Connors	Hook	McCarron	St. Onge	Wolcott
Culhane	Jacobs	McCauley	Salchert	Mr. Speaker
Cummiskey	Jaros	McEachern	Samuelson	
Dahl	Johnson, C.	McFarlin	Sarna	
DeGroat	Johnson, D.	McMillan	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2996:

Graba; Johnson, C.; Berg; Adams, S.; and Esau.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following those Special Orders designated for Thursday, March 7, 1974 and continued to Friday, March 8, 1974:

H. F. No. 2639, S. F. No. 3151, and H. F. Nos. 858, 2992, 3432, 3287, 3319, 3105, 21, 1553, 2848, 3129, 798, 2847, 2918, 3434, 3535, 3033, 2963, 2608, 3399, 3104, 1069, and 2243.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule No. 13, Berg reported the progress of H. F. No. 636, now in Conference Committee.

Pursuant to Joint Rule No. 13, Knickerbocker reported the progress of H. F. No. 892, now in Conference Committee.

CONSENT CALENDAR

H. F. No. 3272 was reported to the House.

There being no objection, H. F. No. 3272 was continued for one day.

S. F. No. 2910, A bill for an act relating to elections; providing for the preparation, furnishing and disposition of election materials; amending Minnesota Statutes 1971, Sections 204.18, Subdivision 1; 204.24, Subdivision 1; and 204.25.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.
Adams, S.

Anderson, D.
Anderson, G.

Anderson, I.
Becklin

Belisle
Bell

Bennett
Berg

Berglin	Faricy	Kempe	Moe	Savelkoul
Bersdorf	Ferderer	Klaus	Munger	Schreiber
Braun	Fjoslien	Knickerbocker	Myrah	Schulz
Brinkman	Forsythe	Knoll	Nelson	Searle
Carlson, A.	Fudro	Kostohryz	Newcome	Sherwood
Carlson, B.	Fugina	Kvam	Niehaus	Sieben, M.
Carlson, D.	Graba	Laidig	Norton	Skaar
Carlson, L.	Graw	Larson	Ohnstad	Smith
Casserly	Growe	LaVoy	Ojala	Spanish
Cleary	Hagedorn	Lemke	Parish	Stangeland
Clifford	Hanson	Lindstrom, E.	Patton	Stanton
Connors	Haugerud	Lindstrom, J.	Pavlak, R.	Swanson
Culhane	Heinitz	Lombardi	Pavlak, R. L.	Tomlinson
Cummiskey	Hook	Long	Peterson	Ulland
Dahl	Jacobs	Mann	Pieper	Vanasek
DeGroat	Jaros	McArthur	Pleasant	Vento
Dieterich	Johnson, C.	McCarron	Prahl	Voss
Dirlam	Johnson, D.	McCauley	Quirin	Weaver
Eckstein	Johnson, J.	McEachern	Resner	Wenzel
Eken	Johnson, R.	McFarlin	Rice	Wigley
Enebo	Jopp	McMillan	St. Onge	Wohlwend
Erdahl	Jude	Menke	Salchert	Wolcott
Erickson	Kahn	Miller, D.	Samuelson	Mr. Speaker
Esau	Kelly	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 3426 was reported to the House.

There being no objection, S. F. No. 3426 was continued for one day.

H. F. No. 3352, A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Graw	Kahn
Adams, S.	Carlson, A.	Eckstein	Growe	Kelly
Andersen, R.	Carlson, B.	Eken	Hagedorn	Kempe
Anderson, D.	Carlson, D.	Enebo	Hanson	Klaus
Anderson, G.	Carlson, L.	Erdahl	Haugerud	Knickerbocker
Anderson, I.	Casserly	Erickson	Heinitz	Knoll
Becklin	Cleary	Esau	Hook	Kostohryz
Belisle	Clifford	Faricy	Jacobs	Kvam
Bell	Connors	Ferderer	Jaros	Laidig
Bennett	Culhane	Fjoslien	Johnson, D.	Larson
Berg	Cummiskey	Forsythe	Johnson, J.	LaVoy
Berglin	Dahl	Fudro	Johnson, R.	Lemke
Bersdorf	DeGroat	Fugina	Jopp	Lindstrom, E.
Braun	Dieterich	Graba	Jude	Lindstrom, J.

Lombardi	Munger	Peterson	Schreiber	Ulland
Long	Myrah	Pieper	Schulz	Vanasek
Mann	Nelson	Pleasant	Searle	Vento
McArthur	Newcome	Prahl	Sherwood	Voss
McCarron	Niehaus	Quirin	Sieben, H.	Weaver
McEachern	Norton	Resner	Skaar	Wenzel
McFarlin	Ohnstad	Rice	Smith	Wigley
McMillan	Ojala	St. Onge	Spanish	Wohlwend
Menke	Parish	Salchert	Stangeland	Wolcott
Miller, D.	Patton	Samuelson	Stanton	Mr. Speaker
Miller, M.	Pavlak, R.	Sarna	Swanson	
Moe	Pavlak, R. L.	Savelkoul	Tomlinson	

Those who voted in the negative were :

Sieben, M.

The bill was passed and its title agreed to.

H. F. No. 3223, A bill for an act relating to the governor's citizens council on aging; duties of council; disbursement of funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2, and 256.01, Subdivision 10.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Sarna
Adams, S.	Dieterich	Johnson, J.	Menke	Savelkoul
Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Schreiber
Anderson, D.	Eckstein	Jopp	Miller, M.	Schulz
Anderson, G.	Eken	Jude	Moe	Searle
Anderson, I.	Enebo	Kahn	Munger	Sherwood
Becklin	Erdahl	Kelly	Myrah	Sieben, H.
Belisle	Erickson	Kempe	Nelson	Sieben, M.
Bell	Esau	Klaus	Newcome	Skaar
Bennett	Faricy	Knickerbocker	Niehaus	Smith
Berg	Ferderer	Knoll	Ohnstad	Spanish
Berglin	Fjoslien	Kostohryz	Ojala	Stangeland
Biersdorf	Forsythe	Kvam	Parish	Stanton
Braun	Fudro	Laidig	Patton	Swanson
Brinkman	Fugina	Larson	Pavlak, R.	Tomlinson
Carlson, A.	Graba	LaVoy	Pavlak, R. L.	Ulland
Carlson, B.	Graw	Lemke	Peterson	Vanasek
Carlson, D.	Growe	Lindstrom, E.	Pieper	Vento
Carlson, L.	Hagedorn	Lombardi	Pleasant	Voss
Casserly	Hanson	Long	Prahl	Weaver
Cleary	Haugerud	Mann	Quirin	Wenzel
Clifford	Heinitz	McArthur	Resner	Wigley
Connors	Hook	McCarron	Rice	Wohlwend
Culhane	Jacobs	McCauley	St. Onge	Wolcott
Cummiskey	Jaros	McEachern	Salchert	Mr. Speaker
Dahl	Johnson, C.	McFarlin	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 3254 was reported to the House.

There being no objection, H. F. No. 3254 was continued for one day.

H. F. No. 3288, A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Savelkoul
Anderson, D.	Eckstein	Jopp	Miller, M.	Schreiber
Anderson, G.	Eken	Jude	Moe	Schulz
Anderson, I.	Enebo	Kahn	Munger	Searle
Becklin	Erdahl	Kelly	Myrah	Sherwood
Belisle	Erickson	Kempe	Nelson	Sieben, H.
Bell	Esau	Klaus	Newcome	Sieben, M.
Bennett	Faricy	Knickerbocker	Niehaus	Skaar
Berg	Ferderer	Knoll	Norton	Smith
Berglin	Fjoslien	Kostohryz	Ohnstad	Spanish
Biersdorf	Forsythe	Kvam	Ojala	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graba	Lemke	Paviak, R.	Tomlinson
Carlson, B.	Graw	Lindstrom, E.	Paviak, R. L.	Ulland
Carlson, D.	Growe	Lindstrom, J.	Peterson	Vanasek
Carlson, L.	Hagedorn	Lombardi	Pieper	Vento
Cassery	Hanson	Long	Pleasant	Voss
Cleary	Haugerud	Mann	Prahl	Weaver
Clifford	Heimitz	McArthur	Quirin	Wenzel
Connors	Hook	McCarron	Resner	Wigley
Culhane	Jacobs	McCauley	Rice	Wohlwend
Cummiskey	Jaros	McEachern	St. Onge	Wolcott
Dahl	Johnson, C.	McFarlin	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2353, A bill for an act relating to the definition of a person; changing the word man to person in certain statutes; amending Minnesota Statutes 1971, Sections 35.07; 35.08; 43.09, Subdivision 2; 65A.26; 66A.29; 67A.16, Subdivision 2; 84.14, Subdivision 1; 121.301; 164.02, Subdivision 1; 183.22; 183.39, Subdivision 1; 219.25; 368.65; 375.35; 376.61; and 447.04.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 12, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	Schulz
Adams, S.	Dirlam	Jopp	Miller, D.	Searle
Andersen, R.	Eckstein	Jude	Moe	Sherwood
Anderson, G.	Eken	Kahn	Munger	Sieben, H.
Anderson, I.	Enebo	Kelly	Myrah	Sieben, M.
Becklin	Erdahl	Kempe	Nelson	Skaar
Bell	Erickson	Klaus	Newcome	Smith
Bennett	Esau	Knickerbocker	Norton	Spanish
Berg	Faricy	Knoll	Ojala	Stanton
Berglin	Ferderer	Kostohryz	Parish	Swanson
Biersdorf	Forsythe	Laidig	Patton	Tomlinson
Braun	Fudro	Larson	Pavlak, R.	Ulland
Brinkman	Fugina	LaVoy	Pavlak, R. L.	Vanasek
Carlson, A.	Graba	Lemke	Peterson	Vento
Carlson, B.	Graw	Lindstrom, E.	Pieper	Voss
Carlson, D.	Grove	Lindstrom, J.	Pleasant	Weaver
Carlson, L.	Hanson	Long	Quirin	Wigley
Casserly	Haugerud	Mann	Resner	Wohlwend
Cleary	Hook	McArthur	Rice	Wolcott
Connors	Jacobs	McCarron	St. Onge	Mr. Speaker
Culhane	Jaros	McCauley	Salchert	
Cummiskey	Johnson, C.	McEachern	Samuelson	
Dahl	Johnson, D.	McFarlin	Savelkoul	
DeGroat	Johnson, J.	McMillan	Schreiber	

Those who voted in the negative were:

Anderson, D.	Hagedorn	Miller, M.	Prahl	Wenzel
Belisle	Kvam	Niehaus	Stangeland	
Clifford	Lombardi	Ohnstad		

The bill was passed and its title agreed to.

S. F. No. 2449, A bill for an act relating to hospitalization and commitment; securing equal rights of administrative review for patients in federal hospitals; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	DeGroat	Fudro	Johnson, D.
Adams, S.	Brinkman	Dieterich	Fugina	Johnson, J.
Andersen, R.	Carlson, A.	Dirlam	Graba	Johnson, R.
Anderson, D.	Carlson, B.	Eckstein	Graw	Jopp
Anderson, G.	Carlson, D.	Eken	Grove	Jude
Anderson, I.	Carlson, L.	Enebo	Hagedorn	Kahn
Becklin	Casserly	Erdahl	Hanson	Kelly
Belisle	Cleary	Erickson	Haugerud	Kempe
Bell	Clifford	Esau	Heinitz	Klaus
Bennett	Connors	Faricy	Hook	Knickerbocker
Berg	Culhane	Ferderer	Jacobs	Knoll
Berglin	Cummiskey	Fjoslien	Jaros	Kostohryz
Biersdorf	Dahl	Forsythe	Johnson, C.	Kvam

Laidig	McFarlin	Parish	Samuelson	Stanton
Larson	McMillan	Patton	Sarna	Swanson
LaVoy	Menke	Pavlak, R.	Savelkoul	Tomlinson
Lemke	Miller, D.	Pavlak, R. L.	Schreiber	Ulland
Lindstrom, E.	Miller, M.	Peterson	Schulz	Vanasek
Lindstrom, J.	Munger	Pieper	Searle	Vento
Lombardi	Myrah	Pleasant	Sherwood	Voss
Long	Nelson	Prahl	Sieben, H.	Weaver
Mann	Newcome	Quirin	Sieben, M.	Wenzel
McArthur	Niehaus	Resner	Skaar	Wigley
McCarron	Norton	Rice	Smith	Wohlwend
McCauley	Ohnstad	St. Onge	Spanish	Wolcott
McEachern	Ojala	Salchert	Stangeland	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 1865 was reported to the House.

There being no objection, S. F. No. 1865 was continued for one day.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2323, 3029, and 3140.

H. F. No. 2323, A bill for an act relating to travel expenses of the state board of education; amending Minnesota Statutes 1971, Section 121.02, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 6, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jaros	Mann	Peterson
Adams, S.	Dirlam	Johnson, C.	McArthur	Pieper
Andersen, R.	Eckstein	Johnson, D.	McCarron	Prahl
Anderson, G.	Eken	Johnson, J.	McCauley	Quirin
Anderson, I.	Enebo	Johnson, R.	McEachern	Resner
Becklin	Erdahl	Jopp	McFarlin	Rice
Bell	Erickson	Jude	McMillan	St. Onge
Bennett	Esau	Kahn	Menke	Salchert
Berg	Faricy	Kelly	Miller, D.	Samuelson
Berglin	Ferderer	Kempe	Miller, M.	Sarna
Biersdorf	Forsythe	Klaus	Moe	Savelkoul
Braun	Fudro	Knickerbocker	Munger	Schreiber
Brinkman	Fugina	Knoll	Nelson	Schulz
Carlson, A.	Graba	Kostohryz	Newcome	Searle
Carlson, B.	Graw	Kvam	Niehaus	Sherwood
Carlson, L.	Growe	Laidig	Norton	Sieben, H.
Casserly	Hagedorn	LaVoy	Ohnstad	Sieben, M.
Connors	Hanson	Lemke	Ojala	Skaar
Culhane	Haugerud	Lindstrom, E.	Parish	Smith
Cummiskey	Heinitz	Lindstrom, J.	Patton	Spanish
Dahl	Hook	Lombardi	Pavlak, R.	Stangeland
DeGroat	Jacobs	Long	Pavlak, R. L.	Stanton

Swanson	Vento	Wenzel	Wolcott	Mr. Speaker
Ulland	Voss	Wigley		
Vanasek	Weaver	Wohlwend		

Those who voted in the negative were:

Anderson, D.	Cleary	Clifford	Fjoslien	Larson
Belisle				

The bill was passed and its title agreed to.

H. F. No. 3029, A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Schreiber
Adams, S.	Dirlam	Jopp	Miller, M.	Schulz
Andersen, R.	Eckstein	Jude	Moe	Searle
Anderson, D.	Eken	Kahn	Munger	Sherwood
Anderson, G.	Enebo	Kelly	Myrah	Sieben, H.
Anderson, I.	Erdahl	Kempe	Nelson	Sieben, M.
Becklin	Erickson	Klaus	Newcome	Skaar
Belisle	Esau	Knickerbocker	Niehaus	Smith
Bell	Faricy	Knoll	Norton	Spanish
Bennett	Ferderer	Kostohryz	Ohnstad	Stangeland
Berg	Fjoslien	Kvam	Ojala	Stanton
Berglin	Forsythe	Laidig	Parish	Swanson
Biersdorf	Fudro	Larson	Patton	Tomlinson
Braun	Fugina	LaVoy	Pavlak, R.	Ulland
Brinkman	Graba	Lemke	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	Lindstrom, E.	Peterson	Vento
Carlson, B.	Grove	Lindstrom, J.	Pieper	Voss
Carlson, D.	Hagedorn	Lombardi	Pleasant	Weaver
Carlson, L.	Hanson	Long	Prahl	Wenzel
Casserly	Haugerud	Mann	Quirin	Wigley
Cleary	Heinitz	McArthur	Resner	Wohlwend
Clifford	Hook	McCarron	Rice	Wolcott
Connors	Jacobs	McCauley	St. Onge	Mr. Speaker
Culhane	Jaros	McEachern	Salchert	
Cummiskey	Johnson, C.	McFarlin	Samuelson	
Dahl	Johnson, D.	McMillan	Sarna	
DeGroat	Johnson, J.	Menke	Saveikoul	

The bill was passed and its title agreed to.

H. F. No. 3140, A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	McMillan	Sarna
Adams, S.	Dirlam	Johnson, R.	Menke	Savelkoul
Andersen, R.	Eckstein	Jopp	Miller, D.	Schreiber
Anderson, D.	Eken	Jude	Miller, M.	Schulz
Anderson, I.	Enebo	Kahn	Moe	Searle
Becklin	Erdahl	Kelly	Myrah	Sherwood
Belisle	Erickson	Kempe	Nelson	Sieben, H.
Bell	Esau	Klaus	Newcome	Sieben, M.
Bennett	Faricy	Knickerbocker	Niehaus	Skaar
Berg	Ferderer	Knoll	Norton	Smith
Berglin	Fjoslien	Kostohryz	Ohnstad	Spanish
Biersdorf	Forsythe	Kvam	Ojala	Stangeland
Braun	Fudro	Laidig	Parish	Stanton
Brinkman	Fugina	Larson	Patton	Swanson
Carlson, A.	Graba	LaVoy	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Uiland
Carlson, D.	Growe	Lindstrom, E.	Peterson	Vanasek
Carlson, L.	Hagedorn	Lindstrom, J.	Pieper	Vento
Casserly	Hanson	Lombardi	Pleasant	Voss
Cleary	Haugerud	Long	Prahl	Weaver
Clifford	Heinitz	Mann	Quirin	Wenzel
Connors	Hook	McArthur	Resner	Wigley
Culhane	Jacobs	McCarron	Rice	Wohlwend
Cummiskey	Jaros	McCauley	St. Onge	Wolcott
Dahl	Johnson, C.	McEachern	Salchert	Mr. Speaker
DeGroat	Johnson, D.	McFarlin	Samuelson	

The bill was passed and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 2055, H. F. Nos. 3000 and 3325, and S. F. Nos. 3267, 1099, and 1877.

S. F. No. 2055, A bill for an act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of revenue; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, G.	Bell	Biersdorf	Carlson, B.
Adams, S.	Anderson, I.	Bennett	Braun	Carlson, D.
Andersen, R.	Becklin	Berg	Brinkman	Carlson, L.
Anderson, D.	Belisle	Berglin	Carlson, A.	Casserly

Cleary	Graw	Kvam	Newcome	Searle
Clifford	Growe	Laidig	Niehaus	Sherwood
Connors	Hagedorn	Larson	Norton	Sieben, H.
Culhane	Hanson	LaVoy	Ohnstad	Sieben, M.
Cummiskey	Haugerud	Lemke	Ojala	Skaar
Dahl	Heinitz	Lindstrom, E.	Parish	Smith
DeGroat	Hook	Lindstrom, J.	Patton	Spanish
Dieterich	Jacobs	Lombardi	Pavlak, R.	Stangeland
Dirlam	Jaros	Long	Pavlak, R. L.	Stanton
Eckstein	Johnson, C.	Mann	Peterson	Swanson
Eken	Johnson, D.	McArthur	Pieper	Tomlinson
Enebo	Johnson, J.	McCarron	Prahl	Ulland
Erdahl	Johnson, R.	McCauley	Quirin	Vanasek
Erickson	Jopp	McEachern	Resner	Vento
Esau	Jude	McFarlin	Rice	Voss
Faricy	Kahn	McMillan	St. Onge	Weaver
Ferderer	Kelly	Menke	Salchert	Wenzel
Fjoslien	Kempe	Miller, D.	Samuelson	Wigley
Forsythe	Klaus	Miller, M.	Sarna	Wohlwend
Fudro	Knickerbocker	Moe	Savelkoul	Wolcott
Fugina	Knoll	Myrah	Schreiber	Mr. Speaker
Graba	Kostohryz	Nelson	Schulz	

The bill was passed and its title agreed to.

H. F. No. 3000, A bill for an act relating to taxation; tax-forfeited lands; repurchase after forfeiture for taxes; amending Minnesota Statutes 1971, Section 282.241.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, D.	McEachern	Samuelson
Andersen, R.	Eckstein	Johnson, J.	McMillan	Sarna
Anderson, D.	Eken	Jopp	Menke	Savelkoul
Anderson, G.	Enebo	Jude	Miller, D.	Schreiber
Anderson, I.	Erdahl	Kahn	Miller, M.	Schulz
Becklin	Erickson	Kelly	Moe	Sherwood
Belisle	Esau	Kempe	Munger	Sieben, H.
Bell	Faricy	Klaus	Myrah	Sieben, M.
Bennett	Ferderer	Knickerbocker	Nelson	Skaar
Berg	Fjoslien	Knoll	Niehaus	Smith
Berglin	Forsythe	Kostohryz	Norton	Spanish
Braun	Fudro	Kvam	Ohnstad	Stangeland
Brinkman	Fugina	Laidig	Ojala	Stanton
Carlson, A.	Graba	Larson	Parish	Swanson
Carlson, B.	Graw	LaVoy	Patton	Tomlinson
Carlson, D.	Growe	Lemke	Pavlak, R.	Ulland
Carlson, L.	Hagedorn	Lindstrom, E.	Pavlak, R. L.	Voss
Casserly	Hanson	Lindstrom, J.	Peterson	Wenzel
Cleary	Haugerud	Lombardi	Pieper	Wigley
Clifford	Heinitz	Long	Prahl	Wolcott
Connors	Hook	Mann	Quirin	Mr. Speaker
Cummiskey	Jacobs	McArthur	Rice	
Dahl	Jaros	McCarron	St. Onge	
Dieterich	Johnson, C.	McCauley	Salchert	

Those who voted in the negative were:

Adams, S. Culhane DeGroat Pleasant Weaver

The bill was passed and its title agreed to.

H. F. No. 3325, A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 100, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, D.	McEachern	Rice
Anderson, D.	Eken	Jopp	McFarlin	St. Onge
Anderson, G.	Enebo	Jude	McMillan	Salchert
Anderson, I.	Erdahl	Kahn	Miller, D.	Samuelson
Becklin	Erickson	Kelly	Miller, M.	Savelkoul
Biersdorf	Esau	Kempe	Munger	Schulz
Braun	Fjoslien	Klaus	Myrah	Searle
Brinkman	Fudro	Knoll	Nelson	Sherwood
Carlson, B.	Fugina	Kostohryz	Newcome	Skaar
Carlson, D.	Graba	Kvam	Niehaus	Smith
Carlson, L.	Graw	Larson	Norton	Spanish
Cassery	Growe	Lemke	Ohnstad	Stangeland
Cleary	Hagedorn	Lindstrom, E.	Ojala	Stanton
Clifford	Hanson	Lindstrom, J.	Parish	Ulland
Connors	Haugerud	Lombardi	Patton	Vanasek
Culhane	Heinitz	Long	Peterson	Vento
Dahl	Hook	Mann	Pieper	Voss
DeGroat	Jacobs	McArthur	Pleasant	Wenzel
Dieterich	Jaros	McCarron	Quirin	Wigley
Dirlam	Johnson, C.	McCauley	Resner	Wolcott

Those who voted in the negative were:

Adams, S.	Berglin	Johnson, R.	Pavlak, R.	Tomlinson
Andersen, R.	Carlson, A.	Knickerbocker	Pavlak, R. L.	Weaver
Belisle	Faricy	Laidig	Schreiber	Wohlwend
Bell	Ferderer	LaVoy	Sieben, H.	Mr. Speaker
Bennett	Forsythe	Menke	Sieben, M.	
Berg	Johnson, J.	Moe	Swanson	

The bill was passed and its title agreed to.

S. F. No. 3267, A bill for an act relating to the city of St. Cloud; property assessment as a function of the city assessor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Jopp	Miller, D.	Savelkoul
Anderson, D.	Eckstein	Jude	Miller, M.	Schreiber
Anderson, G.	Eken	Kahn	Moe	Schulz
Anderson, I.	Enebo	Kelly	Munger	Searle
Becklin	Erdahl	Kempe	Myrah	Sherwood
Belisle	Erickson	Klaus	Nelson	Sieben, H.
Bell	Esau	Knickerbocker	Newcome	Sieben, M.
Bennett	Faricy	Knoll	Niehaus	Skaar
Berg	Ferderer	Kostohryz	Norton	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Spanish
Biersdorf	Forsythe	Laidig	Ojala	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graba	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Lindstrom, J.	Peterson	Vanasek
Carlson, L.	Hagedorn	Lombardi	Pieper	Vento
Casserly	Hanson	Long	Pleasant	Voss
Cleary	Haugerud	Mann	Prahl	Weaver
Clifford	Heinitz	McArthur	Quirin	Wenzel
Connors	Hook	McCarron	Resner	Wigley
Culhane	Jacobs	McCauley	Rice	Wohlwend
Cummiskey	Jaros	McEachern	St. Onge	Wolcott
Dahl	Johnson, C.	McFarlin	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 1099, A bill for an act relating to taxation; sales and use tax; exempting purchases by certain senior citizen organizations; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Graw	Jude
Adams, S.	Carlson, A.	Eckstein	Growe	Kahn
Andersen, R.	Carlson, B.	Eken	Hagedorn	Kelly
Anderson, D.	Carlson, D.	Enebo	Hanson	Kempe
Anderson, G.	Carlson, L.	Erdahl	Haugerud	Knickerbocker
Anderson, I.	Casserly	Erickson	Heinitz	Knoll
Becklin	Cleary	Esau	Hook	Kostohryz
Belisle	Clifford	Faricy	Jacobs	Kvam
Bell	Connors	Ferderer	Jaros	Laidig
Bennett	Culhane	Fjoslien	Johnson, C.	Larson
Berg	Cummiskey	Forsythe	Johnson, D.	LaVoy
Berglin	Dahl	Fudro	Johnson, J.	Lemke
Biersdorf	DeGroat	Fugina	Johnson, R.	Lindstrom, E.
Braun	Dieterich	Graba	Jopp	Lindstrom, J.

Lombardi	Munger	Peterson	Sherwood	Vento
Long	Myrah	Pieper	Sieben, H.	Voss
Mann	Nelson	Prahl	Sieben, M.	Weaver
McArthur	Newcome	Quirin	Skaar	Wenzel
McCauley	Niehaus	Resner	Smith	Wigley
McEachern	Norton	Rice	Spanish	Wohlwend
McFarlin	Ohnstad	Salchert	Stangeland	Wolcott
McMillan	Ojala	Samuelson	Stanton	Mr. Speaker
Menke	Parish	Sarna	Swanson	
Miller, D.	Patton	Savelkoul	Tomlinson	
Miller, M.	Pavlak, R.	Schulz	Ulland	
Moe	Pavlak, R. L.	Searle	Vanasek	

The bill was passed and its title agreed to.

S. F. No. 1877 was reported to the House.

Kvam moved to amend S. F. No. 1877, as follows:

After section 6 insert the following new sections:

Sec. 7. Notwithstanding the provisions of any law to the contrary, any county, city, or town, making a special assessment may, at its discretion, defer the payment of that assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments.

Sec. 8. The homeowner shall make application for deferred payment of special assessments on forms prescribed by the county assessor of the county in which the homestead is located. Where the deferred assessment is granted, the assessor shall record a notice thereof with the register of deeds of said county which shall set forth the amount of the assessment. The taxing authority may determine by ordinance or resolution the amount of interest, if any, on the deferred assessment and this rate shall be recorded by the assessor along with and in the same manner as the amount of the assessment.

Sec. 9. The option to defer the payment of special assessments shall terminate and all amounts accumulated, plus applicable interest, shall become due upon the occurrence of any of the following events: (a) the death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder; (b) the sale, transfer or subdivision of the property or any part thereof; (c) if the property should for any reason lose its homestead status; or (d) if for any reason the taxing authority deferring the payments shall determine that there would be no hardship to require immediate or partial payment.

Renumber Section 7.

And further amend the title, page 1, line 3, after "districts" insert "; and providing for delayed payments of special assessment on senior citizens' homesteads".

The motion prevailed and the amendment was adopted.

S. F. No. 1877, A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Menke	Savelkoul
Adams, S.	Eckstein	Jopp	Miller, D.	Schreiber
Andersen, R.	Eken	Jude	Miller, M.	Schulz
Anderson, D.	Enebo	Kahn	Moe	Searle
Anderson, G.	Erdahl	Kelly	Munger	Sherwood
Anderson, I.	Erickson	Kempe	Myrah	Sieben, H.
Becklin	Esau	Klaus	Nelson	Sieben, M.
Belisle	Faricy	Knickerbocker	Newcome	Skaar
Bennett	Ferderer	Knoll	Niehaus	Smith
Berg	Fjoslien	Kostohryz	Norton	Spanish
Biersdorf	Forsythe	Kvam	Ohnstad	Stangeland
Braun	Fudro	Laidig	Ojala	Stanton
Brinkman	Fugina	Larson	Parish	Swanson
Carlson, A.	Graba	LaVoy	Patton	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R.	Ulland
Carlson, D.	Growe	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, L.	Hagedorn	Lindstrom, J.	Peterson	Vento
Casserly	Hanson	Lombardi	Pieper	Voss
Cleary	Haugerud	Long	Pleasant	Weaver
Clifford	Heinitz	Mann	Prahl	Wenzel
Connors	Hook	McArthur	Quirin	Wigley
Culhane	Jacobs	McCarron	Resner	Wohlwend
Cummiskey	Jaros	McCauley	Rice	Wolcott
Dahl	Johnson, C.	McEachern	St. Onge	Mr. Speaker
DeGroat	Johnson, D.	McFarlin	Salchert	
Dieterich	Johnson, J.	McMillan	Sarna	

Those who voted in the negative were:

Bell

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

SPECIAL ORDERS

H. F. No. 3149 was reported to the House. The bill was read for the third time.

Pursuant to Rule 33, Faricy requested that he be excused from voting. The request was granted.

H. F. No. 3149, A bill for an act relating to education; authorizing school districts to contract for transportation of school

children either by sealed bids or direct negotiation; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

The bill was placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Miller, M.	Savelkoul
Adams, S.	Eken	Kahn	Moe	Schreiber
Anderson, D.	Enebo	Kell	Munger	Schulz
Anderson, G.	Erdahl	Kempe	Myrah	Searle
Anderson, I.	Erickson	Klaus	Nelson	Sherwood
Becklin	Esau	Knickerbocker	Newcome	Sieben, H.
Belisle	Ferderer	Knoll	Niehaus	Sieben, M.
Bell	Fjoslien	Kostohryz	Norton	Skaar
Bennett	Forsythe	Kvam	Ohnstad	Spanish
Berg	Fudro	Laidig	Ojala	Stangeland
Biersdorf	Fugina	Larson	Parish	Stanton
Brinkman	Graba	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lombardi	Peterson	Vanasek
Carlson, L.	Hanson	Long	Pieper	Vento
Casserly	Haugerud	Mann	Pleasant	Voss
Cleary	Hook	McArthur	Prahl	Weaver
Clifford	Jacobs	McCarron	Quirin	Wenzel
Connors	Jaros	McCauley	Resner	Wigley
Culhane	Johnson, C.	McEachern	Rice	Wohlwend
Cummiskey	Johnson, D.	McFarlin	St. Onge	Wolcott
Dahl	Johnson, J.	McMillan	Salchert	Mr. Speaker
DeGroat	Johnson, R.	Menke	Samuelson	
Diriam	Jopp	Miller, D.	Sarna	

Those who voted in the negative were:

Berglin	Dieterich	Heinitz	Lindstrom, E.
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The bill was passed and its title agreed to.

H. F. No. 3249, A bill for an act relating to education; school aids; changing the adjusted assessed valuation of Independent School District No. 93 and No. 99 for the use of the equalization aid review committee.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berg	Faricy	Kempe	Moe	Savelkoul
Berglin	Ferderer	Knickerbocker	Munger	Schreiber
Biersdorf	Fjoslien	Knoll	Myrah	Schulz
Braun	Forsythe	Kostohryz	Nelson	Sherwood
Brinkman	Fudro	Kvam	Newcome	Sieben, H.
Carlson, A.	Fugina	Laidig	Niehaus	Sieben, M.
Carlson, B.	Graba	Larson	Norton	Skaar
Carlson, D.	Graw	LaVoy	Ohnstad	Smith
Carlson, L.	Growe	Lemke	Ojala	Spanish
Casserly	Hagedorn	Lindstrom, E.	Parish	Stangeland
Cleary	Hanson	Lindstrom, J.	Patton	Stanton
Connors	Haugerud	Lombardi	Pavlak, R.	Swanson
Culhane	Hook	Long	Pavlak, R. L.	Tomlinson
Cummiskey	Jacobs	Mann	Peterson	Ulland
Dahl	Jaros	McArthur	Pieper	Vanasek
DeGroat	Johnson, C.	McCarron	Pleasant	Vento
Dieterich	Johnson, D.	McCauley	Prahl	Voss
Dirlam	Johnson, J.	McEachern	Quirin	Weaver
Eckstein	Johnson, R.	McFarlin	Resner	Wenzel
Eken	Jopp	McMillan	Rice	Wigley
Enebo	Jude	Menke	St. Onge	Wohlwend
Erdahl	Kahn	Miller, D.	Salchert	Wolcott
Erickson	Kelly	Miller, M.	Sarna	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 2692, A bill for an act relating to the use of flame resistant fabric in camping tentage; providing standards.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 12, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, D.	McFarlin	Rice
Adams, S.	Eken	Johnson, J.	McMillan	St. Onge
Andersen, R.	Enebo	Johnson, R.	Menke	Salchert
Anderson, D.	Erdahl	Jopp	Miller, D.	Sarna
Anderson, G.	Erickson	Jude	Miller, M.	Schulz
Anderson, I.	Esau	Kahn	Moe	Sherwood
Becklin	Faricy	Kelly	Munger	Sieben, H.
Bell	Ferderer	Kempe	Myrah	Sieben, M.
Bennett	Fjoslien	Klaus	Nelson	Skaar
Berg	Forsythe	Knickerbocker	Newcome	Smith
Berglin	Fudro	Knoll	Niehaus	Spanish
Braun	Fugina	Kostohryz	Norton	Stanton
Brinkman	Graba	Laidig	Ohnstad	Swanson
Carlson, A.	Graw	Larson	Ojala	Tomlinson
Carlson, D.	Growe	LaVoy	Parish	Ulland
Carlson, L.	Hagedorn	Lemke	Patton	Vento
Casserly	Hanson	Lindstrom, E.	Pavlak, R.	Voss
Cleary	Haugerud	Lindstrom, J.	Pavlak, R. L.	Wenzel
Clifford	Heinitz	Lombardi	Peterson	Wigley
Connors	Hook	Long	Pieper	Wohlwend
Dahl	Jacobs	Mann	Prahl	Wolcott
DeGroat	Jaros	McArthur	Quirin	Mr. Speaker
Dieterich	Johnson, C.	McEachern	Resner	

Those who voted in the negative were:

Belisle	Cummiskey	Pleasant	Searle	Weaver
Biersdorf	Dirlam	Savelkoul	Vanasek	
Culhane	Kvam	Schreiber		

The bill was passed and its title agreed to.

H. F. No. 3157 was reported to the House.

Vento moved to amend H. F. No. 3157, the printed bill, as follows:

Page 1, line 14, after the period add the following: "*No landlord shall have to provide an additional posting if other required postings give the required information.*"

Page 2, line 5, after "herein" and before the period, insert the following: "*; or unless the landlord shall prove that the tenant had actual knowledge of such information at least thirty (30) days prior to the initiation of such action or claim.*"

Page 2, after line 5, add a new subdivision as follows:

"Subd. 6. *Any tenant who moves, subleases, or exchanges tenants without giving the owner at least thirty (30) days written notice shall void any provision of this act, as to such tenant.*"

Renumber the remaining subdivision.

The motion prevailed and the amendment was adopted.

H. F. No. 3157, A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 84, and nays 38, as follows:

Those who voted in the affirmative were:

Andersen, R.	Brinkman	DeGroat	Hanson	Kahn
Anderson, G.	Carlson, A.	Dieterich	Haugerud	Kelly
Anderson, I.	Carlson, B.	Enebo	Jacobs	Kempe
Belisle	Carlson, L.	Faricy	Jaros	Knickerbocker
Bell	Casserly	Ferderer	Johnson, C.	Knoll
Bennett	Connors	Fjoslien	Johnson, D.	Kostohryz
Berg	Cummiskey	Fugina	Johnson, R.	Laidig
Berglin	Dahl	Growe	Jude	LaVoy

Lemke	Miller, M.	Pavlak, R.	Samuelson	Tomlinson
Lombardi	Moe	Peterson	Sarna	Ulland
McArthur	Munger	Pieper	Schreiber	Vanasek
McCarron	Nelson	Prahl	Schulz	Vento
McEachern	Newcome	Quirin	Sieben, H.	Voss
McFarlin	Norton	Resner	Sieben, M.	Wenzel
McMillan	Ojala	Rice	Smith	Wolcott
Menke	Parish	St. Onge	Stangeland	Mr. Speaker
Miller, D.	Patton	Salchert	Stanton	

Those who voted in the negative were:

Anderson, D.	Erdahl	Hook	Mann	Sherwood
Biersdorf	Erickson	Jopp	McCauley	Skaar
Braun	Esau	Klaus	Myrah	Swanson
Cleary	Forsythe	Kvam	Niehaus	Weaver
Clifford	Graba	Larson	Ohnstad	Wigley
Culhane	Graw	Lindstrom, E.	Pavlak, R. L.	Wohlwend
Dirlam	Hagedorn	Lindstrom, J.	Pleasant	
Eken	Heinitz	Long	Searle	

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

H. F. No. 2295, A bill for an act relating to counties; limiting appointment of deputies by county officers; amending Minnesota Statutes 1971, Sections 384.08; 384.151, Subdivision 6; 385.02, Subdivisions 1 and 2; 385.373, Subdivision 6; 386.33; 387.14; 388.10; 388.18, Subdivision 5; and 389.02.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 25, and nays 90, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Johnson, J.	Lindstrom, E.	Sarna
Berglin	Faricy	Kahn	McMillan	Swanson
Cleary	Ferderer	Knoll	Newcome	Vento
Culhane	Fudro	Kostohryz	Parish	Voss
Dieterich	Hanson	Lemke	Rice	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Cummiskey	Heinitz	Larson	Niehaus
Andersen, R.	DeGroat	Hook	LaVoy	Norton
Anderson, D.	Eckstein	Jacobs	Lindstrom, J.	Ohnstad
Anderson, G.	Eken	Jaros	Lombardi	Ojala
Anderson, I.	Erdahl	Johnson, C.	Long	Patton
Becklin	Erickson	Johnson, D.	Mann	Pavlak, R.
Belisle	Esau	Johnson, R.	McArthur	Pavlak, R. L.
Bennett	Fjoslien	Jopp	McCarron	Pieper
Biersdorf	Forsythe	Jude	McCauley	Pleasant
Braun	Fugina	Kelly	McEachern	Prahl
Brinkman	Graba	Kempe	McFarlin	St. Onge
Carlson, A.	Graw	Klaus	Menke	Salchert
Carlson, D.	Growe	Knickerbocker	Miller, M.	Samuelson
Clifford	Hagedorn	Kvam	Munger	Savekoul
Connors	Haugerud	Laidig	Myrah	Schreiber

Schulz	Sieben, H.	Stangeland	Vanasek	Wigley
Searle	Skaar	Tomlinson	Weaver	Wohlwend
Sherwood	Smith	Ulland	Wenzel	Wolcott

The bill was not passed.

H. F. No. 3261 was reported to the House.

Resner moved to amend H. F. No. 3261, the printed bill, as follows:

In lines 1 and 2 strike "notwithstanding the provisions and limitations of Minnesota Statutes, Section 275.09, and any other law to the contrary,".

Line 5, after "counsel," insert "Such amount shall be subject to the limitation provided in Minnesota Statutes, 1973 Supplement, Section 275.51".

The motion prevailed and the amendment was adopted.

H. F. No. 3261, A bill for an act relating to Olmsted county; taxation; county legal assistance; appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Savelkoul
Adams, S.	Dieterich	Johnson, J.	Menke	Schreiber
Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Schulz
Anderson, D.	Eckstein	Jopp	Miller, M.	Searle
Anderson, G.	Eken	Jude	Moe	Sherwood
Anderson, I.	Enebo	Kahn	Munger	Sieben, H.
Becklin	Erdahl	Kelly	Myrah	Sieben, M.
Belisle	Erickson	Kempe	Nelson	Skaar
Bell	Esau	Klaus	Newcome	Smith
Bennett	Faricy	Knickerbocker	Niehaus	Stangeland
Berg	Ferderer	Knoll	Norton	Stanton
Berglin	Fjoslien	Kostohryz	Ojala	Swanson
Biersdorf	Forsythe	Laidig	Parish	Tomlinson
Braun	Fudro	Larson	Patton	Ulland
Brinkman	Fugina	LaVoy	Pavlak, R.	Vanasek
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Vento
Carlson, B.	Graw	Lindstrom, E.	Peterson	Voss
Carlson, D.	Growe	Lindstrom, J.	Pieper	Weaver
Carlson, L.	Hagedorn	Lombardi	Pleasant	Wenzel
Casserly	Hanson	Long	Prahl	Wigley
Cleary	Haugerud	Mann	Quirin	Wohlwend
Clifford	Heinitz	McArthur	Resner	Wolcott
Connors	Hook	McCarron	Rice	Mr. Speaker
Culhane	Jacobs	McCauley	St. Onge	
Cumiskey	Jaros	McEachern	Salchert	
Dahl	Johnson, C.	McFarlin	Samuelson	

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

Wigley was excused for the remainder of today's session.

H. F. No. 773 was reported to the House.

Savelkoul moved to amend H. F. No. 773, the printed bill, as follows:

Line 4, after "livestock" insert "or poultry".

Line 6, after "livestock" insert "or poultry".

Line 7, after "livestock" insert "or poultry".

Line 8, after "livestock" insert "or poultry".

Line 12, after "stock" insert "or poultry".

Further, amend the title on page 1, line 3, after "livestock" insert "or poultry".

The motion prevailed and the amendment was adopted.

H. F. No. 773, A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Faricy	Johnson, D.	Lindstrom, E.
Adams, S.	Casserly	Ferderer	Johnson, J.	Lindstrom, J.
Andersen, R.	Cleary	Fjoslien	Johnson, R.	Lombardi
Anderson, G.	Clifford	Forsythe	Jopp	Long
Anderson, I.	Connors	Fudro	Jude	Mann
Becklin	Culhane	Fugina	Kahn	McArthur
Belisle	Cummiskey	Graba	Kelly	McCarron
Bell	Dahl	Graw	Kempe	McEachern
Bennett	DeGroat	Grove	Klaus	McFarlin
Berg	Dieterich	Hagedorn	Knickerbocker	McMillan
Berglin	Dirlam	Hanson	Knoll	Menke
Biersdorf	Eckstein	Haugerud	Kostohryz	Miller, D.
Braun	Eken	Heinitz	Kvam	Miller, M.
Brinkman	Enebo	Hook	Laidig	Moe
Carlson, A.	Erdahl	Jacobs	Larson	Munger
Carlson, B.	Erickson	Jaros	LaVoy	Myrah
Carlson, D.	Esau	Johnson, C.	Lemke	Nelson

Newcome	Peterson	Samuelson	Smith	Weaver
Niehaus	Pieper	Sarna	Stangeland	Wenzel
Norton	Pleasant	Savelkoul	Stanton	Wohlwend
Ohnstad	Prahl	Schreiber	Swanson	Wolcott
Ojala	Quirin	Schulz	Tomlinson	Mr. Speaker
Parish	Resner	Sherwood	Ulland	
Patton	Rice	Sieben, H.	Vanasek	
Pavlak, R.	St. Onge	Sieben, M.	Vento	
Pavlak, R. L.	Salchert	Skaar	Voss	

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

H. F. No. 3498 was reported to the House.

Pavlak, R. L., moved to amend H. F. No. 3498, the printed bill, as follows:

Page 4, line 3, after the words "*shall be*" insert "*guilty of a misdemeanor*"; strike all the language remaining in the line.

Page 4, line 4, strike "*than five years, or both*".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 84, and nays 22, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dieterich	Heinitz	Long	Samuelson
Anderson, G.	Dirlam	Hook	McArthur	Sarna
Anderson, I.	Eckstein	Johnson, C.	McFarlin	Savelkoul
Becklin	Eken	Johnson, D.	McMillan	Schreiber
Belisle	Erdahl	Johnson, J.	Menke	Schulz
Bell	Erickson	Jopp	Moe	Searle
Bennett	Esau	Jude	Myrah	Skaar
Berg	Farcy	Kempe	Newcome	Smith
Biersdorf	Ferderer	Klaus	Niehaus	Spanish
Brinkman	Fjoslien	Knickerbocker	Norton	Stangeland
Carlson, A.	Forsythe	Knoll	Ohnstad	Tomlinson
Carlson, D.	Graba	Kostohryz	Patton	Ulland
Carlson, L.	Graw	Kvam	Pavlak, R.	Weaver
Cleary	Growe	Laidig	Pavlak, R. L.	Wenzel
Clifford	Hagedorn	Larson	Peterson	Wohlwend
Connors	Hanson	Lindstrom, E.	Pieper	Wolcott
DeGroat	Haugerud	Lombardi	Pleasant	

Those who voted in the negative were:

Berglin	Fugina	McCarron	Parish	Voss
Braun	Jaros	Miller, M.	Prahl	Mr. Speaker
Cassery	Kelly	Munger	Sieben, H.	
Dahl	LaVoy	Nelson	Sieben, M.	
Fudro	Lemke	Ojala	Vanasek	

The motion prevailed and the amendment was adopted.

H. F. No. 3498 was read for the third time, as amended.

UNANIMOUS CONSENT

Pavlak, R. L., requested unanimous consent to offer an amendment. The request was granted.

Pavlak, R. L., moved to amend H. F. No. 3498, the printed bill, as follows:

Page 3, line 34, strike the word "fine" and insert in lieu thereof the word "penalty".

The motion prevailed and the amendment was adopted.

H. F. No. 3498, A bill for an act relating to commerce; requiring fuel information reporting; providing penalties; amending Minnesota Statutes, 1973 Supplement, Sections 325.811, Subdivision 2, and by adding subdivisions; 325.812, and by adding subdivisions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 81, and nays 39, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Knickerbocker	Nelson	Sieben, H.
Adams, S.	Faricy	Knoll	Norton	Sieben, M.
Andersen, R.	Fudro	Kostohryz	Ojala	Smith
Anderson, I.	Fugina	Laidig	Parish	Spanish
Berg	Graba	LaVoy	Patton	Stanton
Berglin	Grove	Lemke	Pavlak, R.	Swanson
Braun	Hanson	Lindstrom, E.	Peterson	Tomlinson
Brinkman	Haugerud	Lindstrom, J.	Pleasant	Ulland
Carlson, A.	Jacobs	Lombardi	Prahl	Vanasek
Carlson, L.	Jaros	Mann	Quirin	Vento
Cassery	Johnson, C.	McArthur	Resner	Voss
Cleary	Johnson, D.	McCarron	Rice	Wenzel
Connors	Johnson, J.	McEachern	St. Onge	Mr. Speaker
Cummiskey	Jude	McMillan	Samuelson	
Dahl	Kahn	Miller, M.	Sarna	
Dieterich	Kelly	Moe	Schulz	
Eken	Kempe	Munger	Sherwood	

Those who voted in the negative were:

Anderson, D.	Clifford	Forsythe	Kvam	Pavlak, R. L.
Anderson, G.	DeGroat	Graw	Larson	Pieper
Becklin	Dirlam	Hagedorn	Long	Searle
Belisle	Eckstein	Heinitz	McFarlin	Skaar
Bell	Erdahl	Hook	Myrah	Stangeland
Bennett	Erickson	Johnson, R.	Newcome	Weaver
Biersdorf	Esau	Jopp	Niehaus	Wohlwend
Carlson, D.	Ferderer	Klaus	Ohnstad	

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

H. F. No. 3281, A bill for an act relating to state lands; authorizing the exchange of certain public lake access in Clearwater county.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jaros	McCarron	Rice
Adams, S.	DeGroat	Johnson, C.	McEachern	St. Onge
Andersen, R.	Dieterich	Johnson, D.	McFarlin	Samuelson
Anderson, D.	Dirlam	Johnson, J.	McMillan	Savelkoul
Anderson, G.	Eckstein	Johnson, R.	Miller, D.	Schreiber
Anderson, I.	Eken	Jopp	Miller, M.	Schulz
Becklin	Enebo	Jude	Moe	Searle
Belisle	Erdahl	Kahn	Munger	Sherwood
Bell	Erickson	Kelly	Nelson	Sieben, H.
Bennett	Esau	Kempe	Newcome	Sieben, M.
Berg	Faricy	Klaus	Niehaus	Skaar
Berglin	Ferderer	Knickerbocker	Norton	Spanish
Biersdorf	Fjoslien	Knoll	Ohnstad	Stangeland
Braun	Forsythe	Kostohryz	Ojala	Stanton
Brinkman	Fudro	Kvam	Parish	Swanson
Carlson, A.	Fugina	Laidig	Patton	Ulland
Carlson, B.	Graba	LaVoy	Pavlak, R.	Vanasek
Carlson, D.	Graw	Lemke	Pavlak, R. L.	Vento
Carlson, L.	Growe	Lindstrom, E.	Peterson	Voss
Casserly	Hagedorn	Lindstrom, J.	Pieper	Weaver
Cleary	Hanson	Lombardi	Pleasant	Wenzel
Clifford	Haugerud	Long	Prahl	Wohlwend
Connors	Heinitz	Mann	Quirin	Wolcott
Cummiskey	Jacobs	McArthur	Resner	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 3317 was reported to the House.

Norton moved to amend H. F. No. 3317, the printed bill, as follows:

After line 7, add a new section to read:

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

The motion prevailed and the amendment was adopted.

H. F. No. 3317, A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, D.	Schreiber
Adams, S.	Dieterich	Johnson, R.	Miller, M.	Schulz
Andersen, R.	Diriam	Jopp	Moe	Searle
Anderson, D.	Eckstein	Jude	Munger	Sherwood
Anderson, G.	Eken	Kahn	Nelson	Sieben, H.
Anderson, I.	Enebo	Kelly	Newcome	Sieben, M.
Becklin	Erdahl	Kempe	Niehaus	Skaar
Belisle	Erickson	Klaus	Norton	Smith
Bell	Esau	Knickerbocker	Ohnstad	Spanish
Bennett	Faricy	Knoll	Ojala	Stangeland
Berg	Ferderer	Kostohryz	Parish	Stanton
Berglin	Fjoslien	Kvam	Patton	Swanson
Biersdorf	Forsythe	Laidig	Pavlak, R.	Tomlinson
Braun	Fudro	LaVoy	Pavlak, R. L.	Ulland
Brinkman	Fugina	Lemke	Peterson	Vanasek
Carlson, A.	Graba	Lindstrom, E.	Pieper	Vento
Carlson, B.	Graw	Lindstrom, J.	Pleasant	Voss
Carlson, D.	Growe	Long	Prahl	Weaver
Carlson, L.	Hagedorn	Mann	Quirin	Wenzel
Casserly	Hanson	McArthur	Resner	Wohlwend
Cleary	Haugerud	McCarron	Rice	Wolcott
Clifford	Heinitz	McCauley	St. Onge	Mr. Speaker
Connors	Jacobs	McEachern	Salchert	
Culhane	Jaros	McFarlin	Samuelson	
Cummiskey	Johnson, C.	McMillan	Sarna	
Dahl	Johnson, D.	Menke	Savelkoul	

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

H. F. No. 3090 was reported to the House.

Patton moved to amend H. F. No. 3090, the printed bill, as follows:

Line 4, after the period, insert "Any duly organized sewer district is not affected by this section."

The motion prevailed and the amendment was adopted.

H. F. No. 3090, A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jaros	McEachern	Sarna
Adams, S.	DeGroat	Johnson, C.	McFarlin	Savelkoul
Andersen, R.	Dieterich	Johnson, D.	McMillan	Schreiber
Anderson, D.	Dirlam	Johnson, J.	Miller, D.	Schulz
Anderson, G.	Eckstein	Johnson, R.	Miller, M.	Searle
Anderson, I.	Eken	Jopp	Moe	Sherwood
Becklin	Enebo	Jude	Munger	Sieben, H.
Belisle	Erdahl	Kelly	Nelson	Sieben, M.
Bell	Erickson	Kempe	Niehaus	Skaar
Bennett	Esau	Klaus	Norton	Smith
Berg	Faricy	Knickerbocker	Ohnstad	Spanish
Berglin	Ferderer	Knoll	Ojala	Stangeland
Biersdorf	Fjoslien	Kostohryz	Parish	Stanton
Braun	Forsythe	Kvam	Patton	Swanson
Carlson, A.	Fudro	Laidig	Pavlak, R.	Tomlinson
Carlson, B.	Fugina	LaVoy	Pavlak, R. L.	Ulland
Carlson, D.	Graba	Lemke	Peterson	Vanasek
Carlson, L.	Graw	Lindstrom, E.	Pieper	Vento
Casserly	Grove	Lindstrom, J.	Pleasant	Voss
Cleary	Hagedorn	Long	Prahl	Weaver
Clifford	Hanson	Mann	Rice	Wenzel
Connors	Haugerud	McArthur	St. Onge	Wohlwend
Culhane	Heinitz	McCarron	Salchert	Wolcott
Cummiskey	Jacobs	McCauley	Samuelson	Mr. Speaker

Those who voted in the negative were:

Menke Quirin Resner

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

H. F. No. 2639 was reported to the House.

There being no objection, H. F. No. 2639 was continued on Special Orders for one day.

S. F. No. 3151, A bill for an act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2; repealing Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Becklin	Biersdorf	Carlson, L.	Cummiskey
Adams, S.	Belisle	Braun	Casserly	Dahl
Andersen, R.	Bell	Brinkman	Cleary	DeGroat
Anderson, D.	Bennett	Carlson, A.	Clifford	Dieterich
Anderson, G.	Berg	Carlson, B.	Connors	Dirlam
Anderson, I.	Berglin	Carlson, D.	Culhane	Eckstein

Eken	Jaros	Long	Parish	Sieben, H.
Enebo	Johnson, C.	Mann	Patton	Sieben, M.
Erdahl	Johnson, D.	McArthur	Pavlak, R.	Skaar
Erickson	Johnson, J.	McCarron	Pavlak, R. L.	Smith
Esau	Johnson, R.	McCauley	Peterson	Spanish
Faricy	Jopp	McEachern	Pieper	Stangeland
Ferderer	Jude	McFarlin	Pleasant	Stanton
Fjoslien	Kelly	McMillan	Prahl	Swanson
Forsythe	Kempe	Menke	Quirin	Tomlinson
Fudro	Klaus	Miller, D.	Resner	Ulland
Fugina	Knickerbocker	Miller, M.	Rice	Vanasek
Graba	Knoll	Moe	St. Onge	Vento
Graw	Kostohryz	Munger	Samuelson	Voss
Grove	Kvam	Nelson	Sarna	Weaver
Hagedorn	Laidig	Newcome	Savelkoul	Wenzel
Hanson	LaVoy	Niehaus	Schreiber	Wohlwend
Haugerud	Lemke	Norton	Schulz	Wolcott
Heinitz	Lindstrom, E.	Ohnstad	Searle	Mr. Speaker
Jacobs	Lindstrom, J.	Ojala	Sherwood	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Monday, March 11, 1974, immediately following the Consent Calendar. The motion prevailed.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 11, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 11, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FIRST DAY

SAINT PAUL, MINNESOTA, SATURDAY, MARCH 9, 1974

The Senate met on Saturday, March 9, 1974, which was the One hundred-first Legislative Day of the Sixty-eighth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 11, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Cassery	Hanson	Mann	Pleasant	Vento
Cleary	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Weaver
Connors	Hook	McCauley	Resner	Wenzel
Culhane	Jacobs	McEachern	Rice	Wigley
Cummiskey	Jaros	McFarlin	Ryan	Wohlwend
Dahl	Johnson, C.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, D.	Menke	Salchert	Mr. Speaker

A quorum was present.

Johnson, R.; Jopp; and Myrah were excused. Carlson, D., was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days; when on the motion of Mr. DeGroat, the further readings were dispensed with and the Journals were approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2525, 2950, 3057, 3240, 3328, 2920, 2930, 2967, 3045, 3506, 3507, 3233, 3307, 3422, 773, 3090, 3157, 3261, 3317, and 3498 have been placed in the members' files.

S. F. No. 3115 and H. F. No. 3071, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

LaVoy moved that S. F. No. 3115 be substituted for H. F. No. 3071 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3119 and H. F. No. 3073, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

LaVoy moved that S. F. No. 3119 be substituted for H. F. No. 3071 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3079 and H. F. No. 3064, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Menke moved that S. F. No. 3079 be substituted for H. F. No. 3064 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2984 and H. F. No. 2800, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2984, after the enacting clause reads as follows:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1, is amended to read:

176.041 [APPLICATION, EXCEPTIONS.] Subdivision 1. [EMPLOYMENTS EXCLUDED.] This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, domestic servants, persons employed by family farms, *parents and children, regardless of their age, of a farmer employer, employed by him or on a family farm incorporated or otherwise or other farmers in the same community or members of their families exchanging work with the farmer employer*, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose

employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Professional athletes under contract for hire which contract gives compensation not less than that provided by this chapter are not subject thereto if a written consent not to be bound thereby, signed by the professional athlete and the employer and approved by the commission, is filed with the commission.”;

whereas H. F. No. 2800, after the enacting clause reads:

“Section 1. Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a, is amended to read:

Subd. 11a. [FAMILY FARM.] “Family farm” means any farm operation which pays or is obligated to pay less than \$2,000 in cash wages, exclusive of machine hire, to farm laborers for services rendered during the preceding calendar year. For purposes of (THIS SUBDIVISION) *chapter 176*, farm laborer does not include members of the employer's immediate family or other farmers in the same community or members of their families exchanging (WORK) *comparable work without compensation* with the employer. Notwithstanding any law to the contrary, a farm laborer shall not be considered as an independent contractor for the purposes of this chapter.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1, is amended to read:

176.041 [APPLICATION, EXCEPTIONS.] Subdivision 1. [EMPLOYMENT EXCLUDED.] This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, domestic servants, persons employed by family farms, *parents and children, regardless of their age, of a farmer employer, employed by him or other farmers in the same community or members of their families exchanging comparable work without compensation with the farmer employer*, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Professional athletes under contract for hire which contract gives compensation not less than that provided by this chapter are not subject thereto if a written consent not to be bound thereby, signed by the professional athlete and the employer and approved by the commission, is filed with the commission.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 176.051, is amended to read:

176.051 [ASSUMPTION OF LIABILITY.] An employer of (WORKERS ON A FAMILY FARM OR) domestics may assume the liability for compensation imposed by this chapter and such employer's purchase and acceptance of a valid insurance policy, which includes in its coverage a classification (OF WORKERS ON A FAMILY FARM OR) for domestics constitutes an assumption by the employer of such liability. *Liability for compensation imposed by this chapter may be assumed by the employing farmer for members of the immediate family, or for workers on a family farm by the purchase and acceptance of a valid insurance policy and by filing with the employing farmer's insurance company a form of such election as specified by the Workmen's Compensation Commission.* This assumption or election of liability takes effect and continues from the effective date of the policy and as long only as the policy remains in force. If during the life of any such insurance policy any employee, who is a worker on a family farm or domestic, suffers personal injury or death arising out of and in the course of his employment, the exclusive remedy of the employee or his dependents is under this chapter."

The title of S. F. No. 2984 reads as follows:

"A bill for an act relating to workmen's compensation; excluded employments, amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1."

The title of H. F. No. 2800 reads as follows:

"A bill for an act relating to workmen's compensation; defining family farm; amending Minnesota Statutes, 1973 Supplement, Sections 176.011, Subdivision 11a; 176.041, Subdivision 1; and 176.051."

SUSPENSION OF RULES

Cummiskey moved that the rules be so far suspended that S. F. No. 2984 be substituted for H. F. No. 2800 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3068 and H. F. No. 3156, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 3156, page 6, lines 6 through 10, reads: "buildings or improvements are substandard; and provided further that the exercise of the power of eminent domain under this section shall be limited to real property which includes buildings and improvements which are vacated and substandard. For the purpose of this subparagraph,";

whereas S. F. No. 3068, page 6, lines 6 through 10, reads: "buildings or improvements are substandard; and provided further that the exercise of the power of eminent domain under section

462.445, subdivision 1, clause (7) shall be limited to real property which contains buildings and improvements which are vacated and substandard. For the”.

SUSPENSION OF RULES

Casserly moved that the rules be so far suspended that S. F. No. 3068 be substituted for H. F. No. 3156 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2840 and H. F. No. 2855, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2840, page 5, lines 25 through 28 read as follows:

“(9) That the year, or the month, or the day, or the hour of the sale is omitted or incorrectly or insufficiently stated in the notice of sale or the sheriff’s certificate of sale”;

whereas, H. F. No. 2855, page 5, lines 25 and 26 read:

“(9) That the hour of sale was omitted from the notice of sale, or from the sheriff’s certificate of sale.”.

SUSPENSION OF RULES

Menke moved that the rules be so far suspended that S. F. No. 2840 be substituted for H. F. No. 2855 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2687 and H. F. No. 2953, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2687, page 5, lines 16 and 17 contains the following language:

“Sec. 7. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment.”.

H. F. No. 2953 does not contain this language.

SUSPENSION OF RULES

Long moved that the rules be so far suspended that S. F. No. 2687 be substituted for H. F. No. 2953 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3276 and H. F. No. 3412, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that the title of S. F. No. 3276 reads as follows:

“A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Sections 346.215; and 346.27.”;

whereas the title of H. F. No. 3412 reads:

"A bill for an act relating to animals; cruelty to animals; providing for disposal of certain animals; amending Minnesota Statutes 1971, Sections 346.215; and 345.27."

SUSPENSION OF RULES

Lindstrom, J., moved that the rules be so far suspended that S. F. No. 3276 be substituted for H. F. No. 3412 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3060 and H. F. No. 3183, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3060, page 1, lines 17 through 19 read "so assessed may be paid in not to exceed five equal annual installments with interest thereon, at (FIVE) *eight* percent per annum."; whereas H. F. No. 3183, page 1, lines 18 through 20 read "the cost so assessed may be paid in not to exceed (FIVE) *eight* equal annual installments with interest thereon, at five percent per annum."

In S. F. No. 3060, page 1, line 22, the headnote reads "[ABATEMENT.]"; whereas in H. F. No. 3183, page 1, line 23, the headnote reads "[ABATEMENT OR EXERCISE OF EMINENT DOMAIN.]".

S. F. No. 3060, page 1, line 24 reads "*city or town may correct the hazardous condition of any*"; whereas H. F. No. 3183, page 1, line 25 reads "*the governing body of any city, town or borough may correct*".

S. F. No. 3060, page 2, line 8 reads in part "section 463.15, subdivision 4,"; whereas H. F. No. 3183, page 2, line 9 reads in part "section 463.15, subdivision 3,".

H. F. No. 3183, page 2, line 18 through page 4, line 2, contains the following language which S. F. No. 3060 does not contain.

"Sec. 4. Minnesota Statutes 1971, Section 463.17, Subdivision 1, is amended to read:

463.17 [THE ORDER.] Subdivision 1. [CONTENTS.] The order shall be in writing; recite the grounds therefor; specify the necessary repairs, if any, and provide a reasonable time for compliance; and shall state that a motion for summary enforcement of the order will be made to the (DISTRICT) *county or municipal* court of the county in which the hazardous building is situated unless corrective action is taken, or unless an answer is filed within the time specified in section 463.18.

Sec. 5. Minnesota Statutes 1971, Section 463.17, Subdivision 3, is amended to read:

Subd. 3. [FILING.] A copy of the order with proof of service shall be filed with the clerk of (DISTRICT) *county or municipal* court of the county in which the hazardous building is located not less than five days prior to the filing of a motion pursuant to section 463.19 to enforce the order. At the time of filing such order the municipality shall file for record with the register of deeds or registrar of titles a notice of the pendency of the proceeding, describing with reasonable certainty the lands affected and the nature of the order. If the proceeding be abandoned the municipality shall within ten days thereafter file with the register of deeds a notice to that effect.

Sec. 6. Minnesota Statutes 1971, Section 463.20, is amended to read:

463.20 [CONTESTED CASES.] If an answer is filed and served as provided in section 463.18, further proceedings in the action shall be governed by the rules of civil procedure (FOR THE DISTRICT COURTS) *of the court hearing the action*, except that the action has priority over all pending civil actions and shall be tried forthwith. If the order is sustained following the trial, the court shall enter judgment and shall fix a time after which the building shall be destroyed or repaired, as the case may be in compliance with the order as originally filed or modified by the court. If the order is not sustained, it shall be annulled and set aside. The clerk of the court shall cause a copy of the judgment to be mailed forthwith to the persons upon whom the original order was served.”

S. F. No. 3060, page 2, line 24 reads in part “*provided in section 3 of this act.*”; whereas H. F. No. 3183, page 4 line 10 reads in part “*provided in section 463.161.*”

S. F. No. 3060, page 3, line 13 reads in part “sections 2 and 6”; whereas H. F. No. 3183, page 4, line 27 reads in part “sections 2 and 7”.

In the title of S. F. No. 3060, lines 5 and 6 read: “1971, Sections 463.151; 463.21; and Chapter 463, by adding sections.”; whereas, in the title of H. F. No. 3183, lines 5 through 7 read: “1971, Sections 463.151; 463.17, Subdivisions 1 and 3; 463.20; 463.21; and Chapter 463, by adding sections.”

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 3060 be substituted for H. F. No. 3183 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2995 and H. F. No. 3014, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 3014, page 2, lines 4 through 9, contain in part the following language: "*The term "project" shall also include trucks, vans and other mobile service and repair equipment used by a telephone company, registered or to be registered in this state, whether or not such equipment is permanently located or used on or in any designated site or area.*".

S. F. No. 2995 does not contain this language.

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 2995 be substituted for H. F. No. 3014 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3176 and H. F. No. 3489, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3176, page 1, lines 7 through 19, read as follows:

"Section 1. Notwithstanding Minnesota Statutes, Section 394.30, Subdivision 1, the Dakota county board of commissioners may, if it wishes to avail itself of the authority granted by Minnesota Statutes, Sections 394.21 to 394.37, create a planning advisory commission composed of one appointee from each Dakota county commissioner district appointed by the commissioners from that district and five at-large members appointed by the board of commissioners. The chairman shall be appointed as an additional member by the board of commissioners. The term of office and the procedures for removal as well as filling vacancies on the commission shall be as provided by the resolution creating the commission.";

whereas, H. F. No. 3489, page 1, lines 7 through 14, read:

"Section 1. Notwithstanding provisions of Minnesota Statutes, Section 394.30, Subdivision 1, to the contrary, the Dakota county board of commissioners may, if it wishes to avail itself of the authority granted by Minnesota Statutes, Sections 394.21 to 394.37, create a planning advisory commission composed of two appointees from each Dakota county commissioner district. Such appointments shall be annual."

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 3176 be substituted for H. F. No. 3489 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2558 and H. F. No. 3130, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 2558, page 2, lines 11 and 12, read as follows:

"Sec. 2. This act is effective the day following final enactment and subdivision 2 shall expire on July 1, 1975.";

whereas, H. F. No. 3130, page 2, lines 11 and 12, read as follows:

"Sec. 2. This act is effective the day following final enactment and shall expire on July 1, 1975."

SUSPENSION OF RULES

Brinkman moved that the rules be so far suspended that S. F. No. 2558 be substituted for H. F. No. 3130 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3272 and H. F. No. 3397, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that H. F. No. 3397, page 1, lines 10 to 18, read as follows:

"Subd. 3. Any person who has retired from the legislature and who has served at least eight years or who has served during or part of four regular sessions as a member of the legislature, may enroll himself and his dependents in the hospital benefits coverage and the medical benefits coverage at his own expense. Costs of coverage shall be at applicable group rates and shall be paid by payroll deductions, or in the manner prescribed by regulation of the commissioner.";

whereas S. F. No. 3272, page 1, lines 10 to 18, read as follows:

"Subd. 3. Any member who has served in the legislature may, following such service, enroll himself and his dependents in the hospital benefits coverage and the medical benefits coverage at his own expense. Costs of coverage shall be at applicable group rates and shall be paid by payroll deductions, or in the manner prescribed by regulation of the commissioner."

Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following final enactment."

SUSPENSION OF RULES

Brinkman moved that the rules be so far suspended that S. F. No. 3272 be substituted for H. F. No. 3397 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2971 and H. F. No. 3222, which had been referred to the Chief Clerk for comparison, were examined and found to

be identical except that S. F. No. 2971, page 2, line 8, reads as follows: "*state board of health* for a waiver of the requirements of"; whereas H. F. No. 3222, page 2, line 8, reads in part: "*board* for a waiver of the requirements of".

S. F. No. 2971, page 2, line 15, reads as follows: "(COMMISSIONER) *state board of health* upon a showing of good"; whereas H. F. No. 3222, page 2, lines 14 and 15, read in part as follows: "(COMMISSIONER) *board* upon a showing of good".

S. F. No. 2971, page 2, lines 18 and 19, read in part as follows: "(COMMISSIONER) *state board of health* may, in accordance with chapter 15,"; whereas H. F. No. 3222, page 2, line 18, reads as follows: "(COMMISSIONER) *board* may, in accordance with chapter 15,".

S. F. No. 2971, page 5, lines 1 to 7, read as follows: "payments made by or on behalf of an enrollee; or, with the prior approval of the board, payments to enrollees for obligations incurred for non-elective emergency or out-of-area services received; or with prior approval, direct payments to providers for out-of-area, non-elective, emergency, referral, medical, hospital, or other health services rendered to enrollees.";

whereas H. F. No. 3222, page 4, line 28 to page 5, line 6, reads as follows: "payments made by or on behalf of an enrollee or, with the prior approval of the board payments to enrollees for obligations incurred for non-elective emergency or out-of-area services received, or with prior approval direct payments to providers for out-of-area, non-elective emergency or referral medical, hospital or other health services rendered to enrollees.".

SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 2971 be substituted for H. F. No. 3222 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3024 and H. F. No. 3201, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 3201, page 1, line 13, reads: "the council of any municipality may provide for the"; whereas, S. F. No. 3024, page 1, line 13, reads: "the (COUNCIL) governing body of any municipality may provide".

SUSPENSION OF RULES

Wolcott moved that the rules be so far suspended that S. F. No. 3024 be substituted for H. F. No. 3201 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2740 and H. F. No. 2917, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that H. F. No. 2917, page 1, line 6 reads in

part: "office pursuant to Minnesota Statutes 1971,"; whereas S. F. No. 2740, page 1, line 6, reads: "office by appointment pursuant to Minnesota Statutes,".

SUSPENSION OF RULES

McCauley moved that the rules be so far suspended that S. F. No. 2740 be substituted for H. F. No. 2917 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3218 and H. F. No. 3188, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except after the enacting clause H. F. No. 3188, reads:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b, is amended to read:

Subd. 2b. "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8) and (10); provided that any improvement (OR ASSESSMENTS) authorized by this subdivision may be made only upon the affirmative vote of the (ELECTION) *electors* of the town at the annual town meeting or at a special town meeting held pursuant to sections 365.52 to (365.58) 365.53.

Sec. 2. This act is effective the day following final enactment.":

whereas S. F. No. 3218 after the enacting clause reads:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b, is amended to read:

Subd. 2b. "Municipality" also includes any town not having the powers granted herein pursuant to any other law in the case of construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clauses (1), (2), (4), (5), (6), (7), (8) and (10); provided that any improvement (OR ASSESSMENTS) authorized by this subdivision *and undertaken pursuant to the authority granted in this subdivision* may be made only upon the affirmative vote of the (ELECTION) *electors* of the town at the annual town meeting or at a special town meeting held pursuant to sections 365.52 to (365.58) 365.53.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 429.021, Subdivision 1, is amended to read:

429.021 [LOCAL IMPROVEMENTS, COUNCIL POWERS.] Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To *acquire, improve*, construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

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

In the title H. F. No. 3188 reads:

“A bill for an act relating to towns, local improvements, special assessments, amending Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b.”;

whereas, S. F. No. 3218, in the title, reads:

“A bill for an act relating to municipalities, local improvements, special assessments; amending Minnesota Statutes, 1973 Supplement, Sections 429.011, Subdivision 2b; and 429.021, Subdivision 1.”.

SUSPENSION OF RULES

Niehaus moved that the rules be so far suspended that S. F. No. 3218 be substituted for H. F. No. 3188 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3271 and H. F. No. 3260, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3271, page 1, lines 8 through 16, read as follows:

“Section 1. The board of county commissioners of the county of Wright may appropriate up to \$9,500 to the Annandale Pioneer Transportation Museum. This sum shall not be exceeded by the county board, including previous appropriations made for this purpose.

Sec. 2. This act shall be effective upon approval by the board of county commissioners of Wright county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.”;

whereas, S. F. No. 3260, page 1, lines 8 through 15, read:

“Section 1. The provisions of Minnesota Statutes, Section 138.052, prohibiting appropriations to any historical society not affiliated with the Minnesota historical society are not applicable to the county of Wright. The board of county commissioners of the county of Wright may appropriate such sums of money as it deems advisable to Minnesota pioneer travel park for the purposes specified in Minnesota Statutes, Section 138.052.”.

The title of S. F. No. 3271 reads:

"A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.";

whereas, the title of H. F. No. 3260 reads:

"A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money for the collection, preservation, publication and dissemination of historical material."

SUSPENSION OF RULES

Dahl moved that the rules be so far suspended that S. F. No. 3271 be substituted for H. F. No. 3260 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3159 and H. F. No. 3017, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3159, page 3, lines 10 through 16, read as follows:

"Sec. 4. [HONORING OF WARRANTIES; DURATION.] Subdivision 1. It shall be the duty of the manufacturer and dealer, jointly and severally to service or repair within a reasonable time a mobile home at the site of the mobile home in an instance in which a warranty, express or implied, is breached provided the buyer permits reasonable opportunity for repair or service.";

whereas, H. F. No. 3017, page 3, lines 10 through 16, read:

"Sec. 4. [HONORING OF WARRANTIES; DURATION.] Subdivision 1. It shall be the duty of the manufacturer and dealer, jointly and severally, to service or repair within a reasonable time a mobile home at the site of the mobile home in an instance in which a warranty, express or implied, is breached, provided the buyer permits reasonable opportunity to repair or service."

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 3159 be substituted for H. F. No. 3017 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2505 and H. F. No. 2544, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 2544, page 1, line 14, reads: "*and Ramsey counties may each appoint one referee in probate*"; whereas S. F. No. 2505, page 1, line 14, reads: "*and Ramsey counties may appoint one referee in probate who*".

SUSPENSION OF RULES

Newcome moved that the rules be so far suspended that S. F. No. 2505 be substituted for H. F. No. 2544 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3208 and H. F. No. 3405, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 3208, page 2, line 3, reads as follows: "standards of assistance for general assistance. The"; whereas H. F. No. 3405, page 2, line 3, reads as follows: "standards of assistance for general assistance. The *minimum*".

S. F. No. 3208, page 3, lines 22 to 24 read as follows: "boarding care home, as defined in section 144.50, *or is a minor residing in a facility for foster care, as defined in Minnesota Statutes, Section 257.081, Subdivision 4, at the*"; whereas H. F. No. 3405, page 3, lines 22 to 25, read as follows: "boarding care home, as defined in section 144.50, *or is placed in a county as a result of a treatment plan for health, rehabilitation, child care or training, or a correctional program at the time of making application, and*".

S. F. No. 3208, page 4, line 10, reads as follows: "*Minnesota Statutes, Section 245A.03, Subdivision 2. No*"; whereas H. F. No. 3405, page 4, lines 11 and 12, read in part: "*Minnesota Statutes, 1973 Supplement, Section 245A.03, Subdivision 2. No*".

SUSPENSION OF RULES

Nelson moved that the rules be so far suspended that S. F. No. 3208 be substituted for H. F. No. 3405 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3239 and H. F. No. 3262, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 3262, page 1, line 20, reads: "(4 HEREOF SHALL CEASE) *in an amount not to exceed \$150,000.*"; whereas S. F. No. 3239, page 1, lines 20 and 21, reads: "(4 HEREOF SHALL CEASE) *not to exceed \$150,000. This additional appropriation shall be made only once.*".

SUSPENSION OF RULES

Berg moved that the rules be so far suspended that S. F. No. 3239 be substituted for H. F. No. 3262 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3417 and H. F. No. 3480, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that after the enacting clause S. F. No. 3417 reads as follows:

"Section 1. The governor, upon recommendation of the commissioner of administration, shall transfer and convey, by quitclaim deed in such form as the attorney general approves in the name of the state of Minnesota to the city of St. Paul for parks, recreation and open space purposes, that portion of the property of the Gillette Children's Hospital located in the city of St. Paul, county of Ramsey, and described as:

Except Phalen Park, all that part of NE1/4 of SW1/4 Section 21, T29, R22 lying west and north of a line commencing at a point on south line of said NE1/4 230 ft. East of center of said SW1/4, Thence running in a northerly direction and parallel to the West line of said NE1/4 627 ft. Thence running in an easterly direction at 90 degrees 00 minutes 605 ft. more or less to the point of intersection with a line described as follows: Commencing at a point on East line of SW1/4 Sec. 21, T29, R22, and at a distance 1522.31 ft. South of center of said Section 21; Thence running in a N.W. direction on a curve of 950 ft. radius 1065.07 ft. Thence on a reversed curve of 1817.35 ft. radius 1017.61 ft. to a point on the North line of said NE1/4 of SW1/4 Sec. 21, T29, R22 distant 1287 ft. West of center of Sec. 21, T29, R22, Except Forest and Ivy Streets; containing approximately six acres, more or less.

Sec. 2. The commissioner of administration shall cause the lands to be surveyed and appraised by not less than three appraisers, at least two of whom shall be residents of Ramsey county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised, which oath shall be attached to the report of such appraisal. The lands agreed to be conveyed shall be sold for not less than the appraised value thereof, plus the cost of the survey and appraisal.

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

Whereas, after the enacting clause, H. F. No. 3480, reads as follows:

"Section 1. [CONVEYANCE OF STATE LANDS, RAMSEY COUNTY.] The governor, upon recommendation of the commissioner of administration, shall transfer and convey by quitclaim deed in the form the attorney general approves, in the name of the state of Minnesota to the city of Saint Paul, the following described land in Ramsey county owned by the state, in connection with the Gillette State Hospital:

Except Phalen Park, all that part of NE 1/4 of SW 1/4 Section 21, T29, R22 lying west and north of a line commencing at a point on south line of said NE 1/4 230 ft. East of center of said SW 1/4, thence running in a northerly direction and parallel to

the West line of said NE 1/4 627 ft. Thence running in an easterly direction at 90 degrees 00 minutes 605 ft. more or less to the point of intersection with a line described as follows: Commencing at a point on East line of SW 1/4 Section 21, T29, R22, and at a distance 1522.31 ft. South of center of said Section 21; thence running in a N.W. direction on a curve of 950 ft. radius 1065.07 ft.; thence on a reversed curve of 1817.35 ft. radius 1017.61 ft. to a point on the North line of said NE 1/4 of SW 1/4 Section 21, T29, R22 distant 1287 ft. West of center of Section 21, T29, R22, except Forest and Ivy Streets; containing approximately six acres, more or less.

Sec. 2. The consideration to be paid by the city of Saint Paul to the state for the conveyance provided for herein shall not be less than the appraised value of such described property and the cost of the appraisal as provided in Minnesota Statutes, Section 94.10. The appraisals shall be in the manner prescribed by Minnesota Statutes, Section 94.10; and in the event the city of Saint Paul does not purchase the above described land within 12 months of the appraisals herein specified, the commissioner of administration may cause the property to be reappraised. The cost of the additional appraisal shall be added to the price of the subject land.

Sec. 3. [EFFECTIVE DATE.] This act is effective on the day following its final enactment.”.

SUSPENSION OF RULES

Vento moved that the rules be so far suspended that S. F. No. 3417 be substituted for H. F. No. 3480 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3002 and H. F. No. 3109, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that after the enacting clause, S. F. No. 3002, reads as follows:

“Section 1. [LAKE COUNTY, CONSOLIDATING THE OFFICES OF TREASURER AND AUDITOR.] The Lake county board of commissioners may by resolution abolish the office of county treasurer and transfer all functions and duties performed by the office of treasurer to the office of county auditor; provided that the auditor shall continue to be an elected official. The resolution shall be published in an official newspaper of the county and shall become effective 40 days after such publication unless within such period a petition shall be filed with the Lake county board of commissioners, signed by voters equal in number to five percent of the electors voting at the last previous election for the office of governor, requesting that a referendum be held on the resolution; in which case the same shall not become effective until approved by a majority of such qualified electors voting thereon at a regular election or a special election which the county board of commissioners may call for said purpose.

Sec. 2. [EFFECTIVE DATE.] This act is effective the day following its final enactment.”;

whereas, after the enacting clause, H. F. No. 3109, reads as follows:

“Section 1. [LAKE COUNTY, CONSOLIDATING THE OFFICES OF TREASURER AND AUDITOR.] Upon expiration of the incumbent’s current term the office of the Lake county treasurer shall be abolished and all functions and duties performed by the office of treasurer shall be transferred to the office of the Lake county auditor. The auditor shall continue to be an elected official.

Sec. 2. This act is effective upon the approval of a majority of the voters of Lake county voting on the question at an election held for that purpose and upon compliance with the provisions of Minnesota Statutes, Section 645.021.”.

SUSPENSION OF RULES

Johnson, D., moved that the rules be so far suspended that S. F. No. 3002 be substituted for H. F. No. 3109 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 8, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 2889, An act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	21	101	March 8	March 8
2537		102	March 8	March 8
2952		103	March 8	March 8
3032		104	March 8	March 8
	2889	105	March 8	March 8

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1835. A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

Reported the same back with the following amendments:

Page 52, line 11, strike "A public utilities account is hereby created".

Page 52, line 12, strike "in the state treasury."

Page 52, line 14, after "to" strike the remainder of line 14 and insert the following: "the general fund. There is appropriated upon passage of the act to the department of public service from the general fund for the biennium ending June 30, 1975, the sum of \$300,000 for the purposes of this act."

Page 52, strike lines 15, 16, 17, 18.

Amend the title as follows:

Line 9 after "commission;" insert "appropriating money;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2742, A bill for an act relating to adoption; establishing a division within the department of administration to facilitate adoption of Vietnamese war orphans; appropriating money.

Reported the same back with the following amendments:

Page 1, line 24, delete "take all steps required" and insert "maintain liaison with federal authorities in their efforts".

Page 1, line 26; after "Vietnam" delete the comma and insert "and".

Page 1, line 26, delete "preparatory to" and insert ". In those instances where adoption by an American family is the most appropriate plan for the child, the department shall".

Page 1, line 27, delete "adoption,".

Page 2, line 2, delete "orphans" and insert "children".

Page 2, line 2; after "homes" insert "when being placed in an adoptive home in Minnesota".

Page 2, line 4, after "employ" insert "or contract with".

Page 2, line 4, delete "as required".

Page 2, line 5, delete "and maintain such offices".

Page 2, line 7, after "adoption" insert "and child care".

Page 2, line 12, after "orphans" insert "in those instances when adoption by a Minnesota family is considered the best plan for the child".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

Reported the same back with the following amendments:

Page 1, line 9, delete "\$252,341.55" and insert "\$120,602.81".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 3467, A bill for an act relating to licensing; providing for licensing and regulation of automatic fire sprinkler system designers, installers, maintenance and repairmen; inspection and testing of sprinkler and standpipe systems; providing penalties.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on General Legislation and Veterans Affairs.

The report was adopted.

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

S. F. No. 1977, A bill for an act relating to condominiums; allowing operation of mobile home parks and property used to accommodate mobile homes as condominiums; amending Minnesota Statutes 1971, Section 515.02, Subdivisions 2 and 6.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 3497, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reported the same back with the following amendments:

Page 1, line 9, strike "identified by the" and insert "relating thereto".

Page 1, strike lines 10 and 11.

Page 1, line 18, strike "the conclusion of the 1976" and insert "January 15, 1975".

Page 1, line 19, strike "session of the legislature".

Page 1, line 21, strike "November" and insert "January".

Page 1, line 21, after "1975" strike "," and insert ".".

Page 1, line 21, strike "but may supplement them until May 1,".

Page 1, strike lines 22 and 23.

Page 1, line 26, strike ", and may subpoena witnesses".

Page 1, line 27, strike "and records".

Page 2, line 1, strike "The commission may purchase supplies,".

Page 2, strike lines 2 to 6.

Page 2, line 7, strike "personnel".

Page 2, line 9, strike "\$50,000" and insert "\$10,000".

Page 2, strike lines 11 to 16.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 2156, A bill for an act relating to occupations and professions; regulating the definition of the practice of profes-

sional engineering; amending Minnesota Statutes 1971, Section 326.02, Subdivision 3.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 2716, A bill for an act relating to state buildings; renaming the state office building; amending Minnesota Statutes 1971, Section 16.02, Subdivision 6.

Reported the same back with the following amendments:

Page 1, line 7, delete "FLOYD B. OLSON" and insert "I. ANDERSON - E. McARTHUR".

Page 1, line 11, delete "Floyd B. Olson" and insert "*I. Anderson - E. McArthur*".

Page 1, line 15, delete "*Floyd B. Olson*" and insert "*I. Anderson - E. McArthur*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 2954, A bill for an act relating to the creation of a state economic opportunity office and director and community action agencies; appropriating money to the economic opportunity office for the purposes of this act.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. The sum of \$1,500,000 is appropriated from the general fund to the commissioner of administration. This appropriation shall be available to finance operations formerly funded in whole or in part under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; provided that:

(1) the recipient non-profit corporation or public body shall have expended all funds received under Title II, Section 221 of

the Economic Opportunity Act of 1964, as amended, and additional such funds are not available;

(2) the recipient non-profit corporation or public body shall comply with standards and criteria established by the commissioner of administration. In establishing standards and criteria the commissioner of administration shall give priority to those community action agencies which by January 1, 1975, organize and consolidate their programs so as to conform them to the state's economic development regions.

Sec. 2. Funds under this appropriation shall not be expended without the expressed approval of the legislative advisory commission; and all records related to the expenditure of funds appropriated under this act shall be subject to audit by the legislative auditor. Any funds not expended by June 30, 1975, shall revert to the general fund. It is the intent of the legislature that this shall be a final and non-recurring appropriation.

Sec. 3. The commissioner of administration may allocate from this appropriation a sum to cover prudent administrative costs; but not to exceed six percent of the appropriation.

Sec. 4. Laws 1973, Chapter 765, Section 8, is repealed.

Sec. 5. This act shall be effective the day following final enactment.”

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

“A bill for an act relating to the organization and operation of state government; appropriating money to the commissioner of administration; and repealing Laws 1973, Chapter 765, Section 8.”

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Quirin from the Committee on Government Operations to which was referred:

H. F. No. 3151, A bill for an act relating to the state, creating a designer selection board to select architects and engineers for state building projects.

Reported the same back with the following amendments:

Strike everything after the enacting clause and in lieu thereof substitute the following:

"Section 1. [CITATION.] Sections 1 to 7 may be cited as the "state designer selection board act".

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 7, the following terms shall have the meanings given them.

Subd. 2. "Agency" means any official, department or agency of the state government, and any institution under their control and the university of Minnesota, over which the commissioner of administration has the power of supervision and control.

Subd. 3. "Architect" means an architect registered to practice under Minnesota Statutes, Sections 326.02 to 326.16.

Subd. 4. "Board" means the state designer selection board.

Subd. 5. "Designer" means an architect or engineer, or a partnership, association or corporation comprised primarily of architects or engineers or of both architects and engineers.

Subd. 6. "Engineer" means an engineer registered to practice under Minnesota Statutes, Sections 326.02 to 326.16.

Subd. 7. "Person" includes an individual, corporation, partnership, association or any other legal entity.

Subd. 8. "Primary designer" means the designer who is to have primary design responsibility for a project, and does not include designers who are merely consulted by user agency and do not have substantial design responsibility, or designers who will or may be employed or consulted by the primary designer.

Subd. 9. "Project" means any undertaking to construct and erect any building or structure or remodel any building or structure by or for the state or any agency.

Subd. 10. "User agency" means the agency undertaking a specific project.

Sec. 3. [STATE DESIGNER SELECTION BOARD.] Subdivision 1. There is hereby created a state designer selection board, whose duty it shall be to carry out the purposes and assume the responsibilities set forth in sections 6 and 7.

Subd. 2. The board shall consist of five individuals, the majority of whom shall be residents of the state of Minnesota. Each of the following three organizations shall nominate one individual whose name and qualifications shall be submitted to the governor for consideration: Consulting engineers council of Minnesota after consultation with other professional engineering societies in the state; Minnesota society of architects; and

the Minnesota state arts council. The governor may appoint the three named individuals to the board but the governor may reject any individual so nominated and request a second nomination. The remaining two members shall also be appointed by the governor.

Subd. 3. The term of each board member shall be two years but the original appointment from the three organizations shall be for one, two and three years respectively. No individual shall serve for more than two consecutive terms.

Subd. 4. In addition to the foregoing five members of the board, there shall be two ex officio members who shall participate, without vote, in the interviewing and selection of designers as hereinafter provided. One such member shall be a representative of the commissioner of administration and shall participate in the interviewing and selection of designers for all projects. The other such member shall be a representative of the user agency, who shall participate in the interviewing and selection of the designer or designers for the project being undertaken by such user agency. The representative of the user agency shall be appointed by the commissioner of administration in consultation with the user agency.

Subd. 5. Members of the board, other than ex officio members, shall receive as compensation \$35 per day for each day actually spent in the performance of their duties as provided in this act, and they shall also receive their ordinary and necessary expenses in the same amount and manner as state employees.

Sec. 4. [ORGANIZATION OF BOARD; CHAIRMAN; OFFICERS; RULES OF PROCEDURE.] At the first meeting of the board, the board shall elect a chairman who shall be a voting member of the board. The board shall also elect such other officers as it deems necessary for the conduct of its affairs. The board shall adopt rules governing its operations and the conduct of its meetings. The rules shall provide for the terms of the chairman and such other officers as it may elect.

Sec. 5. [REQUEST FOR DESIGNER.] Subdivision 1. Upon undertaking a project, every user agency, except state, county and municipal highway departments and the capitol area architectural and planning commission, shall submit a written request for a primary designer or designers for its project to the commissioner of administration who shall forward such request to the board.

Subd. 2. Such written request shall include a description of the project, the estimated cost of completing the project, a description of any special requirements or unique features of the proposed project and any other information which will assist the board in carrying out its duties and responsibilities set forth in section 6.

Sec. 6. [DUTIES AND POWERS OF BOARD.] Subdivision 1. The board shall meet as often as is necessary, not less than twice annually, in order to act expeditiously upon requests submitted to it for selection of primary designers.

Subd. 2. Upon receipt of a request from a user agency for a primary designer, the board shall publicize the proposed project in order to determine the identity of designers interested in the design work on the project. The board shall establish criteria for the selection process and shall make this information public, and shall, in addition, compile data on and conduct interviews of designers. Upon completing the foregoing, the board shall select the primary designer whose home office shall be in the state of Minnesota. Notification to the commissioner of administration of such selection shall be made not more than 60 days after receipt from a user agency of a request for a primary designer. The commissioner of administration shall promptly notify the designer and the user agency. The department of administration shall negotiate the designer's fee and prepare the contract to be entered into between the designer and the user agency.

Subd. 3. No designer or their firms shall be selected in which a member of the design selection board has a current financial interest.

Subd. 4. In the event the board receives a request for a primary designer on a project, the estimated cost of which is less than \$250,000, or a planning project with estimated fees of less than \$2,500, the board may submit such request to the commissioner of administration, with or without recommendations, and the commissioner shall thereupon select the primary designer for the project.

Subd. 5. In the event the designer selected for a project declines the appointment or is unable to reach agreement with the department of administration on the fee or the terms of the contract, the commissioner of administration shall, not less than 60 days after the first appointment, request of the board that another selection be made.

Subd. 6. If the board fails to make a selection and notify the commissioner of administration thereof within 60 days of the user agency's request for a designer, the commissioner of administration may appoint a designer to the project without the recommendation of the board.

Sec. 7. [OFFICE, STAFF AND RECORDS.] The board shall be provided with suitable quarters by the department of administration for the maintenance of an office, the holding of meetings and the keeping of records. The commissioner of the department of administration shall designate an employee of the department of administration to serve as executive secretary

to the board, and shall furnish a secretarial staff to the board as is necessary for the expeditious conduct of the board's duties and responsibilities.

Sec. 8. This act is in effect the day following its final enactment."

Strike the title and in lieu thereof substitute the following:

"A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 3066, A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds; repealing Minnesota Statutes 1971, Section 617.251.

Reported the same back with the following amendments:

Page 1, line 16, strike "need for" and insert in lieu thereof "resort to".

Page 1, line 17, strike "solution" and insert in lieu thereof "response".

Page 1, line 20, after "conception." add "For purposes of this act, family planning shall not include the performance, promotion or encouragement of voluntary termination of pregnancy."

Page 2, line 3, after "programs." add "Prior to adoption of the plan by the state board of health there shall be a public hearing on the plan. Annually, the board shall, as far as practicable, publish or otherwise circulate notice of its intended program and afford interested persons opportunity to submit comments and suggestions thereto."

Page 2, line 5, after "operating" and before "programs" insert "or funding".

Page 2, line 7, after the word "use" add the word "of".

Page 2, line 14, strike "before submitting" and insert "that submits".

Page 2, line 16, strike "or any agency thereof,".

Page 2, line 16, strike "first" and insert "concurrently".

Page 2, line 25, strike "with the application".

Page 2, line 28, after the word "plan" insert a period and strike the remainder of the line.

Page 3, strike line 1.

Page 3, line 2, strike "or an agency thereof.".

Page 3, line 2, strike "enable".

Page 3, strike lines 3 and 4 and insert: "prohibit any agency, corporation, individual or other entity from making application for or receiving federal family planning funds granted."

Page 3, line 6, strike "by November 15 of each year on" and insert in lieu thereof "as part of its biennial report upon".

Page 4, line 21, after "\$" insert "200,000".

Page 4, strike lines 25 and 26.

Page 4, line 27, strike "10" and insert "9".

Page 4, line 27, strike "July".

Page 4, line 28, strike "1, 1974" and insert "on the day following final enactment".

Further amend the title as follows:

Page 1, line 5, strike the second ";" and insert ".".

Page 1, strike lines 6 and 7.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 3444, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Reported the same back with the following amendments:

Page 2, line 21, strike the "period" and insert a "semi-colon".

Page 2, after line 21, add the following:

"(j) with respect to alcohol and other drug abuse programs serving the native American community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the native American community."

Page 2, line 24, after the comma strike "an office of" and insert "the position of special assistant for".

Page 2, line 25, after "abuse" and before the period insert "and an assistant to that position".

Page 2, line 25, after the period strike "This office" and insert "The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the native American community, who shall be responsible".

Page 2, strike line 26.

Page 2, line 27, strike "associate director".

Page 3, line 1, strike "office" and insert "special assistant with the approval of the director".

Page 3, line 6, after "for" strike "the office" and insert "such native American programs".

Page 3, after line 8, add the following:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The department of public welfare may make grants to community mental health boards for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. *Grants*

made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 3. Wherever in Minnesota Statutes the word "indian" appears, the words "native American" shall be substituted. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as required by this act."

Page 3, line 9, strike "500,000" and insert "150,000".

Page 3, line 10, after "the" strike remainder of line.

Page 3, line 11, strike "within the".

Page 3, line 12, after "for" strike remainder of line and insert "the necessary staff".

Page 3, line 13, strike everything before the period.

Page 3, after line 13, add the following:

"Sec. 5. This act is effective on April 1, 1974."

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 3, strike "an office of".

Page 1, line 8, after "254A.03" and before the period insert: "; and 254A.07, Subdivision 2".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2136, A bill for an act relating to counties; providing standards for redistricting of county boards, and the appoint-

ment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

Reported the same back with the following amendments:

Page 4, line 18, strike "no" and insert "the".

Page 4, line 18, strike "is".

Page 4, line 19, after "district" insert "*is less than 10% of the average of all districts of the county*".

Page 4, line 24, after "Sec. 3." strike "Section 1, subdivisions 1, 3 and 4 are" and insert "This act is effective after January 1, 1975."

Page 4, strike lines 25 and 26.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 913, A bill for an act relating to real estate taxes; increasing the rate of interest and penalties on delinquent real estate taxes; amending Minnesota Statutes 1971, Section 279.01.

Reported the same back with the following amendments:

Page 2, after line 16, add a section to read:

"Sec. 2. This act is effective the day following its final enactment."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 3492, A bill for an act relating to taxation; providing for computation of special fuel and gasoline tax without deduction for shrinkage; amending Minnesota Statutes 1971, Sections 296.12, Subdivision 4; 296.14, Subdivision 1; and 296.18, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 296.14, Subdivision 1, is amended to read:

296.14 [GASOLINE TAX AND INSPECTION FEE MONTHLY REPORTS.] Subdivision 1. [CONTENTS; PAYMENT OF TAX; SHRINKAGE ALLOWANCE.] On or before the twenty-third day of each month, every person who is required to pay gasoline tax or inspection fee on petroleum products and every distributor shall file in the office of the commissioner at St. Paul, Minnesota, a report in a manner approved by the commissioner showing the number of gallons of petroleum products received by him during the preceding calendar month, and such other information as the commissioner may require. The number of gallons of gasoline shall be reported in U. S. standard liquid gallons (231 cubic inches), except that the commissioner may upon written application therefor and for cause shown permit the distributor to report the number of gallons of such gasoline as corrected to a 60 degree Fahrenheit temperature. If such application is granted, all gasoline covered in such application and as allowed by the commissioner must continue to be reported by the distributor on the adjusted basis for a period of one year from the date of the granting of the application. The number of gallons of petroleum products other than gasoline shall be reported as originally invoiced.

Each report shall show separately the number of gallons of aviation gasoline received by him during such calendar month.

Each report shall be accompanied by remittance covering inspection fees on petroleum products and gasoline tax on gasoline received by him during the preceding month; provided that in computing such tax a deduction of three percent of the (QUANTITY OF GASOLINE RECEIVED BY A DISTRIBUTOR) *first million gallons of gasoline received, and a deduction of one percent of the gallons in excess of one million gallons of gasoline received by a distributor*, shall be made for evaporation and loss; provided further that at the time of remittance the distributor shall submit satisfactory evidence that (ONE-THIRD OF SUCH THREE PERCENT DEDUCTION SHALL HAVE BEEN CREDITED OR PAID TO DEALERS ON QUANTITIES SOLD TO THEM) *the excise tax on one percent of the gasoline sold to dealers has been credited or paid to them*. The report and remittance shall be deemed to have been filed as herein required if postmarked on or before the twenty-third day of the month in which payable.

Sec. 2. This act is effective for taxes payable after June 30, 1974."

Further, amend the title as follows:

Line 2, strike "providing for".

Strike lines 3 and 4 and insert in lieu thereof the following: "shrinkage allowance on gasoline;".

Strike lines 6 to 8 and insert in lieu thereof the following: "Section 296.14, Subdivision 1.".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

S. F. No. 2641, A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 169.72, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 3051, A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 17, after "school" and before the comma, insert "*or a Minnesota licensed private vocational school which fulfills the requirements of Minnesota Statutes, Sections 141.21 to 141.36*".

Page 3, line 13, after "school" and before the comma, insert "*or a Minnesota licensed private vocational school which fulfills the requirements of Minnesota Statutes, Sections 141.21 to 141.36*".

Page 3, after line 20, insert the following:

"Sec. 2. Minnesota Statutes 1971, Section 326.20, Subdivision 3, is amended to read:

Subd. 3. [UNREGISTERED PRACTICE.] It shall be unlawful for any certified public accountant or any partnership containing one or more certified public accountants to engage in public practice within this state unless such certified public accountant or partnership is duly registered as provided by this section. A partnership shall be deemed in public practice within this state if it performs professional accounting services for a fee (WHILE MAINTAINING AN OFFICE WITHIN THIS STATE). A certified public accountant shall be deemed in public practice within this state if he performs professional accounting services for a fee (INCIDENTAL TO AN OFFICE WHICH HE, OR AN EMPLOYER ENGAGED IN PUBLIC PRACTICE, MAINTAINS) within this state."

Further amend the title on line 6 after "Subdivision 2" by inserting "; and Minnesota Statutes 1971, Section 326.20, Subdivision 3".

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 3358, A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims in the counties of Hennepin, Ramsey and St. Louis; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Subdivision 1. The commissioner of corrections shall develop a community based, statewide program to aid victims of reported acts of rape and aggravated sodomy.

Subd. 2. The program developed by the commissioner of corrections may include, but not be limited to provisions of the following services:

(a). Voluntary counseling by trained personnel to begin as soon as possible after an attack is reported. The counselor shall

be of the same sex as the victim and shall, if requested, accompany the victim to the hospital and to other proceedings concerning the alleged attack, including police questioning, police investigation, and court proceedings. The counselor shall also inform the victim of hospital procedures, police and court procedures, the possibility of contracting venereal disease, the possibility of pregnancy, expected emotional reactions and any other relevant information; and shall make appropriate referrals for any assistance desired by the victim.

(b) Payment of all costs of any medical examinations and medical treatment which the victim may require as a result of the attack if the victim is not otherwise reimbursed for these expenses.

Sec. 2. In addition to developing the statewide program, the commissioner of corrections may:

(a) Assist and encourage county attorneys to make diligent efforts to assure that the prosecuting attorney has had sensitivity training.

(b) Assist the peace officers training board and municipal police forces to develop programs to provide peace officers training in sensitivity and understanding of victims; and to encourage the assignment of trained peace officers of the same sex as the victim to conduct all necessary questioning of the victim.

(c) Encourage hospital administrators to place a high priority on the expeditious treatment of victims; and to retain personnel trained in sensitivity and understanding of victims.

Sec. 3. The commissioner of corrections shall seek funding from the governor's commission on crime prevention and control at the earliest possible date for purposes of this act. In addition, the commissioner of corrections shall seek and utilize all other available funding resources to establish pilot community programs to aid victims before December 1, 1974."

Further amend the title as follows:

Page 1, line 5, before "victims", strike "rape".

Page 1, line 5, after "victims" insert "of rape and aggravated sodomy."

Page 1, line 5, strike "in the counties of".

Page 1, strike lines 6 and 7.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 3581, A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 24, strike "2" and insert in lieu thereof "3".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

H. F. No. 3566, A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1835, 2742, 2974, 2156, 2716, 3151, 913, and 3492 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3115, 3119, 3079, 2984, 3068, 2840, 2687, 3276, 3060, 2995, 3176, 2558, 3272, 2971, 3024, 2740, 3218, 3271, 3159, 2505, 3208, 3239, 3417, 3002, 1977, 2136, and 2641 were read for the second time.

REPORTS OF SELECT COMMITTEES.

REPORT OF THE COMMITTEE ON ETHICS
TO THE HOUSE OF REPRESENTATIVES
OF THE STATE OF MINNESOTA

The House Committee on Ethics received a complaint on March 15, 1973, stating Representative Walter Klaus failed to file those reports required by Minnesota House of Representatives, Rule No. 70. The Committee also received a copy of a letter from Representative Klaus to the Majority Leader of the House requesting that Representative Klaus be excused from filling out the report on the grounds that he considers this "an unwarranted and unconstitutional invasion of one's privacy." The Committee notified Representative Klaus of the complaint and scheduled a meeting for Monday, March 26, 1973, to investigate the complaint.

Representative Klaus failed to attend this meeting but by letter to all Committee members stated that he would "not be appearing at the meeting of the Committee . . . inasmuch as this Committee has no jurisdiction over the matter. . . ." The Committee reviewed the jurisdiction question and consulted with the Attorney General's office. The Committee determined pursuant to such review and consultation that it did have jurisdiction pursuant to Rule No. 70.

A second hearing of the Committee was scheduled for Monday, April 9 and Representative Klaus was again notified and invited to attend this hearing. Representative Klaus attended the April 9 hearing and reported that he considered Rule No. 70 an unwarranted and unconstitutional invasion of one's privacy. The Committee gave Representative Klaus an additional few days to file. Representative Klaus again failed to file the report required pursuant to Rule No. 70. On April 10, Representative Klaus wrote to the Speaker of the House and the Majority Leader of the House requesting that he be excused from the rule and explaining why he thought Rule No. 70 was unconstitutional. The House Research Department reviewed Representative Klaus' letter in a memorandum dated April 19, 1973.

The Committee reviewed Representative Klaus' letter and the House Research memorandum and finds that subject to whatever legal or constitutional rights he may have to the contrary, Representative Klaus willfully violated House Rule No. 70 by failing to file the required statement of economic interest. The Committee recommends that this report be printed in the House Journal along with Representative Klaus' letter of April 10, 1973 and the House Research memorandum dated April 19, 1973.

TOM BERG, Chairman: SALISBURY ADAMS, CARL M. JOHNSON,
and DALE E. ERDAHL.

STATE OF MINNESOTA
HOUSE OF REPRESENTATIVES

April 19, 1973

TO: Representative Tom Berg

FROM: Jim Abelsen, Acting Director

SUBJECT: Validity of House Rule 70

The only reported case to be found which considers the validity of an enactment requiring public officers to disclose their financial condition is *City of Carmel by the Sea v. Young* (1970) 85 Cal. RPTR. 1, 466 p. 2d 225. The requirement for disclosure in that case was held invalid as a violation of the individual's privacy because there was no showing that the requirement of financial disclosure had any relationship to any possible conflict of interest which might arise in the course of his duties.

The California enactment required every public officer or candidate to file a statement describing the nature and extent of investments, other than real estate, which he, his spouse, or minor child held which were in excess of \$10,000.

It is important to note as the court pointed out, that the statute encompassed indiscriminately, persons holding office in a state or local agency regardless of the nature of the activities of the agency. This is a key point in the case and serves to distinguish the California statute from House Rule 70. The court also pointed out that the intent of the legislation could be achieved by an enactment drawn more narrowly and precisely than the one in question.

The question presented by this decision, then, is *whether or not there is any reasonable relationship between what the members of the Minnesota Legislature are required to disclose and the possible conflict of interest which might arise.*

In answer to this question, it should be pointed out that the California court in their opinion said, "It may well be that such extensive disclosure rules (i.e., all investments in excess of \$10,000) may *appropriately be imposed by the Legislature upon its own members.*" The court based this statement on the fact that a state legislator, because of his dealings with all areas of state government, including such things as appropriations and public employment, and because of the broad range of issues and policy matters with which he is involved, is in a unique position. His official duties can very easily conflict with any financial holdings or transactions which he may be involved in and there is, therefore, a valid reason for requiring disclosure.

The conclusion to be reached from a reading of the *Carmel* case is that a member of the Minnesota Legislature, contrary to what

has been suggested, cannot refuse to comply with Rule 70 on the basis of this case, and in fact, the case serves as authority for the validity of Rule 70.

In his letter of April 10, to Representative Sabo and Anderson, Representative Klaus raises a number of other issues in refusing to comply with the requirements of Rule 70.

The basic argument throughout his letter is that such disclosure is an invasion of his privacy. The *Carmel* case refutes this contention. It should also be pointed out that public officials, every since the case of *New York Times v. Sullivan*, have been treated differently than other individuals when it comes to questions of privacy. Because of the public interest in their activities, and the need for the people to be fully informed, public officials are extremely vulnerable in their private lives and business dealings. They are subject to pressures and harrassments that private citizens are not and it is very difficult for them to successfully claim an invasion of privacy or violation of any constitutional rights.

Secondly, it should be pointed out that the question of invasion of privacy involves a balancing of the state's interest in combating conflicts of interest with the individual legislator's fundamental personal liberties. In resolving this conflict, the state must show that there is some relationship between what's to be disclosed and what the conflict of interest might be. And, as indicated above, in the *Carmel* case, the legislator is in a unique position that carries with it an inherent possibility of conflict. The people's right to know far outweighs the individual legislator's right to keep his relevant financial affairs private.

Mr. Klaus also raises several provisions in the Minnesota Constitution as grounds for his refusal. He first of all cites Article VII and Article IV, Sections 4 and 25 of the Minnesota Constitution which refer to residence, voting status and house proceedings. It is his claim that Rule 70 is not covered by these sections and is, therefore, unauthorized.

In answer to these objections, Rule 70 does not increase the minimum qualifications for legislative office as prescribed by the Minnesota Constitution. Its thrust is at least twofold, to preserve the integrity of the Minnesota Legislature and to provide a vehicle whereby the Minnesota Legislature can fulfill its constitutional duties as prescribed by IV S3, 4, 14. These sections delineate specific rights and duties which the Minnesota Legislature must be concerned with—i.e., expulsion of members (IV, 4) and impeachment (IV, 14).

It is not the intent nor effect of Rule 70 to alter the present Minnesota constitutional law regarding qualifications for election to legislative office. However, once elected, the legislature is duly bound by the aforementioned constitutional provisions to uphold the integrity of the Minnesota Legislature.

Succinctly stated, Rule 70 enhances the Legislature's ability to fulfill its constitutional charge by providing necessary information.

Mr. Klaus also claims that Rule 70 is, in effect, an ex post facto law which is prohibited by Article I, Section 11 of State Constitution. This argument is also without merit. Ever since the case of *Calder v. Bull*, 3 U.S. 386, 1L. ed. 648 (1798) the prohibition on ex post facto laws has applied only to criminal statutes. Retroactive tax legislation, for instance, which imposed taxes on income earned in prior years has consistently been upheld.

It is also contended by Representative Klaus that Rule 70 implies a property test for holding office which is forbidden by Article I, Section 17. In response, it should be pointed out that if the individual has no property he can report that under Rule 70 and he will still be allowed to hold office.

Mr. Klaus next makes the point that Rule 70 is a violation of the Fourteenth Amendment, equal protection clause, in that legislators are required to do something that private citizens are not required to do. The equal protection clause, contrary to popular belief, does not provide that there can be no discrimination or differentiation between people or groups of people. Many laws, in fact, do discriminate. For instance, only adults can drink or hold a driver's license. But, what the state must show when they do differentiate between groups of people is that there is a rational basis for the distinction—in this case, the distinction between legislators and private citizens. As pointed out in the *Carmel* case, because of the unique position that a legislator occupies, it is certainly reasonable to require that a legislator report his financial status even though other citizens are not required to do so. The point that must be made in response to Mr. Klaus' equal protection argument is that as long as there is some good reason why the state requires one group of persons to do something that is not required of another group, then the equal protection clause of the U.S. Constitution has not been violated.

STATE OF MINNESOTA
HOUSE OF REPRESENTATIVES

April 10, 1973

Martin O. Sabo, Speaker
House of Representatives
Irvin N. Anderson, Chairman
Committee on Rules and Legislative Administration
State Capitol
St. Paul, Minnesota 55155

Gentlemen:

In response to your reminder of March 13 to me, Mr. Anderson, that I had not complied with Rule 70 of the House of Representa-

tives, I wrote you and asked to be excused from complying "on the grounds that I consider the Rule an unwarranted and unconstitutional invasion of one's privacy". I herewith amend and renew that request.

I earnestly ask to be excused from complying with the provisions of Rule 70 because I consider the rule to be an unwarranted and unconstitutional invasion of one's privacy and to be unconstitutional for several other reasons.

To help you understand my position let me tell you why I hold Rule 70 to be unconstitutional.

1. It is an invasion of one's privacy. Amendment IV of the United States Constitution and Section 10 of Article I of our state constitution protect us as citizens against unreasonable searches and say each shall be secure in his effects. No reason for invading this privacy is mentioned in Rule 70.

2. Rule 70 is unconstitutional in that it sets up a requirement for holding office not listed among the constitutional qualifications. I meet those of Article IV, Section 25 and am not disqualified by Sections 3, 9 or 15. I also meet the qualifications specified by Article VII and am not disqualified by any of Article VII's or other constitutional provisions or restrictions. No place does the constitution say the legislature, or one of its houses, may set up additional requirements such as publicly declaring a statement of his personal finances.

3. Even if the constitution permitted setting up of requirements for sitting in the legislature in addition to those stated in the constitution, this one would be invalid because it was added after I was elected and had in fact assumed the office.

Enactment of this rule is in effect an ex post facto law which is specifically prohibited by Article I, Section 11, of the state constitution.

At the time I filed I satisfied the constitutional requirements for holding office and was supplied with the statutes outlining the process of and rules governing the election. No place in these or anywhere else was it indicated that after one was elected and assumed office the additional requirement of filing a statement of his personal financial status would be required of a representative. Therefore Rule 70 is unconstitutional for this reason.

4. Article IV, Section 4, of the state constitution provides that each house of the legislature may set up its rules "of its proceedings". Rule 70 is an unconstitutional rule in that the constitution does not give either house the power to make rules governing matters other than its own proceedings. Rule 70 has no relation to the proceedings of the House.

5. Rule 70 is unconstitutional in that it implies a property test for holding office. Article I, Section 17, says, "No amount of property shall ever be required as a qualification for any office

of public trust under the State." It would seem this means that whether one has much property or none, the fact shall have no bearing on his constitutional right to hold office. Therefore to be required to disclose the nature or amount of one's property is an invalid demand.

6. Rule 70 is unconstitutional in that it is a violation of the fourteenth amendment of the United States Constitution. The rule does not give representatives "equal protection of the laws."

(a) A house member is required to make a disclosure not required of other citizens. This defies the equal protection clause.

(b) The house member who has certain types of property and/or debts is protected by the rules from not being required to publicly disclose them; other members with other types of assets and liabilities must disclose them.

(c) The rule discriminates further: While the rule does not disclose whether it was conceived on the assumption that the possession of property is ethical and good or that such possession is unethical and evil, it is in either case discriminatory. In fact the rule in no way indicates its reason for being. If it is to be assumed that possession of property is a virtue, it is unfair. One man whose chief assets may be \$1,000 which he has invested in stock of Northwestern Bancorporation, for example, shall disclose this fact. But the rule does not recognize for disclosure another man who may have \$20 million deposited in banks of the same corporation.

If it is to be assumed that the rule exists because possession of property is evil, the rule is also discriminating and lacking in giving equal protection. In the example above the man with assets of \$1,000 valuation must disclose his questionably acquired holdings while the man with \$20 million, however shrewdly acquired, is free not to disclose.

I have heard some talk of "conflict of interest" and fear that a house member's legislative activity may be selfishly rather than publicly oriented because of his personal economic interests. If this is in fact the reason for Rule 70 it is unconstitutional. It discriminates against the public in addition to the legislator. Continuing with the illustration: Bank interest rates are regulated by legislation. In the example above the person with \$20 million of deposits will likely be primarily interested personally in receiving high interest from the bank. An increase of even a fraction of one percent could be of considerable benefit to him. Of course the higher interest a bank might have to pay its depositors, the higher interest it would be required to charge its borrowers of the general public.

Conversely the \$1,000 stockholder has no special concern in whether the interest the bank pays depositors is at a high or

low rate. He would be only interested in the margin between rates for depositors and for borrowers. It could be to his advantage that these be kept low. Under Rule 70 he must file his relatively small investment and so he and the borrowing public must be discriminated against.

(d) In a subtle way Rule 70 also fails to provide "equal protection" and is therefore unconstitutional. The form required to be filled in under Rule 70 and Rule 70 itself provide only for a listing of certain assets and liabilities. It does not provide for a legal declaration of these. No one is required to sign and assert (to say nothing of swearing under oath) that the information given on his report is complete and correct. No one can be called for giving false or incomplete information. This discriminates against the House member who fulfills the requirement of Rule 70 in good faith (and I am sure all Representatives in the 1973 legislature who have complied with Rule 70 fall in this category). If theoretically, or, assuming the rule is retained, if in some future legislature, some members for any reason chose not to give a complete disclosure of the asked for information, he could really not be held to account for giving false or incomplete information. He could correctly say he had never said his statement was a true and complete account—he had never signed any statement to that effect; he had been required only to submit a listing above which happened to appear his name. So under the Rule he is treated equally with the man who submits a statement in good faith. This is unconstitutional discrimination against the latter.

7. The rule is also unconstitutional in that portion referring to the House Committee on Ethics complaints for its violation or failure of compliance therewith. This committee is a statutory committee set up by Minnesota Statutes 1971, 3.89, Subd. 2. Its duties and powers are specifically defined in Minnesota Statutes 1971, 3.90, which section also includes provisions for penalties against those prematurely revealing complaints. Nowhere in these sections is there provision for its jurisdiction over matters not specifically outlined in M. S. 3.87 - 3.92. Enforcement of, or jurisdiction over, the provisions of house rules or failure of compliance therewith are not among the powers and duties delineated and no place is there provision that the committee may be given such powers and duties by house rule. No place in our constitution or in other law is there provision that any officer or agency of government can have its constitutional or statutory powers or responsibilities either increased or decreased by unilateral action of one house of our state legislature. Therefore in this respect Rule 70 is unconstitutional. I hold that the house committee on ethics has no jurisdiction over noncompliance with Rule 70. Any action it may take relative to Rule 70 can have no effect of law or house rule.

In view of what I consider the blatant unconstitutionality of Rule 70 as outlined above I have chosen not to file the statement

suggested by the rule. Upon assuming the office of state representative I subscribed to an oath to uphold the constitution and laws of our state and nation. I believe I am doing just that in not filing the statement of personal economic interest. I cannot in my own conscience fulfill my oath and also file such a report.

For these reasons I hereby ask through you as Speaker of the House and Chairman of the Committee on Rules and Legislative Administration, respectively, to be excused from filing the statement of my personal financial status as suggested in Rule 70.

Sincerely,

WALTER K. KLAUS
State Representative

WKK:ce

cc: Members, Committee on Rules and
Legislative Administration
Representative Thomas Berg
Representative Dale Erdahl

Berg moved the adoption of the report and the report was adopted.

INTRODUCTION OF BILLS

Haugerud; Andersen, R.; Graba; Graw; and Berglin introduced:

H. F. No. 3689, A bill for an act relating to the organization and operation of state government; establishing sections of capitol complex security police and capitol complex security guard and information services within the division of capitol complex security in the department of public safety; appropriating money; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 1; and 299E.01, Subdivisions 2 and 4, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Appropriations.

Anderson, I.; Munger; Kelly; Eken; and LaVoy introduced:

H. F. No. 3690, A bill for an act relating to a study of transportation of grain; feasibility study to be conducted; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Anderson, I., and Munger introduced:

H. F. No. 3691, A bill for an act creating a select committee to study the impact of present and alternative methods of waste disposal from taconite production.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Pavlak, R., introduced:

H. F. No. 3692, A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

The bill was read for the first time and referred to the Committee on Judiciary.

Johnson, J.; Lindstrom, E.; Laidig; Stangeland; and Hagedorn introduced:

H. F. No. 3693, A bill for an act proposing an amendment to the Minnesota Constitution by adding an article providing for the initiative and referendum.

The bill was read for the first time and referred to the Committee on Judiciary.

Adams, J.; Salchert; Wolcott; Berglin; and Pavlak, R. L., introduced:

H. F. No. 3694, A bill for an act relating to transportation; providing that the metropolitan transit commission shall provide free bus transportation in the twin cities area; providing for the financing thereof; appropriating money.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Johnson, J.; Lindstrom, E.; Carlson, D.; Belisle; and Larson introduced:

H. F. No. 3695, A bill for an act relating to taxation; income tax; increasing credit against tax for individual and dependents; amending Minnesota Statutes 1971, Section 290.06, Subdivision 3c.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3055, A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2829, A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

H. F. No. 3322, A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

H. F. No. 3384, A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

H. F. No. 3394, A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1986, A bill for an act relating to the city of Virginia; firemens service, disability, and survivors pensions; repealing Laws 1953, Chapter 399, Sections 18, 20, and 23, as amended.

H. F. No. 2553, A bill for an act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

H. F. No. 3041, A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2675, A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

The Senate has appointed as such committee Messrs. Conzemius, Borden and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2200, A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

The Senate has appointed as such committee Messrs. Stassen, Moe and Stokowski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2996, A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Sections 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Subdivisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

The Senate has appointed as such committee Messrs. Anderson, Hughes, Sillers, O'Neill and Arnold.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 707, 2177, 2332, 2347, 2518, and 2576.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2639, 2640, 2685, 2759, and 2820.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1018 and 2812.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3162, 3183, 3233, 3301, 3355, 3360, 3394, and 3409.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2954, 3061, 3175, 3331, and 3406.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2005, 2105, 2933, 3023, and 3144.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3033.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2918, 2975, 3039, 3123, and 3287.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 2621.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2878, 3163, 3189, and 3247.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1482, 1483, 2004, 3160, 3246, 3325, 3338, and 3372.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 707, A bill for an act relating to tort liability; political subdivisions; defining notice; extending time for notice of claims and eliminating notice requirements for intentional torts and vehicular accidents; amending Minnesota Statutes 1971, Section 466.05.

The bill was read for the first time.

Hook moved that S. F. No. 707 and H. F. No. 903, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2177, A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; providing for notice to affected municipalities and political subdivisions; amending Minnesota Statutes 1971, Section 257.101, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 2332, A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

The bill was read for the first time.

Newcome moved that S. F. No. 2332 and H. F. No. 2310, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2347, A bill for an act relating to taxation; county legal assistance; appropriating money.

The bill was read for the first time.

Sieben, M., moved that S. F. No. 2347 and H. F. No. 3484, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2518, A bill for an act relating to courts; providing for the reimbursement of attorneys fees in certain actions for wages; amending Minnesota Statutes 1971, Section 549.03.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

The bill was read for the first time.

Sherwood moved that S. F. No. 2576 and H. F. No. 2591, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2639, A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2640, A bill for an act relating to courts; allowance of costs and disbursements in the supreme court.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2685, A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2759, A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

The bill was read for the first time.

Parish moved that S. F. No. 2759 and H. F. No. 3063, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2820, A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

The bill was read for the first time and referred to the Committee on Local Government.

S. F. No. 1018, A bill for an act relating to highway traffic regulations; requiring certain equipment on motor vehicles sold after a certain date; amending Minnesota Statutes 1971, Sections 169.57, Subdivision 1; and 169.64, Subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 2812, A bill for an act relating to state parks; authorizing the commissioner of natural resources to transfer administration and control of the Fort Snelling chapel to the Minnesota historical society; transferring money; authorizing the leasing of a portion of the premises.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 3162, A bill for an act relating to the city of Minneapolis; survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 23, Subdivision 7.

The bill was read for the first time.

Kahn moved that S. F. No. 3162 and H. F. No. 3254, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3183, A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; permitting mortgage liens on the property of the authority; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Section 7, Subdivisions 1 and 3; and by adding a section.

The bill was read for the first time.

Jaros moved that S. F. No. 3183 and H. F. No. 3272, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3233, A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

The bill was read for the first time.

Sieben, M., moved that S. F. No. 3233 and H. F. No. 3314, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3301, A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 3355, A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 3360, A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

The bill was read for the first time.

Quirin moved that S. F. No. 3360 and H. F. No. 3432, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3394, A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 3409, A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

S. F. No. 2954, A bill for an act relating to the department of education, division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 3061, A bill for an act relating to state parks; prohibiting littering; providing a penalty; amending Minnesota Statutes 1971, Section 85.20, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 3175, A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5, and by adding a subdivision; 145.63; and 145.64.

The bill was read for the first time.

Swanson moved that S. F. No. 3175 and H. F. No. 3445, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3331, A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 3406, A bill for an act relating to historic sites; designating additional historical sites and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 2005, A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2105, A bill for an act relating to game and fish; wearing of red or orange clothing; amending Minnesota Statutes 1971, Section 100.29, Subdivision 8.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 2933, A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

The bill was read for the first time.

Pehler moved that S. F. No. 2933 and H. F. No. 2847, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3023, A bill for an act relating to municipal industrial development; definitions; issuance of bonds; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 474.06.

The bill was read for the first time.

Casserly moved that S. F. No. 3023 and H. F. No. 2938, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3144, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the

Association of Minnesota Counties in membership in the public employees retirement association; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Chapter 353, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.03, Subdivision 1; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.31, Subdivision 1; 353.32, Subdivision 1; 353.651, Subdivision 2; 353.657, Subdivision 3; and 353.71, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

The bill was read for the first time.

Parish moved that S. F. No. 3144 and H. F. No. 3307, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3033, A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivision 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivision 1; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11, and by adding a subdivision; and 354.58; and Chapter 354, by adding sections; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

The bill was read for the first time.

Moe moved that S. F. No. 3033 and H. F. No. 3100, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2918, A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

The bill was read for the first time.

Sieben, H., moved that S. F. No. 2918 and H. F. No. 3348, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2975, A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for county road and bridge purposes.

The bill was read for the first time.

Pavlak, R. L., moved that S. F. No. 2975 and H. F. No. 3138, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3039, A bill for an act relating to courts; prescribing requirements for decisions of courts of records; prescribing penalties; amending Minnesota Statutes 1971, Section 546.27.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

The bill was read for the first time.

Stanton moved that S. F. No. 3123 and H. F. No. 3246, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3287, A bill for an act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Stat-

utes, 1973 Supplement, Sections 402.02, Subdivision 2; 402.03; 402.05, Subdivision 2; 402.06; and 402.08.

The bill was read for the first time.

Swanson moved that S. F. No. 3287 and H. F. No. 3404, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2621, A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes 1971, Section 326.20, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2878, A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

The bill was read for the first time and referred to the Committee on Higher Education.

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

The bill was read for the first time.

Hanson moved that S. F. No. 3163 and H. F. No. 3244, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3189, A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social and environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

The bill was read for the first time.

Berglin moved that S. F. No. 3189 and H. F. No. 3179, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3247, A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

S. F. No. 1482, A bill for an act relating to limitation of action for damages based on errors in the survey of land, services or construction to improve real property; amending Minnesota Statutes 1971, Section 541.051, Subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1483, A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes, 1973 Supplement, Sections 514.01; and 514.05.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2004, A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of highway patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

The bill was read for the first time.

Andersen, R., moved that S. F. No. 2004 and H. F. No. 1700, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3160, A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

The bill was read for the first time.

Sieben, H., moved that S. F. No. 3160 and H. F. No. 3309, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government.

S. F. No. 3325, A bill for an act relating to public health; requiring reporting of certain information by ambulance service

operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 3338, A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

The bill was read for the first time.

Quirin moved that S. F. No. 3338 and H. F. No. 3474, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3372, A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

The bill was read for the first time.

Berglin moved that S. F. No. 3372 and H. F. No. 3481, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders for today, Monday, March 11, 1974, to be acted upon immediately following H. F. No. 3104, already continued as a Special Order for today: H. F. Nos. 1634, 2872, 3027, 3544, 3395, 3313, 3314, 3244, 3035, 2990, 3436, 1834, 3032, 2477, and 3190; and further designated that H. F. No. 2292, as it appears on Special Orders for Monday, March 11, 1974, shall be taken out of its order of sequence and acted upon immediately following H. F. No. 2243.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, made the following report and moved its adoption:

Amend Rule 47 of the Permanent Rules of the House for the 68th Session as they appear in the Journal of the House for the first day, Tuesday, January 2, 1973, and as amended on the forty-third day, Tuesday, April 24, 1973, as follows:

Add a sentence to read, "No notice of intention to move for reconsideration shall be in order after Thursday, March 14, 1974."

The question was taken on the adoption of the report. The report was adopted and the Permanent Rules of the House for the 68th Session were amended.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, LaVoy reported on the progress of H. F. No. 1489, now in Conference Committee.

Pursuant to Joint Rule 13, Growe reported on the progress of S. F. No. 1060, now in Conference Committee.

Pursuant to Joint Rule 13, McCarron reported on the progress of S. F. No. 973, now in Conference Committee.

CONSENT CALENDAR

S. F. No. 2781, A bill for an act relating to the office of the district court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Heinitz	Long	Pavliak, R.
Adams, S.	DeGroat	Hook	Mann	Pavliak, R. L.
Andersen, R.	Dieterich	Jacobs	McArthur	Pehler
Anderson, D.	Dirlam	Jaros	McCarron	Peterson
Anderson, G.	Eckstein	Johnson, C.	McCauley	Pieper
Anderson, I.	Eken	Johnson, D.	McEachern	Pleasant
Becklin	Enebo	Johnson, J.	McFarlin	Prahl
Belisle	Erdahl	Jude	McMillan	Quirin
Bell	Erickson	Kahn	Menke	Resner
Bennett	Esau	Kelly	Miller, D.	Rice
Berg	Faricy	Kempe	Miller, M.	Ryan
Berglin	Ferderer	Klaus	Moe	St. Onge
Biersdorf	Fjoslien	Knickerbocker	Mueller	Samuelson
Braun	Forsythe	Knoll	Munger	Sarna
Brinkman	Fudro	Kostohryz	Nelson	Savelkoul
Carlson, A.	Fugina	Kvam	Newcome	Schreiber
Carlson, B.	Graba	Laidig	Niehaus	Schulz
Carlson, L.	Graw	Larson	Norton	Searle
Casserly	Growe	LaVoy	Ohnstad	Sherwood
Clifford	Hagedorn	Lemke	Ojala	Sieben, H.
Connors	Hanson	Lindstrom, E.	Parish	Sieben, M.
Culhane	Haugerud	Lombardi	Patton	Skaar

Smith	Stanton	Vanasek	Weaver	Wohlwend
Spanish	Swanson	Vento	Wenzel	Wolcott
Stangeland	Ulland	Voss	Wigley	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3249, A bill for an act relating to the city of Winona; authorizing the transfer of interests in certain real property to the port authority of Winona.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jude	Moe	Schreiber
Andersen, R.	Eckstein	Kahn	Munger	Schulz
Anderson, D.	Eken	Kelly	Nelson	Searie
Anderson, G.	Enebo	Kempe	Newcome	Sherwood
Anderson, I.	Erdahl	Klaus	Niehaus	Sieben, H.
Becklin	Erickson	Knickerbocker	Norton	Sieben, M.
Belisle	Esau	Knoll	Ohnstad	Skaar
Bell	Faricy	Kostohryz	Ojala	Smith
Bennett	Ferderer	Kvam	Parish	Spanish
Berg	Fjoslien	Laidig	Patton	Stangeland
Berglin	Forsythe	Larson	Pavlak, R.	Stanton
Biersdorf	Fudro	LaVoy	Paviak, R. L.	Swanson
Braun	Fugina	Lemke	Pehler	Tomlinson
Brinkman	Graba	Lindstrom, E.	Peterson	Ulland
Carlson, A.	Graw	Lombardi	Pieper	Vanasek
Carlson, B.	Grove	Long	Pleasant	Vento
Carlson, L.	Hagedorn	Mann	Prahl	Voss
Casserly	Hanson	McArthur	Quirin	Weaver
Cleary	Haugerud	McCarron	Resner	Wenzel
Clifford	Heinitz	McCauley	Rice	Wigley
Connors	Hook	McEachern	Ryan	Wohlwend
Culhane	Jacobs	McFarlin	St. Onge	Wolcott
Cummiskey	Jaros	McMillan	Salchert	Mr. Speaker
Dahl	Johnson, C.	Menke	Samuelson	
DeGroat	Johnson, D.	Miller, D.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 3389, A bill for an act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J	Miller, D.	Samuelson
Adams, S.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehhaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Uiland
Carlson, L.	Hagedorn	Long	Pieper	Vento
Casserly	Hanson	Mann	Pleasant	Voss
Cleary	Haugerud	McArthur	Prahl	Weaver
Clifford	Heinitz	McCarron	Quirin	Wenzel
Connors	Hook	McCauley	Resner	Wigley
Culhane	Jacobs	McEachern	Rice	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
Dahl	Johnson, C.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, D.	Menke	Salchert	

The bill was passed and its title agreed to.

S. F. No. 2949, A bill for an act relating to retirement; state contributions to certain teachers retirement associations; amending Minnesota Statutes 1971, Section 354.201, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Ferderer	Johnson, J.	Long
Adams, S.	Cleary	Fjoslien	Jude	Mann
Andersen, R.	Clifford	Forsythe	Kahn	McArthur
Anderson, D.	Connors	Fudro	Kelly	McCarron
Anderson, G.	Culhane	Fugina	Kempe	McCauley
Anderson, I.	Cummiskey	Graba	Klaus	McEachern
Becklin	Dahl	Graw	Knickerbocker	McFarlin
Belisle	DeGroat	Grove	Knoll	McMillan
Bennett	Dieterich	Hagedorn	Kostohryz	Menke
Berg	Dirlam	Hanson	Kvam	Miller, D.
Berglin	Eckstein	Haugerud	Laidig	Miller, M.
Biersdorf	Eken	Heinitz	Larson	Moe
Braun	Enebo	Hook	LaVoy	Mueller
Brinkman	Erdahl	Jacobs	Lemke	Munger
Carlson, A.	Erickson	Jaros	Lindstrom, E.	Nelson
Carlson, B.	Esau	Johnson, C.	Lindstrom, J.	Newcome
Carlson, L.	Faricy	Johnson, D.	Lombardi	Niehhaus

Norton	Pieper	Savelkoul	Spanish	Wenzel
Ohnstad	Pleasant	Schreiber	Stangeland	Wigley
Ojala	Prahl	Schulz	Stanton	Wohlwend
Parish	Quirin	Searle	Swanson	Wolcott
Patton	Resner	Sherwood	Tomlinson	Mr. Speaker
Pavlak, R.	Ryan	Sieben, H.	Ulland	
Pavlak, R. L.	St. Onge	Sieben, M.	Vento	
Pehler	Salchert	Skaar	Voss	
Peterson	Samuelson	Smith	Weaver	

The bill was passed and its title agreed to.

S. F. No. 2951, A bill for an act relating to retirement; tax levy for certain teachers retirement funds; amending Minnesota Statutes 1971, Section 354.20; repealing Laws 1969, Chapter 1106.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Growe	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vento
Casserly	Hanson	Mann	Pleasant	Voss
Cleary	Haugerud	McArthur	Prahl	Weaver
Clifford	Heinitz	McCarron	Quirin	Wenzel
Connors	Hook	McCauley	Resner	Wigley
Culhane	Jacobs	McEachern	Rice	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
Dahl	Johnson, C.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, D.	Menke	Salchert	

The bill was passed and its title agreed to.

S. F. No. 2973 was reported to the House.

There being no objection, S. F. No. 2973 was continued for one day.

S. F. No. 2972, A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Sarna
Adams, S.	Dirlam	Jude	Miller, M.	Savelkoul
Andersen, R.	Eckstein	Kahn	Moe	Schreiber
Anderson, D.	Eken	Kelly	Mueller	Schulz
Anderson, G.	Enebo	Kempe	Nelson	Searle
Anderson, I.	Erdahl	Klaus	Newcome	Sherwood
Becklin	Erickson	Knickerbocker	Niehaus	Sieben, H.
Belisle	Esau	Knoll	Norton	Sieben, M.
Bell	Faricy	Kostohryz	Ohnstad	Skaar
Bennett	Ferderer	Kvam	Ojala	Smith
Berg	Fjoslien	Laidig	Parish	Spanish
Berglin	Forsythe	Larson	Patton	Stangeland
Biersdorf	Fudro	LaVoy	Pavliak, R.	Stanton
Braun	Fugina	Lemke	Pavliak, R. L.	Swanson
Brinkman	Graba	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Growe	Lombardi	Pieper	Vanasek
Carlson, D.	Hagedorn	Long	Pleasant	Vento
Carlson, L.	Hanson	Mann	Prahl	Voss
Casserly	Haugerud	McArthur	Quirin	Weaver
Cleary	Heinitz	McCarron	Resner	Wenzel
Clifford	Hook	McCauley	Rice	Wigley
Connors	Jacobs	McEachern	Ryan	Wohlwend
Culhane	Jaros	McFarlin	St. Onge	Wolcott
Dahl	Johnson, C.	McMillan	Salchert	Mr. Speaker
DeGroat	Johnson, D.	Menke	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 2450, A bill for an act relating to the fire department relief association of the village of Falcon Heights; providing certain benefits for volunteer firemen and their survivors; amending Laws 1969, Chapter 526, Sections 5; and 7; and by adding a section; repealing Laws 1969, Chapter 526, Sections 2 and 6.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, D.	Becklin	Bennett	Biersdorf
Adams, S.	Anderson, G.	Belisle	Berg	Braun
Andersen, R.	Anderson, I.	Bell	Berglin	Brinkman

Carlson, A.	Fudro	Kvam	Newcome	Schreiber
Carlson, B.	Fugina	Laidig	Niehaus	Schulz
Carlson, D.	Graba	Larson	Norton	Searle
Carlson, L.	Graw	LaVoy	Ohnstad	Sherwood
Casserly	Grove	Lemke	Ojala	Sieben, H.
Cleary	Hagedorn	Lindstrom, E.	Parish	Sieben, M.
Connors	Hanson	Lindstrom, J.	Patton	Skaar
Culhane	Haugerud	Lombardi	Pavlak, R.	Smith
Cummiskey	Heinitz	Long	Pavlak, R. L.	Spanish
Dahl	Hook	Mann	Pehler	Stangeland
DeGroat	Jacobs	McArthur	Peterson	Stanton
Dieterich	Jaros	McCarron	Pieper	Swanson
Dirlam	Johnson, C.	McCauley	Pleasant	Tomlinson
Eckstein	Johnson, D.	McEachern	Prahl	Ulland
Eken	Johnson, J.	McFarlin	Quirin	Vanasek
Enebo	Jude	McMillan	Resner	Vento
Erdahl	Kahn	Menke	Rice	Voss
Erickson	Kelly	Miller, D.	Ryan	Weaver
Esau	Kempe	Miller, M.	St. Onge	Wenzel
Faricy	Klaus	Moe	Salchert	Wigley
Ferderer	Knickerbocker	Mueller	Samuelson	Wohlwend
Fjoslien	Knoll	Munger	Sarna	Wolcott
Forsythe	Kostohryz	Nelson	Savelkoul	Mr. Speaker

Those who voted in the negative were:

Clifford

The bill was passed and its title agreed to.

S. F. No. 3426, A bill for an act relating to the city of Cannon Falls; construction and lease of hospitals, nursing homes, and related medical facilities.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Esau	Johnson, D.	Lombardi
Adams, S.	Carlson, L.	Ferderer	Johnson, J.	Long
Andersen, R.	Casserly	Fjoslien	Jude	Mann
Anderson, D.	Cleary	Forsythe	Kahn	McArthur
Anderson, G.	Clifford	Fudro	Kelly	McCarron
Anderson, I.	Connors	Fugina	Kempe	McCauley
Becklin	Culhane	Graba	Klaus	McEachern
Belisle	Cummiskey	Graw	Knickerbocker	McFarlin
Bell	Dahl	Grove	Knoll	McMillan
Bennett	DeGroat	Hagedorn	Kostohryz	Menke
Berg	Dieterich	Hanson	Kvam	Miller, D.
Berglin	Dirlam	Haugerud	Laidig	Miller, M.
Biersdorf	Eckstein	Heinitz	Larson	Moe
Braun	Eken	Hook	LaVoy	Mueller
Brinkman	Enebo	Jacobs	Lemke	Munger
Carlson, A.	Erdahl	Jaros	Lindstrom, E.	Nelson
Carlson, B.	Erickson	Johnson, C.	Lindstrom, J.	Newcome

Niehaus	Peterson	Samuelson	Skaar	Voss
Norton	Pieper	Sarna	Smith	Weaver
Ohnstad	Prahl	Savelkoul	Spanish	Wenzel
Ojala	Quirin	Schreiber	Stangeland	Wigley
Parish	Resner	Schulz	Stanton	Wohlwend
Patton	Rice	Searle	Swanson	Wolcott
Pavlak, R.	Ryan	Sherwood	Tomlinson	Mr. Speaker
Pavlak, R. L.	St. Onge	Sieben, H.	Vanasek	
Pehler	Salchert	Sieben, M.	Vento	

Those who voted in the negative were:

Faricy Ulland

The bill was passed and its title agreed to.

S. F. No. 2953, A bill for an act relating to state lands; direct-
ing conveyance of a certain parcel of land in Otter Tail county.

The bill was read for the third time and placed upon its final
passage.

The question being taken on the passage of the bill and the roll
being called, there were yeas 130, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Braun	Fudro	LaVoy	Patton	Stangeland
Brinkman	Fugina	Lemke	Pavlak, R.	Stanton
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Grove	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Casserly	Hanson	Mann	Pleasant	Vento
Cleary	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Weaver
Connors	Hook	McCauley	Resner	Wenzel
Culhane	Jacobs	McEachern	Rice	Wigley
Cummiskey	Jaros	McFarlin	Ryan	Wohlwend
Dahl	Johnson, C.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, D.	Menke	Salchert	Mr. Speaker

Those who voted in the negative were:

Biersdorf

The bill was passed and its title agreed to.

S. F. No. 3169, A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Moe	Schreiber
Adams, S.	Dirlam	Kahn	Mueller	Schulz
Andersen, R.	Eckstein	Kelly	Munger	Searle
Anderson, D.	Eken	Kempe	Nelson	Sherwood
Anderson, G.	Enebo	Klaus	Newcome	Sieben, H.
Anderson, I.	Erdahl	Knickerbocker	Niehaus	Sieben, M.
Becklin	Erickson	Knoll	Norton	Skaar
Belisle	Esau	Kostohryz	Ohnstad	Smith
Bell	Faricy	Kvam	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Graw	Lombardi	Pieper	Vento
Carlson, B.	Growe	Long	Pleasant	Voss
Carlson, D.	Hagedorn	Mann	Prahl	Weaver
Carlson, L.	Hanson	McArthur	Quirin	Wenzel
Cassery	Haugerud	McCarron	Resner	Wigley
Cleary	Heinitz	McCauley	Rice	Wohlwend
Clifford	Hook	McEachern	Ryan	Wolcott
Connors	Jacobs	McFarlin	St. Onge	Mr. Speaker
Culhane	Jaros	McMillan	Salchert	
Cummiskey	Johnson, C.	Menke	Samuelson	
Dahl	Johnson, D.	Miller, D.	Sarna	
DeGroat	Johnson, J.	Miller, M.	Savelkoul	

The bill was passed and its title agreed to.

S. F. No. 1865, A bill for an act relating to plumbers; fees for examination and licensing; amending Minnesota Statutes 1971, Section 326.42.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 100, and nays 22, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Cassery	DeGroat	Enebo
Andersen, R.	Berg	Connors	Dieterich	Faricy
Anderson, I.	Biersdorf	Culhane	Dirlam	Ferderer
Belisle	Brinkman	Cummiskey	Eckstein	Forsythe
Bell	Carlson, L.	Dahl	Eken	Fudro

Fugina	Knickerbocker	McMillan	Pehler	Sieben, H.
Graba	Knoll	Menke	Peterson	Sieben, M.
Graw	Kostohryz	Miller, D.	Prahl	Stanton
Growe	Laidig	Miller, M.	Quirin	Swanson
Hanson	LaVoy	Moe	Resner	Tomlinson
Haugerud	Lemke	Mueller	Rice	Ulland
Jacobs	Lindstrom, E.	Munger	Ryan	Vanasek
Jaros	Lindstrom, J.	Nelson	St. Onge	Vento
Johnson, C.	Lombardi	Newcome	Salchert	Voss
Johnson, D.	Long	Norton	Samuelson	Weaver
Jude	Mann	Ojala	Sarna	Wenzel
Kahn	McArthur	Parish	Savelkoul	Wigley
Kelly	McCarron	Patton	Schreiber	Wohlwend
Kempe	McCauley	Pavlak, R.	Schulz	Wolcott
Klaus	McEachern	Pavlak, R. L.	Sherwood	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Carlson, D.	Hagedorn	Niehaus	Smith
Anderson, D.	Cleary	Heinitz	Ohnstad	Stangeland
Becklin	Clifford	Hook	Pieper	
Berglin	Erickson	Johnson, J.	Searle	
Carlson, A.	Fjoslien	Kvam	Skaar	

The bill was passed and its title agreed to.

H. F. No. 3400 was reported to the House.

Patton moved to amend H. F. No. 3400, the printed bill, as follows:

Page 3, line 19, after the period insert: "*If the total amount to be repaid, including principal and interest exceeds \$2,000, repayment may be made in three equal installments over a period of 18 months, with interest accrued during the period of repayment added to the final installment.*"

The motion prevailed and the amendment was adopted.

Moe moved to amend H. F. No. 3400, the printed bill, as follows:

Page 2, line 26, after the word "*plus*" and before the word "*eight*" insert the following: "*, beginning January 1, 1973.*"

The motion prevailed and the amendment was adopted.

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; and highway patrolmen retirement; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivi-

sion 1; and 352D.02, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 90, and nays 38, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kelly	Nelson	Sarna
Andersen, B.	Dieterich	Knickerbocker	Newcome	Schulz
Anderson, G.	Dirlam	Knoll	Norton	Searle
Anderson, I.	Eckstein	Kostohryz	Ojala	Sherwood
Bell	Eken	LaVoy	Parish	Sieben, H.
Bennett	Enebo	Lemke	Patton	Sieben, M.
Berg	Fudro	Lindstrom, J.	Pavlak, R.	Smith
Berglin	Fugina	Mann	Paviak, R. L.	Spanish
Biersdorf	Graba	McArthur	Pehler	Swanson
Brinkman	Growe	McCarron	Peterson	Tomlinson
Carlson, A.	Hanson	McCauley	Prahl	Ulland
Carlson, B.	Haugerud	McEachern	Quirin	Vanasek
Carlson, D.	Jacobs	McMillan	Resner	Vento
Carlson, L.	Jaros	Menke	Rice	Voss
Casserly	Johnson, C.	Miller, D.	Ryan	Weaver
Connors	Johnson, D.	Moe	St. Onge	Wohlwend
Culhane	Jude	Mueller	Salchert	Wolcott
Cummiskey	Kahn	Munger	Samuelson	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Erdahl	Hagedorn	Lindstrom, E.	Schreiber
Anderson, D.	Erickson	Heinitz	Lombardi	Skaar
Becklin	Esau	Hook	Long	Stangeland
Belisle	Faricy	Johnson, J.	Miller, M.	Stanton
Braun	Ferderer	Kempe	Niehaus	Wenzel
Cleary	Fjoslien	Klaus	Ohnstad	Wigley
Clifford	Forsythe	Kvam	Pieper	
DeGroat	Graw	Laidig	Pleasant	

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

H. F. No. 2525 was reported to the House.

There being no objection, H. F. No. 2525 was continued for one day.

H. F. No. 2967, A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Miller, D.	Samuelson
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Sarna
Andersen, R.	Dirlam	Jude	Moe	Schreiber
Anderson, D.	Eckstein	Kahn	Mueller	Schulz
Anderson, G.	Eken	Kelly	Munger	Searle
Anderson, I.	Enebo	Kempe	Nelson	Sherwood
Becklin	Erdahl	Klaus	Newcome	Sieben, H.
Belisle	Erickson	Knickerbocker	Niehaus	Sieben, M.
Bell	Esau	Kostohryz	Norton	Skaar
Bennett	Faricy	Kvam	Ohnstad	Smith
Berg	Ferderer	Laidig	Ojala	Spanish
Berglin	Fjoslien	Larson	Parish	Stangeland
Biersdorf	Forsythe	LaVoy	Patton	Stanton
Braun	Fudro	Lemke	Pavlak, R.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Lindstrom, J.	Pehler	Ulland
Carlson, B.	Graw	Lombardi	Peterson	Vanasek
Carlson, D.	Growe	Long	Pieper	Vento
Carlson, L.	Hagedorn	Mann	Pleasant	Voss
Casserly	Hanson	McArthur	Prahl	Weaver
Cleary	Haugerud	McCarron	Quirin	Wenzel
Clifford	Heinitz	McCauley	Resner	Wigley
Connors	Hook	McEachern	Rice	Wohlwend
Culhane	Jacobs	McFarlin	Ryan	Wolcott
Cummiskey	Jaros	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Menke	Salchert	

The bill was passed and its title agreed to.

S. F. No. 2568, A bill for an act relating to the city of Cooley in Itasca county; providing for the dissolution of the city of Cooley.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Enebo	Haugerud	Kostohryz
Adams, S.	Carlson, D.	Erdahl	Heinitz	Kvam
Andersen, R.	Carlson, L.	Erickson	Hook	Laidig
Anderson, D.	Casserly	Esau	Jacobs	Larson
Anderson, G.	Cleary	Faricy	Jaros	LaVoy
Anderson, I.	Clifford	Ferderer	Johnson, C.	Lemke
Becklin	Connors	Fjoslien	Johnson, D.	Lindstrom, E.
Belisle	Culhane	Forsythe	Johnson, J.	Lindstrom, J.
Bell	Cummiskey	Fudro	Jude	Lombardi
Bennett	Dahl	Fugina	Kahn	Long
Berg	DeGroat	Graba	Kelly	Mann
Berglin	Dieterich	Graw	Kempe	McArthur
Braun	Dirlam	Growe	Klaus	McCarron
Brinkman	Eckstein	Hagedorn	Knickerbocker	McCauley
Carlson, A.	Eken	Hanson	Knoll	McEachern

McFarlin	Norton	Quirin	Sherwood	Vanasek
McMillan	Ohnstad	Rice	Sieben, H.	Vento
Menke	Parish	Ryan	Sieben, M.	Voss
Miller, D.	Patton	St. Onge	Skaar	Weaver
Miller, M.	Pavlak, R.	Salchert	Smith	Wenzel
Moe	Pavlak, R. L.	Samuelson	Spanish	Wigley
Mueller	Pehler	Sarna	Stangeland	Wohlwend
Munger	Peterson	Savelkoul	Stanton	Wolcott
Nelson	Pieper	Schreiber	Swanson	Mr. Speaker
Newcome	Pleasant	Schulz	Tomlinson	
Niehaus	Prahl	Searle	Ulland	

Those who voted in the negative were:

Ojala Resner

The bill was passed and its title agreed to.

S. F. No. 2607, A bill for an act relating to cemeteries; authorizing disbursement of funds for maintenance of abandoned or neglected cemeteries; amending Minnesota Statutes 1971, Section 306.243, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Growe	Lombardi	Peterson	Ulland
Carlson, D.	Hagedorn	Long	Pieper	Vanasek
Carlson, L.	Hanson	Mann	Pleasant	Vento
Casserly	Haugerud	McArthur	Prahl	Voss
Cleary	Heinitz	McCarron	Quirin	Weaver
Connors	Hook	McCauley	Resner	Wenzel
Culhane	Jacobs	McEachern	Rice	Wigley
Cummiskey	Jaros	McFarlin	Ryan	Wohlwend
Dahl	Johnson, C.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, D.	Menke	Salchert	Mr. Speaker

Those who voted in the negative were:

Clifford

The bill was passed and its title agreed to.

S. F. No. 1902, A bill for an act relating to Itasca county; authorizing issuance of additional on-sale intoxicating liquor licenses.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Nelson	Schulz
Adams, S.	Eckstein	Kempe	Newcome	Sieben, H.
Andersen, R.	Eken	Knickerbocker	Niehaus	Sieben, M.
Anderson, G.	Enebo	Knoll	Norton	Spanish
Anderson, I.	Faricy	Kostohryz	Ojala	Stangeland
Belisle	Ferderer	Laidig	Parish	Stanton
Bell	Forsythe	LaVoy	Patton	Swanson
Bennett	Fudro	Lemke	Pavlak, R.	Tomlinson
Berg	Fugina	Lindstrom, E.	Pavlak, R. L.	Ulland
Berglin	Graba	Lindstrom, J.	Pehler	Vanasek
Biersdorf	Graw	Lombardi	Peterson	Vento
Braun	Grove	McArthur	Pieper	Voss
Carlson, A.	Hanson	McCarron	Pleasant	Weaver
Carlson, B.	Haugerud	McCauley	Prahl	Wenzel
Carlson, L.	Heinitz	McEachern	Quirin	Wigley
Casserly	Jacobs	McMillan	Resner	Wohlwend
Cleary	Jaros	Menke	Rice	Wolcott
Clifford	Johnson, C.	Miller, D.	Ryan	Mr. Speaker
Connors	Johnson, D.	Miller, M.	St. Onge	
Culhane	Johnson, J.	Moe	Salchert	
Cummiskey	Jude	Mueller	Samuelson	
Dahl	Kahn	Munger	Sarna	

Those who voted in the negative were:

Becklin	Erickson	Hook	Long	Searle
Carlson, D.	Esau	Klaus	Ohnstad	Sherwood
DeGroat	Fjoslien	Kvam	Savelkoul	Skaar
Erdahl	Hagedorn	Larson	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 3432, A bill for an act relating to the Western Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Miller, D.	Sarna
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Saveikoul
Andersen, R.	Dirlam	Jude	Moe	Schreiber
Anderson, D.	Eckstein	Kahn	Mueller	Schulz
Anderson, G.	Eken	Kelly	Munger	Searle
Anderson, I.	Enebo	Kempe	Nelson	Sherwood
Becklin	Erdahl	Klaus	Newcome	Sieben, H.
Belisle	Erickson	Knickerbocker	Niehaus	Sieben, M.
Bell	Esau	Knoll	Norton	Skaar
Bennett	Faricy	Kostohryz	Ohnstad	Smith
Berg	Ferderer	Kvam	Ojala	Spanish
Berglin	Fjoslien	Larson	Parish	Stangeland
Biersdorf	Forsythe	La Voy	Pavlak, R.	Stanton
Braun	Fudro	Lemke	Pavlak, R. L.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graba	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Graw	Lombardi	Pieper	Vanasek
Carlson, D.	Growe	Long	Pleasant	Vento
Carlson, L.	Hagedorn	Mann	Prahl	Voss
Casserly	Hanson	McArthur	Quirin	Weaver
Cleary	Haugerud	McCarron	Resner	Wenzel
Clifford	Heinitz	McCauley	Rice	Wigley
Connors	Hook	McEachern	Ryan	Wohlwend
Culhane	Jacobs	McFarlin	St. Onge	Wolcott
Cummiskey	Jaros	McMillan	Salchert	Mr. Speaker
Dahl	Johnson, C.	Menke	Samuelson	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration to H. F. Nos. 3232 and 3335, S. F. Nos. 2498 and 1282, and H. F. Nos. 2773 and 993.

H. F. No. 3232, A bill for an act relating to taxation; property tax exempt property; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Berglin	Connors	Erickson	Hagedorn
Adams, S.	Biersdorf	Culhane	Esau	Hanson
Andersen, R.	Braun	Cummiskey	Faricy	Haugerud
Anderson, D.	Brinkman	Dahl	Ferderer	Heinitz
Anderson, G.	Carlson, A.	DeGroat	Fjoslien	Hook
Anderson, I.	Carlson, B.	Dieterich	Forsythe	Jacobs
Becklin	Carlson, D.	Dirlam	Fudro	Jaros
Belisle	Carlson, L.	Eckstein	Fugina	Johnson, C.
Bell	Casserly	Eken	Graba	Johnson, D.
Bennett	Cleary	Enebo	Graw	Johnson, J.
Berg	Clifford	Erdahl	Growe	Jude

Kahn	McArthur	Ohnstad	St. Onge	Swanson
Kelly	McCarron	Ojala	Samuelson	Tomlinson
Kempe	McCauley	Parish	Sarna	Ulland
Klaus	McEachern	Patton	Savelkoul	Vanasek
Knickerbocker	McFarlin	Pavlak, R.	Schreiber	Vento
Knoll	McMillan	Pavlak, R. L.	Schulz	Voss
Laidig	Menke	Pehler	Searle	Weaver
Larson	Miller, M.	Peterson	Sherwood	Wenzel
LaVoy	Moe	Pieper	Sieben, H.	Wigley
Lemke	Mueller	Pleasant	Sieben, M.	Wohlwend
Lindstrom, E.	Munger	Prahl	Skaar	Wolcott
Lindstrom, J.	Nelson	Quirin	Smith	Mr. Speaker
Lombardi	Newcome	Resner	Spanish	
Long	Niehaus	Rice	Stangeland	
Mann	Norton	Ryan	Stanton	

The bill was passed and its title agreed to.

H. F. No. 3335 was reported to the House.

Graba moved to amend H. F. No. 3335, the printed bill, as follows:

Page 1, line 15 after "shall" and before "pay" insert "upon written request of the state, a municipal corporation or other public body".

Page 1, line 15 after "pay" and before "to" strike "over such moneys" and insert in lieu thereof "at least 70% of the estimated collection within 30 days after settlement. He shall pay the balance of the amounts collected".

The motion prevailed and the amendment was adopted.

H. F. No. 3335, A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Cleary	Erdahl	Grav
Adams, S.	Berglin	Connors	Erickson	Grove
Andersen, R.	Biersdorf	Culhane	Esau	Hagedorn
Anderson, D.	Braun	Dahl	Farcy	Hanson
Anderson, G.	Brinkman	DeGroat	Ferderer	Haugerud
Anderson, I.	Carlson, A.	Dieterich	Fjoslien	Hook
Becklin	Carlson, B.	Dirlam	Forsythe	Jacobs
Belisle	Carlson, D.	Eckstein	Fudro	Jaros
Bell	Carlson, L.	Eken	Fugina	Johnson, C.
Bennett	Casserly	Enebo	Graba	Johnson, D.

Johnson, J.	Long	Norton	St. Onge	Swanson
Jude	Mann	Ohnstad	Salchert	Tomlinson
Kahn	McArthur	Ojala	Samuelson	Ulland
Kelly	McCarron	Parish	Sarna	Vanasek
Kempe	McCauley	Patton	Savelkoul	Vento
Klaus	McEachern	Pavlak, R.	Schreiber	Voss
Knickerbocker	McFarlin	Pavlak, R. L.	Schulz	Weaver
Knoll	McMillan	Pehler	Searle	Wenzel
Kostohryz	Menke	Peterson	Sherwood	Wigley
Laidig	Miller, D.	Pieper	Sieben, H.	Wohlwend
Larson	Miller, M.	Pleasant	Sieben, M.	Wolcott
LaVoy	Moe	Prahl	Skaar	Mr. Speaker
Lemke	Munger	Quirin	Smith	
Lindstrom, E.	Nelson	Resner	Spanish	
Lindstrom, J.	Newcome	Rice	Stangeland	
Lombardi	Niehaus	Ryan	Stanton	

Those who voted in the negative were:

Clifford Heinitz

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

S. F. No. 2498, A bill for an act relating to the city of Hibbing; taxation; levy for library purposes.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	Menke	Savelkoul
Adams, S.	Dirlam	Johnson, J.	Miller, M.	Schreiber
Andersen, R.	Eckstein	Jude	Moe	Schulz
Anderson, D.	Eken	Kahn	Munger	Searle
Anderson, G.	Enebo	Kelly	Nelson	Sherwood
Anderson, I.	Erdahl	Kempe	Newcome	Sieben, H.
Becklin	Erickson	Klaus	Niehaus	Sieben, M.
Belisle	Esau	Knickerbocker	Norton	Skaar
Bell	Faricy	Knoll	Ohnstad	Smith
Bennett	Ferderer	Kostohryz	Ojala	Spanish
Berg	Fjoslien	Kvam	Parish	Stangeland
Berglin	Forsythe	Larson	Patton	Stanton
Biersdorf	Fudro	LaVoy	Pavlak, R.	Swanson
Brinkman	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Lindstrom, E.	Pehler	Ulland
Carlson, B.	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, D.	Growe	Lombardi	Pieper	Vento
Carlson, L.	Hagedorn	Long	Pleasant	Voss
Cassery	Hanson	Mann	Prahl	Weaver
Cleary	Haugerud	McArthur	Resner	Wenzel
Clifford	Heinitz	McCarron	Rice	Wigley
Connors	Hook	McCauley	Ryan	Wohlwend
Culhane	Jacobs	McEachern	St. Onge	Wolcott
Dahl	Jaros	McFarlin	Samuelson	Mr. Speaker
DeGroat	Johnson, C.	McMillan	Sarna	

The bill was passed and its title agreed to.

S. F. No. 1282, A bill for an act relating to taxation; exempt property; providing that property exempt from taxation shall be taxed in full for the year in which it is sold or otherwise loses its exempt status; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Moe	Schulz
Adams, S.	Dirlam	Kahn	Munger	Searle
Andersen, R.	Eckstein	Kelly	Nelson	Sherwood
Anderson, D.	Eken	Kempe	Newcome	Sieben, H.
Anderson, G.	Enebo	Klaus	Niehaus	Sieben, M.
Anderson, I.	Erdahl	Knickerbocker	Norton	Skaar
Becklin	Erickson	Knoll	Ohnstad	Smith
Belisle	Esau	Kostohryz	Ojala	Spanish
Bell	Farcy	Kvam	Parish	Stangeland
Bennett	Ferderer	Laidig	Patton	Stanton
Berg	Fjoslien	Larson	Pavlak, R.	Swanson
Berglin	Forsythe	LaVoy	Pavlak, R. L.	Tomlinson
Biersdorf	Fudro	Lemke	Pehler	Ulland
Braun	Fugina	Lindstrom, E.	Peterson	Vanasek
Brinkman	Graba	Lindstrom, J.	Pieper	Vento
Carlson, A.	Graw	Lombardi	Pleasant	Voss
Carlson, B.	Grove	Long	Prahl	Weaver
Carlson, D.	Hagedorn	Mann	Quirin	Wenzel
Carlson, L.	Hanson	McArthur	Resner	Wigley
Casserly	Haugerud	McCarron	Rice	Wohlwend
Cleary	Heinitz	McCauley	Ryan	Wolcott
Connors	Hook	McEachern	St. Onge	Mr. Speaker
Culhane	Jaros	McFarlin	Samuelson	
Cummiskey	Johnson, C.	McMillan	Sarna	
Dahl	Johnson, D.	Menke	Savelkoul	
DeGroat	Johnson, J.	Miller, M.	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 2773, A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, D.	Anderson, I.	Belisle	Bennett
Andersen, R.	Anderson, G.	Becklin	Bell	Berg

Berglin	Faricy	Knickerbocker	Nelson	Schreiber
Biersdorf	Ferderer	Knoll	Newcome	Schulz
Braun	Fjoslien	Kostohryz	Niehaus	Searle
Brinkman	Forsythe	Kvam	Norton	Sherwood
Carlson, A.	Fudro	Laidig	Ohnstad	Sieben, H.
Carlson, B.	Fugina	Larson	Ojala	Sieben, M.
Carlson, D.	Graba	LaVoy	Parish	Skaar
Carlson, L.	Graw	Lemke	Patton	Smith
Casserly	Growe	Lindstrom, E.	Pavlak, R.	Spanish
Cleary	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Stangeland
Clifford	Hanson	Lombardi	Pehler	Stanton
Connors	Haugerud	Long	Peterson	Swanson
Culhane	Heinitz	Mann	Pieper	Tomlinson
Cummiskey	Hook	McArthur	Pleasant	Ulland
Dahl	Jacobs	McCarron	Prahl	Vanasek
DeGroat	Jaros	McCauley	Quirin	Vento
Dieterich	Johnson, C.	McEachern	Resner	Voss
Dirlam	Johnson, D.	McFarlin	Rice	Weaver
Eckstein	Johnson, J.	McMillan	Ryan	Wenzel
Eken	Jude	Menke	St. Onge	Wigley
Enebo	Kahn	Miller, D.	Salchert	Wohlwend
Erdahl	Kelly	Miller, M.	Samuelson	Wolcott
Erickson	Kempe	Moe	Sarna	Mr. Speaker
Esau	Klaus	Munger	Savelkoul	

The bill was passed and its title agreed to.

H. F. No. 993, A bill for an act relating to special assessments; assessment against governmental units; amending Minnesota Statutes 1971, Section 435.19.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 109, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, S.	Dirlam	Johnson, D.	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jude	Miller, M.	Savelkoul
Anderson, D.	Eken	Kelly	Munger	Schreiber
Anderson, G.	Erdahl	Kempe	Nelson	Schulz
Anderson, I.	Erickson	Klaus	Newcome	Searle
Becklin	Esau	Knickerbocker	Niehaus	Sherwood
Belisle	Faricy	Knoll	Norton	Sieben, H.
Bell	Ferderer	Kostohryz	Ohnstad	Sieben, M.
Biersdorf	Fjoslien	Kvam	Parish	Smith
Braun	Forsythe	Laidig	Parish	Spanish
Brinkman	Fudro	Lemke	Patton	Stangeland
Carlson, B.	Fugina	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, D.	Graba	Lindstrom, J.	Pehler	Swanson
Carlson, L.	Graw	Lombardi	Peterson	Ulland
Casserly	Growe	Long	Pieper	Vanasek
Cleary	Hagedorn	Mann	Pleasant	Vento
Clifford	Hanson	McArthur	Prahl	Voss
Connors	Haugerud	McCarron	Quirin	Weaver
Culhane	Heinitz	McEachern	Resner	Wenzel
Cummiskey	Hook	McFarlin	Ryan	Wohlwend
Dahl	Jacobs	McMillan	St. Onge	Wolcott
DeGroat	Johnson, C.	Menke	Salchert	

Those who voted in the negative were:

Adams, J.	Carlson, A.	Johnson, J.	Pavlak, R. L.	Tomlinson
Bennett	Dieterich	Kahn	Rice	Wigley
Berg	Enebo	Larson	Sarna	
Berglin	Jaros	LaVoy	Skaar	

The bill was passed and its title agreed to.

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 1498, S. F. No. 1558, and H. F. Nos. 1145 and 1995.

H. F. No. 1498 was reported to the House.

Andersen, R., moved to amend H. F. No. 1498, the printed bill, as follows:

Page 1, strike lines 1 through 14.

Page 2, strike lines 1 through 7.

Renumber the subsequent sections accordingly.

Further, amend the title, lines 1 and 2, strike "relating to environmental protection; establishing the Minnesota environmental quality protection program;"

The motion prevailed and the amendment was adopted.

Knickerbocker and Hanson moved to amend H. F. No. 1498, the printed bill, as follows:

Page 2, line 14, strike the figure "\$20" and insert in lieu thereof "\$15".

Page 2, line 17, strike the figure "\$15" and insert in lieu thereof "\$10".

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

H. F. No. 1498, A bill for an act providing for the authorization of personalized license plates for passenger automobiles and the imposition of fees therefor; and appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jude	Munger	Savelkoul
Adams, S.	Dahl	Kahn	Nelson	Schreiber
Andersen, R.	Dieterich	Kelly	Norton	Schulz
Anderson, D.	Eckstein	Kempe	Ohnstad	Sherwood
Anderson, I.	Enebo	Klaus	Ojala	Sieben, H.
Becklin	Erickson	Knickerbocker	Parish	Sieben, M.
Belisle	Faricy	Knoll	Patton	Skaar
Bell	Fjoslien	Kostohryz	Pavlak, R.	Smith
Bennett	Forsythe	Laidig	Pavlak, R. L.	Spanish
Berg	Fudro	LaVoy	Pehler	Stanton
Berglin	Graba	Lemke	Pieper	Swanson
Brinkman	Graw	Lombardi	Pleasant	Tomlinson
Carlson, A.	Growe	Mann	Prahl	Ulland
Carlson, B.	Hanson	McArthur	Quirin	Vanasek
Carlson, D.	Haugerud	McCarron	Resner	Vento
Carlson, L.	Heinitz	McCauley	Rice	Wenzel
Casserly	Hook	McFarlin	Ryan	Wohlwend
Cleary	Jaros	McMillan	St. Onge	Wolcott
Clifford	Johnson, C.	Menke	Salchert	Mr. Speaker
Connors	Johnson, D.	Miller, D.	Samuelson	
Culhane	Johnson, J.	Miller, M.	Sarna	

Those who voted in the negative were:

Anderson, G.	Dirlam	Ferderer	Lindstrom, E.	Peterson
Biersdorf	Eken	Fugina	Lindstrom, J.	Stangeland
Braun	Erdahl	Hagedorn	Long	Wigley
DeGroat	Esau	Kvam	Niehaus	

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

S. F. No. 1558, A bill for an act appropriating money to the state department of education for deficiencies in special education for the handicapped reimbursement aids.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Erdahl	Hook	Larson
Adams, S.	Carlson, D.	Erickson	Jacobs	LaVoy
Andersen, R.	Carlson, L.	Esau	Jaros	Lemke
Anderson, D.	Casserly	Faricy	Johnson, C.	Lindstrom, E.
Anderson, G.	Cleary	Ferderer	Johnson, D.	Lindstrom, J.
Anderson, I.	Clifford	Fjoslien	Johnson, J.	Lombardi
Becklin	Connors	Forsythe	Jude	Long
Belisle	Culhane	Fudro	Kahn	Mann
Bell	Cummiskey	Fugina	Kelly	McArthur
Bennett	Dahl	Graba	Kempe	McCarron
Berg	DeGroat	Graw	Klaus	McCauley
Berglin	Dieterich	Growe	Knickerbocker	McEachern
Biersdorf	Dirlam	Hagedorn	Knoll	McFarlin
Braun	Eckstein	Hanson	Kostohryz	McMillan
Brinkman	Eken	Haugerud	Kvam	Menke
Carlson, A.	Enebo	Heinitz	Laidig	Miller, D.

Miller, M.	Patton	Rice	Sieben, H.	Vanasek
Moe	Pavlak, R.	Ryan	Sieben, M.	Vento
Munger	Pavlak, R. L.	St. Onge	Skaar	Weaver
Nelson	Pehler	Salchert	Smith	Wenzel
Newcome	Peterson	Samuelson	Spanish	Wigley
Niehaus	Pieper	Sarna	Stangeland	Wohlwend
Norton	Pleasant	Savelkoul	Stanton	Wolcott
Ohnstad	Prahl	Schreiber	Swanson	Mr. Speaker
Ojala	Quirin	Schulz	Tomlinson	
Parish	Resner	Sherwood	Ulland	

The bill was passed and its title agreed to.

H. F. No. 1145 was reported to the House.

Carlson, A., moved to amend H. F. No. 1145, the printed bill, as follows:

Page 3, line 22, strike "by" and insert "or".

Page 3, line 24, strike "may" and insert "shall".

Further amend the title in line 2 by striking "a state board of" and inserting "an advisory commission on".

The motion prevailed and the amendment was adopted.

Enebo moved to amend H. F. No. 1145, the printed bill, as follows:

Page 4, lines 2 and 3, strike the following: ", provided they do not undertake to diagnose hearing disorders; or advertise free hearing tests".

The motion prevailed and the amendment was adopted.

Savelkoul moved to amend H. F. No. 1145, the printed bill, as follows:

Page 4, after line 5, insert a new subsection (d) to read as follows:

"(d) a person who is certified by the state department of education who performs services as a speech therapist or speech pathologist for students within the state may perform the same services for students, former students, or future students during times when any such persons do not currently have student status provided such person does not violate Department of Education standards in effect at the time."

Re-letter the subsection accordingly.

The motion prevailed and the amendment was adopted.

H. F. No. 1145, A bill for an act relating to occupations and professions; providing for the licensure of speech pathologists and audiologists; creating an advisory commission on speech pathology and audiology and prescribing its powers and duties; providing penalties; appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 38, and nays 82, as follows:

Those who voted in the affirmative were:

Bell	Cleary	Grove	McArthur	Sarna
Bennett	Connors	Hanson	Moe	Searle
Berg	Dahl	Jaros	Munger	Sherwood
Berglin	Dieterich	Jude	Nelson	Sieben, H.
Brinkman	Faricy	Kahn	Norton	Sieben, M.
Carlson, A.	Ferderer	Knoll	Pehler	Ulland
Carlson, L.	Forsythe	Kostohryz	Rice	
Casserly	Fugina	LaVoy	St. Onge	

Those who voted in the negative were:

Adams, J.	Eken	Klaus	Mueller	Schreiber
Adams, S.	Enebo	Knickerbocker	Niehaus	Schulz
Andersen, R.	Erdahl	Kvam	Ohnstad	Skaar
Anderson, D.	Erickson	Laidig	Ojala	Smith
Anderson, G.	Esau	Larson	Parish	Spanish
Anderson, I.	Fjoslien	Lemke	Patton	Stangeland
Becklin	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Belisle	Hagedorn	Lombardi	Pavlak, R. L.	Tomlinson
Biersdorf	Haugerud	Long	Peterson	Weaver
Braun	Heinitz	Mann	Pieper	Wenzel
Carlson, B.	Hook	McCarron	Pleasant	Wigley
Carlson, D.	Jacobs	McEachern	Prahl	Wohlwend
Clifford	Johnson, C.	McFarlin	Quirin	Wolcott
Cummiskey	Johnson, D.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, J.	Menke	Salchert	
Dirlam	Kelly	Miller, D.	Samuelson	
Eckstein	Kempe	Miller, M.	Savelkoul	

The bill was not passed, as amended.

H. F. No. 1995 was reported to the House.

Stanton moved to amend H. F. No. 1995, the printed bill, as follows:

Page 1, line 3, after "designated." strike the remainder of the line.

Page 1, strike all of line 4.

The motion prevailed and the amendment was adopted.

H. F. No. 1995, A bill for an act relating to state colleges; permitting the state college board to designate certain colleges as state universities.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 71, and nays 50, as follows:

Those who voted in the affirmative were:

Anderson, I.	Ferderer	Lemke	Pavlak, R. L.	Sieben, H.
Becklin	Forsythe	Lindstrom, J.	Pehler	Sieben, M.
Belisle	Fudro	Mann	Peterson	Smith
Bell	Fugina	McArthur	Prahl	Spanish
Bennett	Grove	McCarron	Quirin	Stangeland
Braun	Hagedorn	McCauley	Resner	Tomlinson
Brinkman	Hanson	McEachern	Rice	Vanasek
Carlson, L.	Haugerud	McFarlin	Ryan	Voss
Cleary	Heinitz	McMillan	St. Onge	Wenzel
Connors	Jacobs	Menke	Salchert	Wigley
Culhane	Jaros	Miller, D.	Samuelson	Wohlwend
Cummskey	Johnson, C.	Miller, M.	Sarna	
Dahl	Johnson, D.	Parish	Schreiber	
Enebo	Jude	Patton	Searle	
Faricy	Kostohryz	Pavlak, R.	Sherwood	

Those who voted in the negative were:

Adams, J.	DeGroat	Kahn	Lindstrom, E.	Pleasant
Andersen, R.	Dirlam	Kelly	Lombardi	Savelkoul
Anderson, D.	Eken	Kempe	Long	Schulz
Anderson, G.	Erdahl	Klaus	Moe	Skaar
Berg	Erickson	Knickerbocker	Mueller	Stanton
Berglin	Esau	Knoll	Munger	Swanson
Biersdorf	Fjoslien	Kvam	Norton	Ulland
Carlson, A.	Graw	Laidig	Ohnstad	Weaver
Carlson, D.	Hook	Larson	Ojala	Wolcott
Clifford	Johnson, J.	LaVoy	Pieper	Mr. Speaker

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

SPECIAL ORDERS

H. F. No. 2639, A bill for an act relating to taconite and semi-taconite companies; restricting the right of taconite and semi-taconite companies to exercise the power of eminent domain; amending Minnesota Statutes 1971, Sections 117.46; and 117.461, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	Menke	St. Onge
Adams, S.	Dieterich	Johnson, D.	Miller, D.	Salchert
Andersen, R.	Dirlam	Johnson, J.	Miller, M.	Samuelson
Anderson, G.	Eckstein	Jude	Moe	Sarna
Anderson, I.	Eken	Kahn	Mueller	Schreiber
Becklin	Enebo	Kelly	Munger	Schulz
Belisle	Erdahl	Kempe	Nelson	Searle
Bell	Erickson	Knickerbocker	Newcome	Sherwood
Bennett	Esau	Knoll	Niehaus	Sieben, H.
Berg	Faricy	Kostohryz	Norton	Sieben, M.
Berglin	Ferderer	Kvam	Ohnstad	Skaar
Biersdorf	Fjoslien	Laidig	Ojala	Smith
Braun	Forsythe	Larson	Parish	Stangeland
Brinkman	Fudro	LaVoy	Patton	Stanton
Carlson, A.	Fugina	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Graba	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Graw	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Grove	Long	Peterson	Vento
Casserly	Hagedorn	Mann	Pieper	Voss
Cleary	Hanson	McArthur	Pleasant	Weaver
Clifford	Haugerud	McCarron	Prahl	Wenzel
Connors	Heinitz	McCauley	Quirin	Wigley
Culhane	Hook	McEachern	Resner	Wohlwend
Cummiskey	Jacobs	McFarlin	Rice	Mr. Speaker
Dahl	Jaros	McMillan	Ryan	

Those who voted in the negative were:

Lombardi

The bill was passed and its title agreed to.

H. F. No. 858 was reported to the House.

Stangeland moved to amend H. F. No. 858, the printed bill, as follows:

Page 5, lines 9 through 17, strike section 4.

Renumber the remaining sections accordingly.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 48, and nays 74, as follows:

Those who voted in the affirmative were:

Anderson, D.	Dirlam	Hook	Long	Savelkoul
Anderson, G.	Eckstein	Johnson, C.	Mann	Searle
Becklin	Erdahl	Johnson, J.	McCauley	Skaar
Belisle	Erickson	Klaus	Mueller	Stangeland
Biersdorf	Esau	Kvam	Niehaus	Stanton
Carlson, D.	Fjoslien	Laidig	Ohnstad	Weaver
Cleary	Forsythe	Larson	Patton	Wigley
Clifford	Graba	Lindstrom, E.	Pavlak, R. L.	Wohlwend
Culhane	Hagedorn	Lindstrom, J.	Peterson	
DeGroat	Heinitz	Lombardi	Pieper	

Those who voted in the negative were:

Adams, J.	Cummiskey	Jude	Moe	Samuelson
Adams, S.	Dahl	Kahn	Munger	Schulz
Andersen, R.	Dieterich	Kelly	Nelson	Sherwood
Anderson, I.	Eken	Knickerbocker	Norton	Sieben, H.
Bell	Enebo	Knoll	Ojala	Sieben, M.
Bennett	Faricy	Kostohryz	Parish	Smith
Berg	Ferderer	LaVoy	Pavlak, R.	Swanson
Berglin	Fudro	Lemke	Pehler	Tomlinson
Braun	Fugina	McArthur	Pleasant	Ulland
Brinkman	Graw	McCarron	Prahl	Vento
Carlson, A.	Growe	McEachern	Quirin	Voss
Carlson, B.	Hanson	McFarlin	Resner	Wenzel
Carlson, L.	Haugerud	McMillan	Rice	Wolcott
Casserly	Jaros	Menke	Ryan	Mr. Speaker
Connors	Johnson, D.	Miller, D.	Salchert	

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

Belisle was excused between the hours of 6:00 p.m. and 8:15 p.m.

H. F. No. 858, A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; and 360.014.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 80, and nays 47, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Miller, M.	Ryan
Adams, S.	Eken	Kahn	Moe	St. Onge
Andersen, R.	Enebo	Kelly	Munger	Salchert
Anderson, I.	Faricy	Knickerbocker	Nelson	Samuelson
Bell	Forsythe	Knoll	Newcome	Sarna
Bennett	Fudro	Kostohryz	Norton	Sherwood
Berg	Fugina	Laidig	Ojala	Sieben, H.
Berglin	Graba	LaVoy	Parish	Sieben, M.
Braun	Graw	Lindstrom, E.	Patton	Stanton
Carlson, A.	Growe	McArthur	Pavlak, R.	Swanson
Carlson, B.	Hanson	McCarron	Pehler	Tomlinson
Carlson, L.	Hook	McEachern	Pleasant	Ulland
Casserly	Jacobs	McFarlin	Prahl	Vento
Connors	Jaros	McMillan	Quirin	Voss
Cummiskey	Johnson, D.	Menke	Resner	Wolcott
Dahl	Johnson, J.	Miller, D.	Rice	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Becklin	Brinkman	Cleary	Culhane
Anderson, G.	Biersdorf	Carlson, D.	Clifford	DeGroat

Dirlam	Haugerud	Lindstrom, J.	Peterson	Stangeland
Eckstein	Heinitz	Long	Pieper	Weaver
Erdahl	Johnson, C.	Mann	Saveikoul	Wenzel
Erickson	Kempe	McCauley	Schulz	Wigley
Esau	Klaus	Mueller	Searle	Wohlwend
Ferderer	Kvam	Njehaus	Skaar	
Fjoslien	Larson	Ohnstad	Smith	
Hagedorn	Lemke	Pavlak, R. L.	Spanish	

The bill was passed and its title agreed to.

H. F. No. 3287, A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Mueller	Schreiber
Adams, S.	Eken	Kelly	Munger	Schulz
Andersen, R.	Enebo	Kempe	Nelson	Searle
Anderson, D.	Erdahl	Klaus	Newcome	Sherwood
Anderson, G.	Erickson	Knickerbocker	Niehaus	Sieben, H.
Anderson, I.	Esau	Knoll	Norton	Sieben, M.
Becklin	Faricy	Kostohryz	Ohnstad	Skaar
Bell	Ferderer	Kvam	Ojala	Smith
Bennett	Fjoslien	Laidig	Parish	Spanish
Berg	Forsythe	Larson	Patton	Stangeland
Biersdorf	Fudro	LaVoy	Pavlak, R.	Stanton
Braun	Fugina	Lemke	Pavlak, R. L.	Swanson
Brinkman	Graba	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Grove	Lombardi	Pieper	Vanasek
Carlson, D.	Hagedorn	Long	Pleasant	Vento
Carlson, L.	Hanson	Mann	Prahl	Voss
Casserly	Haugerud	McArthur	Quirin	Weaver
Cleary	Heinitz	McCarron	Resner	Wenzel
Clifford	Hook	McCauley	Rice	Wigley
Connors	Jacobs	McEachern	Ryan	Wohlwend
Culhane	Jaros	McMillan	St. Onge	Wolcott
Dahl	Johnson, C.	Menke	Salchert	Mr. Speaker
DeGroat	Johnson, D.	Miller, D.	Samuelson	
Dieterich	Johnson, J.	Miller, M.	Sarna	
Dirlam	Jude	Moe	Saveikoul	

The bill was passed and its title agreed to.

H. F. No. 3319 was reported to the House.

Lindstrom, E., moved to amend H. F. No. 3319, the printed bill, as follows:

Page 1, line 15, strike everything appearing in the line.

Page 1, line 16, strike the figure "\$15" and insert in lieu thereof "\$7".

Page 2, line 3, strike the figure "\$15" and insert in lieu thereof "\$7".

Page 2, line 5, strike the figure "\$10" and insert in lieu thereof "\$5".

Page 2, line 6, strike the figure "\$15" and insert in lieu thereof "\$7".

Page 2, line 7, strike the figure "\$10" and insert in lieu thereof "\$5".

Renumber the clauses accordingly.

The motion prevailed and the amendment was adopted.

H. F. No. 3319, A bill for an act relating to courts; county courts; clerks fees; disposition of fines, fees and other money; amending Minnesota Statutes, 1973 Supplement, Section 487.31, Subdivisions 1, 2, and 3; Minnesota Statutes 1971, Sections 487.31, Subdivision 4; and 487.33, Subdivision 1; repealing Minnesota Statutes 1971, Section 487.33, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, S.	Enebo	Kahn	Moe	Schulz
Andersen, R.	Erdahl	Kelly	Mueller	Searle
Anderson, D.	Erickson	Kempe	Nelson	Sherwood
Anderson, G.	Esau	Klaus	Newcome	Sieben, H.
Anderson, I.	Faricy	Knickerbocker	Niehaus	Sieben, M.
Becklin	Ferderer	Knoll	Norton	Skaar
Bennett	Fjoslien	Kostohryz	Ohnstad	Smith
Berg	Forsythe	Kvam	Ojala	Spanish
Biersdorf	Fudro	Laidig	Parish	Stangeland
Brinkman	Fugina	Larson	Patton	Stanton
Carlson, A.	Graba	Lemke	Pavlak, R.	Swanson
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, D.	Grove	Lindstrom, J.	Pehler	Ulland
Carlson, L.	Hagedorn	Lombardi	Peterson	Vanasek
Casserly	Hanson	Long	Pieper	Vento
Cleary	Haugerud	Mann	Pleasant	Weaver
Clifford	Heinitz	McArthur	Prahl	Wenzel
Connors	Hook	McCarron	Quirin	Wigley
Culhane	Jacobs	McEachern	St. Onge	Wohlwend
Dahl	Jaros	McFarlin	Salchert	Wolcott
DeGroat	Johnson, C.	McMillan	Samuelson	Mr. Speaker
Dieterich	Johnson, D.	Menke	Sarna	
Dirlam	Johnson, J.	Miller, D.	Savelkoul	
Eckstein	Jude	Miller, M.	Schreiber	

Those who voted in the negative were:

Resner

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

H. F. No. 3105 was reported to the House.

There being no objection, H. F. No. 3105 was continued until Wednesday March 13, 1974.

H. F. No. 21, A bill for an act relating to juries; affording witnesses at grand jury hearings the right to counsel.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kempe	Munger	Schulz
Andersen, R.	Erdahl	Klaus	Nelson	Searle
Anderson, D.	Erickson	Knickerbocker	Newcome	Sherwood
Anderson, G.	Esau	Knoll	Niehaus	Sieben, H.
Anderson, I.	Faricy	Kostohryz	Norton	Sieben, M.
Becklin	Ferderer	Kvam	Ohnstad	Skaar
Bell	Fjoslien	Larson	Ojala	Smith
Bennett	Forsythe	LaVoy	Parish	Spanish
Berg	Fudro	Lemke	Patton	Stangeland
Berglin	Fugina	Lindstrom, E.	Pavlak, R.	Stanton
Biersdorf	Graba	Lindstrom, J.	Pavlak, R. L.	Swanson
Braun	Growe	Lombardi	Pehler	Tomlinson
Brinkman	Hagedorn	Long	Peterson	Ulland
Carlson, A.	Hanson	Mann	Pieper	Vanasek
Carlson, D.	Haugerud	McArthur	Pleasant	Vento
Carlson, L.	Heinitz	McCarron	Prahl	Voss
Casserly	Hook	McCauley	Quirin	Weaver
Cleary	Jacobs	McEachern	Resner	Wenzel
Clifford	Jaros	McFarlin	Ryan	Wigley
Culhane	Johnson, C.	McMillan	St. Onge	Wohlwend
Dahl	Johnson, D.	Menke	Salchert	Wolcott
Dieterich	Johnson, J.	Miller, D.	Samuelson	Mr. Speaker
Dirlam	Jude	Miller, M.	Sarna	
Eckstein	Kahn	Moe	Savelkoul	
Eken	Kelly	Mueller	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 1553 was reported to the House.

Sherwood moved that H. F. No. 1553 be re-referred to the Committee on Agriculture. The motion prevailed.

H. F. No. 2848, A bill for an act relating to elections; providing a change in the method by which ballots are counted; amend-

ing Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	Menke	Savelkoul
Adams, S.	Dirlam	Johnson, J.	Miller, D.	Schreiber
Andersen, R.	Eckstein	Jude	Miller, M.	Sherwood
Anderson, D.	Eken	Kahn	Moe	Sieben, H.
Anderson, I.	Enebo	Kelly	Mueller	Sieben, M.
Becklin	Erdahl	Kempe	Munger	Skaar
Bennett	Erickson	Knickerbocker	Nelson	Smith
Berg	Esau	Kostohryz	Niehaus	Spanish
Berglin	Faricy	Laidig	Norton	Stangeland
Biersdorf	Ferderer	Larson	Ojala	Stanton
Braun	Forsythe	LaVoy	Parish	Swanson
Brinkman	Fudro	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R. L.	Uiland
Carlson, B.	Graba	Lindstrom, J.	Pehler	Vento
Carlson, D.	Graw	Lombardi	Pieper	Voss
Carlson, L.	Growe	Long	Pleasant	Weaver
Casserly	Hagedorn	Mann	Prahl	Wenzel
Cleary	Hanson	McArthur	Quirin	Wohlwend
Clifford	Haugerud	McCarron	Resner	Wolcott
Connors	Heinitz	McCauley	Ryan	Mr. Speaker
Culhane	Jacobs	McEachern	Salchert	
Dahl	Jaros	McFarlin	Samuelson	
DeGroat	Johnson, C.	McMillan	Sarna	

Those who voted in the negative were:

Hook	Klaus	Kvam	Ohnstad
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The bill was passed and its title agreed to.

H. F. No. 3129, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Biersdorf	Carlson, B.	Cleary
Adams, S.	Becklin	Braun	Carlson, D.	Clifford
Andersen, R.	Bennett	Brinkman	Carlson, L.	Connors
Anderson, G.	Berg	Carlson, A.	Casserly	Culhane

Dahl	Haugerud	Lombardi	Patton	Sieben, M.
DeGroat	Heinitz	Long	Pavlak, R.	Skaar
Dieterich	Hook	Mann	Pavlak, R. L.	Smith
Eckstein	Jacobs	McArthur	Pehler	Spanish
Eken	Jaros	McCarron	Peterson	Stangeland
Enebo	Johnson, C.	McCauley	Pieper	Stanton
Erdahl	Johnson, D.	McEachern	Pleasant	Swanson
Erickson	Johnson, J.	McFarlin	Prahl	Tomlinson
Esau	Jude	McMillan	Quirin	Ulland
Faricy	Kelly	Menke	Resner	Vento
Ferderer	Kempe	Miller, D.	Ryan	Voss
Fjoslien	Klaus	Miller, M.	St. Onge	Weaver
Forsythe	Knickerbocker	Mueller	Salchert	Wenzel
Fudro	Kostohryz	Munger	Samuelson	Wohlwend
Fugina	Kvam	Nelson	Sarna	Wolcott
Graba	Laidig	Niehaus	Savelkoul	Mr. Speaker
Graw	Larson	Norton	Schreiber	
Grove	LaVoy	Ohnstad	Schulz	
Hagedorn	Lemke	Ojala	Sherwood	
Hanson	Lindstrom, J.	Parish	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 798, A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	McMillan	St. Onge
Adams, S.	Dirlam	Johnson, J.	Menke	Salchert
Andersen, R.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, D.	Eken	Kahn	Miller, M.	Sarna
Anderson, G.	Enebo	Kelly	Moe	Savelkoul
Anderson, I.	Erdahl	Kempe	Mueller	Schreiber
Becklin	Erickson	Knickerbocker	Munger	Searle
Bell	Esau	Knoll	Nelson	Sherwood
Bennett	Faricy	Kostohryz	Newcome	Sieben, H.
Berg	Ferderer	Kvam	Niehaus	Sieben, M.
Berglin	Fjoslien	Laidig	Norton	Skaar
Braun	Forsythe	Larson	Ohnstad	Smith
Brinkman	Fudro	LaVoy	Ojala	Stangeland
Carlson, A.	Fugina	Lemke	Parish	Stanton
Carlson, B.	Graba	Lindstrom, E.	Patton	Swanson
Carlson, L.	Grove	Lindstrom, J.	Pavlak, R.	Tomlinson
Casserly	Hagedorn	Lombardi	Pehler	Ulland
Cleary	Hanson	Long	Peterson	Vento
Clifford	Haugerud	Mann	Pieper	Voss
Connors	Heinitz	McArthur	Pleasant	Weaver
Culhane	Hook	McCarron	Prahl	Wenzel
Cummiskey	Jacobs	McCauley	Quirin	Wohlwend
Dahl	Jaros	McEachern	Resner	Wolcott
DeGroat	Johnson, C.	McFarlin	Ryan	Mr. Speaker

Those who voted in the negative were:

Klaus Pavlak, R. L.

The bill was passed and its title agreed to.

Sieben, M., was excused for the remainder of today's session.

H. F. No. 2918, A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Miller, M.	Samuelson
Adams, S.	Dirlam	Kelly	Moe	Sarna
Andersen, R.	Eckstein	Kempe	Mueller	Savelkoul
Anderson, D.	Eken	Klaus	Munger	Schreiber
Anderson, G.	Enebo	Knickerbocker	Nelson	Schulz
Anderson, I.	Erickson	Knoll	Newcome	Searle
Becklin	Esau	Kostohryz	Niehaus	Sherwood
Bell	Faricy	Kvam	Norton	Sieben, H.
Bennett	Ferderer	Laidig	Ohnstad	Skaar
Berg	Fjoslien	Larson	Ojala	Smith
Berglin	Forsythe	LaVoy	Parish	Spanish
Biersdorf	Fudro	Lemke	Patton	Stangeland
Braun	Fugina	Lindstrom, E.	Pavlak, R.	Stanton
Brinkman	Graw	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, A.	Growe	Lombardi	Pehler	Tomlinson
Carlson, B.	Hagedorn	Long	Peterson	Ulland
Carlson, D.	Hanson	Mann	Pieper	Vanasek
Carlson, L.	Haugerud	McArthur	Pleasant	Vento
Casserty	Heinitz	McCarron	Prahl	Voss
Cleary	Jacobs	McCauley	Quirin	Weaver
Clifford	Jaros	McEachern	Resner	Wenzel
Connors	Johnson, C.	McFarlin	Rice	Wohlwend
Culhane	Johnson, D.	McMillan	Ryan	Wolcott
Dahl	Johnson, J.	Menke	St. Onge	
DeGroat	Jude	Miller, D.	Salchert	

The bill was passed and its title agreed to.

H. F. No. 3434, A bill for an act relating to insurance; governmental units; requiring that contracts for employee group insurance be let on competitive bidding; providing for the disclosure of the particulars of such policies of insurance; amending Minnesota Statutes, 1973 Supplement, Section 471.616, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 31, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kempe	Munger	Samuelson
Adams, S.	Dieterich	Klaus	Nelson	Sarna
Andersen, R.	Dirlam	Knickerbocker	Newcome	Savelkoul
Anderson, I.	Eckstein	Knoll	Norton	Schulz
Becklin	Eken	Kostohryz	Ojala	Sherwood
Bell	Enebo	LaVoy	Parish	Sieben, H.
Bennett	Esau	Lemke	Patton	Smith
Berg	Faricy	Lindstrom, J.	Pavlak, R.	Spanish
Berglin	Fudro	Mann	Pavlak, R. L.	Stanton
Biersdorf	Fugina	McCarron	Pehler	Swanson
Braun	Graw	McCauley	Peterson	Tomlinson
Brinkman	Growe	McEachern	Pieper	Ulland
Carlson, A.	Jacobs	McFarlin	Prahl	Vanasek
Carlson, B.	Jaros	McMillan	Quirin	Vento
Carlson, D.	Johnson, C.	Menke	Resner	Voss
Carlson, L.	Johnson, D.	Miller, D.	Rice	Wenzel
Casserly	Jude	Miller, M.	Ryan	Wolcott
Connors	Kahn	Moe	St. Onge	
Culhane	Kelly	Mueller	Salchert	

Those who voted in the negative were:

Anderson, D.	Ferderer	Hook	McArthur	Stangeland
Anderson, G.	Fjoslien	Johnson, J.	Niehaus	Weaver
Cleary	Forsythe	Laidig	Ohnstad	Wohlwend
Clifford	Graha	Larson	Pleasant	
DeGroat	Hagedorn	Lindstrom, E.	Schreiber	
Erdahl	Haugerud	Lombardi	Searle	
Erickson	Heinitz	Long	Skaar	

The bill was passed and its title agreed to.

H. F. No. 3535, A bill for an act relating to state employees; including trainees among employees eligible for life and health benefit coverage; amending Minnesota Statutes, 1973 Supplement, Section 43.43; and Minnesota Statutes 1971, Section 43.47.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Eckstein	Growe	Kempe
Adams, S.	Carlson, A.	Eken	Hagedorn	Klaus
Andersen, R.	Carlson, B.	Enebo	Hanson	Knickerbocker
Anderson, D.	Carlson, D.	Erdahl	Haugerud	Knoll
Anderson, G.	Carlson, L.	Erickson	Heinitz	Kostohryz
Anderson, I.	Casserly	Esau	Jacobs	Kvam
Becklin	Cleary	Faricy	Jaros	Laidig
Bell	Clifford	Ferderer	Johnson, C.	Larson
Bennett	Culhane	Fjoslien	Johnson, D.	LaVoy
Berg	Dahl	Forsythe	Johnson, J.	Lemke
Berglin	DeGroat	Fudro	Jude	Lindstrom, E.
Biersdorf	Dieterich	Fugina	Kahn	Lindstrom, J.
Braun	Dirlam	Graw	Kelly	Lombardi

Long	Mueller	Peher	Sarna	Swanson
Mann	Munger	Peterson	Savelkoul	Tomlinson
McArthur	Nelson	Pieper	Schreiber	Ulland
McCarron	Newcome	Pleasant	Schulz	Vanasek
McCauley	Niehaus	Prahl	Searle	Vento
McEachern	Norton	Quirin	Sherwood	Voss
McFarlin	Ohnstad	Resner	Sieben, H.	Weaver
McMillan	Ojala	Rice	Skaar	Wenzel
Menke	Parish	Ryan	Smith	Wohlwend
Miller, D.	Patton	St Onge	Spanish	Wolcott
Miller, M.	Pavlak, R.	Salchert	Stangeland	
Moe	Pavlak, R. L.	Samuelson	Stanton	

The bill was passed and its title agreed to.

H. F. No. 3033, A bill for an act relating to natural gas pipeline safety; modifying the definition of the term "gas"; changing the procedure by which civil penalties may be imposed for violations of the natural gas pipeline safety act; providing for fire marshal regulations thereunder; granting certain powers to the state fire marshal in regard to civil penalties for violations; imposing penalties; amending Minnesota Statutes 1971, Sections 299F.56 and 299F.60, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Adams, S.	Eckstein	Kahn	Moe	Savelkoul
Andersen, R.	Eken	Kelly	Mueller	Schreiber
Anderson, D.	Enebo	Kempe	Munger	Schulz
Anderson, G.	Erdahl	Klaus	Nelson	Searle
Anderson, I.	Erickson	Knickerbocker	Newcome	Sherwood
Becklin	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Skaar
Bennett	Ferderer	Kvam	Ohnstad	Smith
Berg	Fjoslien	Laidig	Ojala	Spanish
Berglin	Forsythe	Larson	Parish	Stangeland
Biersdorf	Fudro	LaVoy	Patton	Stanton
Braun	Fugina	Lemke	Pavlak, R.	Swanson
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Peher	Ulland
Carlson, B.	Grove	Lombardi	Peterson	Vanasek
Carlson, D.	Hagedorn	Long	Pieper	Vento
Carlson, L.	Hanson	Mann	Pleasant	Voss
Casserly	Haugerud	McArthur	Prahl	Weaver
Cleary	Heinritz	McCarron	Quirin	Wenzel
Clifford	Hook	McCauley	Resner	Wohlwend
Connors	Jacobs	McEachern	Rice	Wolcott
Culhane	Jaros	McFarlin	Ryan	
Dahl	Johnson, C.	McMillan	St. Onge	
DeGroat	Johnson, D.	Menke	Salchert	
Dieterich	Johnson, J.	Miller, D.	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 2963 was reported to the House.

Connors moved to amend H. F. No. 2963, the printed bill, as follows:

Line 11, strike "Representative Wenzel be instructed" and insert in lieu thereof: "the Speaker shall select two members who are authors of the resolution or their designees".

Pavlak, R., moved to amend the Connors amendment, as follows:

After "designees" insert the words "at their own expense".

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, and the roll being called, there were yeas 97, and nays 22, as follows:

Those who voted in the affirmative were:

Adams, J.	Erdahl	Knoll	Munger	Schulz
Adams, S.	Erickson	Kostohryz	Newcome	Searle
Andersen, R.	Farcy	Kvam	Niehaus	Sieben, H.
Becklin	Ferderer	Laidig	Norton	Skaar
Bell	Forsythe	Larson	Parish	Smith
Berg	Fugina	LaVoy	Patton	Spanish
Biersdorf	Graw	Lemke	Pavlak, R.	Stanton
Braun	Growe	Lindstrom, E.	Pehler	Swanson
Brinkman	Hanson	Lindstrom, J.	Peterson	Ulland
Carlson, A.	Heinitz	Lombardi	Pieper	Vanasek
Carlson, B.	Hook	Long	Pleasant	Vento
Carlson, L.	Jacobs	McArthur	Prahl	Voss
Cleary	Jaros	McCarron	Resner	Weaver
Clifford	Johnson, C.	McCauley	Rice	Wenzel
Dahl	Johnson, J.	McEachern	Ryan	Wigley
DeGroat	Jude	McMillan	St. Onge	Wohlwend
Dieterich	Kahn	Menke	Salchert	Wolcott
Eckstein	Kelly	Miller, D.	Sarna	
Eken	Kempe	Miller, M.	Savelkoul	
Enebo	Knickerbocker	Mueller	Schreiber	

Those who voted in the negative were:

Anderson, D.	Culhane	Graba	Mann	Stangeland
Anderson, G.	Cummiskey	Hagedorn	McFarlin	Tomlinson
Anderson, I.	Esau	Haugerud	Pavlak, R. L.	
Bennett	Fjoslien	Johnson, D.	Quirin	
Connors	Fudro	Klaus	Samuelson	

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

The question recurred on the Connors amendment, as amended.

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

Moe moved to amend H. F. No. 2963, the printed bill, as follows:

Page 1, line 11, strike the word "Washington" and insert in lieu thereof the word "Minnesota".

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

Carlson, A., moved to amend H. F. No. 2963, the printed bill, as follows:

Page 1, line 10, after the second word "states" insert a period and strike the remainder of the sentence and also strike lines 11 and 12.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 61, and nays 63, as follows:

Those who voted in the affirmative were:

Adams, S.	Dieterich	Jude	Ojala	Sherwood
Andersen, R.	Enebo	Knickerbocker	Parish	Skaar
Bell	Erdahl	LaVoy	Patton	Tomlinson
Bennett	Erickson	Lindstrom, J.	Pehler	Ulland
Berg	Ferderer	Lombardi	Peterson	Vanasek
Biersdorf	Forsythe	Long	Pleasant	Weaver
Braun	Graba	McArthur	Prahl	Wenzel
Brinkman	Graw	McEachern	Resner	Wohlwend
Carlson, A.	Growe	McMillan	Rice	Wolcott
Carlson, D.	Hook	Menke	Salchert	
Carlson, L.	Jacobs	Miller, M.	Savelkoul	
Cleary	Jaros	Moe	Schulz	
Dahl	Johnson, J.	Nelson	Searle	

Those who voted in the negative were:

Adams, J.	Eken	Kempe	Mueller	Sarna
Anderson, D.	Esau	Klaus	Munger	Schreiber
Anderson, G.	Faricy	Knoll	Newcome	Smith
Anderson, I.	Fjoslien	Kostohryz	Niehaus	Spanish
Becklin	Fudro	Kvam	Norton	Stangeland
Carlson, B.	Fugina	Laidig	Ohnstad	Stanton
Casserly	Hagedorn	Larson	Pavlak, R.	Swanson
Clifford	Hanson	Lemke	Pavlak, R. L.	Vento
Connors	Haugerud	Lindstrom, E.	Pieper	Voss
Culhane	Heinitz	Mann	Quirin	Wigley
Cummiskey	Johnson, C.	McCauley	Ryan	Mr. Speaker
DeGroat	Johnson, D.	McFarlin	St. Onge	
Dirlam	Kelly	Miller, D.	Samuelson	

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

H. F. No. 2963, A resolution memorializing the President and Congress to abolish daylight savings time in Minnesota during the winter months.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 90, and nays 31, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, C.	McFarlin	Ryan
Anderson, D.	Eken	Johnson, D.	Menke	Samuelson
Anderson, G.	Erdahl	Johnson, J.	Miller, D.	Sarna
Anderson, I.	Erickson	Jude	Miller, M.	Savelkoul
Becklin	Esau	Kempe	Mueller	Searle
Bennett	Faricy	Klaus	Nelson	Sieben, H.
Berg	Ferderer	Knickerbocker	Newcome	Skaar
Biersdorf	Fjoslien	Kostohryz	Niehaus	Smith
Brinkman	Forsythe	Kvam	Norton	Spanish
Carlson, B.	Fudro	Laidig	Ohnstad	Stangeland
Carlson, D.	Fugina	Larson	Ojala	Stanton
Carlson, L.	Graba	LaVoy	Patton	Swanson
Cleary	Growe	Lemke	Pehler	Tomlinson
Connors	Hagedorn	Lindstrom, J.	Peterson	Vento
Culhane	Hanson	Lombardi	Pieper	Weaver
Dahl	Haugerud	Long	Prahl	Wenzel
DeGroat	Jacobs	Mann	Quirin	Wigley
Dirlam	Jaros	McCauley	Rice	Wolcott

Those who voted in the negative were:

Andersen, R.	Enebo	McCarron	Pleasant	Voss
Bell	Heinitz	McEachern	Resner	Wohlwend
Braun	Hook	Moe	Salchert	Mr. Speaker
Carlson, A.	Kahn	Munger	Schreiber	
Casserly	Kelly	Parish	Schulz	
Clifford	Knoll	Pavlak, R.	Ulland	
Dieterich	Lindstrom, E.	Pavlak, R. L.	Vanasek	

The bill was passed and its title agreed to.

H. F. No. 2608 was reported to the House.

Quirin, for the Committee on Governmental Operations, moved to amend H. F. No. 2608, the printed bill, as follows:

Page 3, following line 16 of the printed bill, insert:

“Sec. 10. Laws 1973, Chapter 568, Section 9, is amended by adding a subdivision to read as follows:

Subd. 9. Notwithstanding the provisions of subdivision 6 of this section, the commission may issue an interim certificate of confirmation after its acceptance of an application in such form and containing such information and supporting documentation

as the commission may require, such certificate to be valid for not more than five years, to an operating company having a franchise approved by the commission to erect a community antenna and establish cable television service for any municipality not located within a designated standard metropolitan statistical area; provided that the system shall be constructed and ready for operation by July 1, 1975, in full compliance with all applicable regulations of the federal communications commission and with any special terms or conditions set by the Minnesota commission to apply in any individual situation, not subject to Minnesota Statutes 1971, Chapter 15, to include stipulations regarding minimum channel capacity; extent of two way capability; means for interconnection; and availability of facilities for public access cablecasting and for local program origination."

Renumber the remaining sections accordingly.

Further amend the title:

After "communications;" insert "providing for interim certificates of conformation;"

After the end of the title, after "13" insert "and adding a subdivision".

The motion prevailed and the amendment was adopted.

Kelly moved to amend H. F. No. 2608, the printed bill, as amended by the Quirin amendment, as follows:

Lines 8 and 9 of Subd. 9 of the Quirin amendment, strike "*not located within a designated standard metropolitan statistical area*" and insert in lieu thereof: "*having a population not greater than 15,000 according to the 1970 federal census*".

The motion prevailed and the amendment was adopted.

Kelly moved to amend H. F. No. 2608, the printed bill, as follows:

Page 1, before line 1, insert the following:

"Section 1. Laws 1973, Chapter 568, Section 2, Subdivision 8, is amended to read:

Subd. 8. "Municipality" shall mean any (VILLAGE,) organized town, city, (BOROUGH,) or county with respect to the unorganized territory within its boundaries (, OR ANY COMBINATION OF THESE WHICH UNDERTAKES TO ISSUE A FRANCHISE)."

Renumber the remaining sections.

Further amend the title as follows:

Page 1, line 1, after "2," insert "Subdivision 8, and".

Page 1, lines 2 and 3, strike "Subdivisions 4 and" and insert "Subdivision".

The motion prevailed and the amendment was adopted.

Kelly moved to amend H. F. No. 2608, the printed bill, as follows:

Page 3, strike lines 9 through 16.

Renumber the remaining sections.

The motion prevailed and the amendment was adopted.

H. F. No. 2608, A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivision 13 and adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Menke	Schulz
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Searle
Andersen, R.	Dirlam	Jude	Moe	Sherwood
Anderson, D.	Eken	Kahn	Munger	Sieben, H.
Anderson, G.	Enebo	Kelly	Nelson	Skaar
Anderson, I.	Erdahl	Kempe	Newcome	Smith
Becklin	Erickson	Knickerbocker	Niehaus	Spanish
Bell	Faricy	Kostohryz	Norton	Stangeland
Bennett	Ferderer	Kvam	Ojala	Stanton
Berg	Fjoslien	Laidig	Parish	Swanson
Berglin	Forsythe	Larson	Patton	Tomlinson
Biersdorf	Fudro	LaVoy	Pavlak, R.	Ulland
Braun	Fugina	Lemke	Pavlak, R. L.	Vanasek
Brinkman	Graba	Lindstrom, E.	Peterson	Vento
Carlson, A.	Graw	Lindstrom, J.	Pieper	Weaver
Carlson, B.	Grove	Lombardi	Pleasant	Wenzel
Carlson, D.	Hagedorn	Long	Prahl	Wigley
Carlson, L.	Hanson	Mann	Resner	Wohlwend
Casserly	Haugerud	McArthur	Ryan	Wolcott
Cleary	Heinitz	McCarron	St. Onge	Mr. Speaker
Clifford	Hook	McCauley	Samuelson	
Connors	Jacobs	McEachern	Sarna	
Culhane	Jaros	McFarlin	Savelkoul	
Dahl	Johnson, C.	McMillan	Schreiber	

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

H. F. No. 3399 was reported to the House.

Stangeland moved to amend H. F. No. 3399, the printed bill, as follows:

Page 7, line 32, after the word "warehouses" strike the period and insert in lieu thereof the following: "*or any warehouse related thereto.*".

Vento moved to amend the Stangeland amendment, as follows:

After the word "*thereto*" in the Stangeland amendment, strike the period and insert the following: "*in any city or village in this state having a population of 5000 or less according to the last federal census or within 5 miles of the boundary of such city or village in this state.*".

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

The question recurred on the Stangeland amendment, as amended. The motion prevailed and the amendment was adopted.

H. F. No. 3399, A bill for an act relating to regulated industries; certain industries regulated by the department of public service; common carrier duties; fees for certain motor carrier certificates, registrations and permits; transfer of certain permits; inspection of commercial vehicles; enforcement; defining warehouseman and providing supervisory powers of the department of public service over warehousemen; prescribing penalties; amending Minnesota Statutes 1971, Sections 218.031, Subdivision 2; 219.39; 221.071; 221.211; 221.221; 231.01, Subdivision 5; 231.02; 231.16; Minnesota Statutes, 1973 Supplement, Sections 221.131; 221.151, Subdivision 1, and by adding a subdivision; 221.291; and 221.64; repealing Minnesota Statutes, 1973 Supplement, Section 221.191.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Carlson, L.	Dieterich	Fjoslien
Adams, S.	Berglin	Casserly	Dirlam	Forsythe
Andersen, R.	Biersdorf	Clifford	Eckstein	Fudro
Anderson, G.	Braun	Connors	Eken	Fugina
Anderson, I.	Brinkman	Culhane	Enebo	Graw
Bell	Carlson, A.	Cummiskey	Faricy	Grove
Bennett	Carlson, B.	Dahl	Ferderer	Hagedorn

Hanson	Kvam	Miller, D.	Pieper	Stanton
Haugerud	Laidig	Miller, M.	Pleasant	Swanson
Heinitz	LaVoy	Moe	Prahl	Tomlinson
Hook	Lemke	Munger	Quirin	Ulland
Jacobs	Lindstrom, E.	Nelson	Resner	Vanasek
Jaros	Lindstrom, J.	Newcome	Rice	Vento
Johnson, D.	Lombardi	Niehaus	Ryan	Weaver
Johnson, J.	Mann	Norton	St. Onge	Wenzel
Jude	McArthur	Ojala	Salchert	Wohlwend
Kahn	McCarron	Parish	Sarna	Wolcott
Kelly	McCauley	Patton	Schulz	Mr. Speaker
Klaus	McEachern	Pavlak, R.	Sherwood	
Knickerbocker	McFarlin	Pavlak, R. L.	Sieben, H.	
Knoll	McMillan	Pehler	Spanish	
Kostohryz	Menke	Peterson	Stangeland	

Those who voted in the negative were:

Anderson, D.	DeGroat	Larson	Savelkoul	Smith
Becklin	Erdahl	Long	Searle	Wigley
Carlson, D.	Erickson	Ohnstad	Skaar	

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

H. F. No. 3104, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in certain statutes; amending Minnesota Statutes 1971, Sections 3A.02, Subdivision 1, as amended; 43.30; 88.11, Subdivision 1; 144.06; 144.201, Subdivision 2; 144.203; 178.08; 246.53; 315.40; 317.66, Subdivision 1; 323.06; 323.24; 352B.26, Subdivision 3, as amended; 352B.28, as added; 352C.04, Subdivisions 1 and 2; 352C.05; 352C.06; 352C.07; 356.20, Subdivision 4; 356.21, Subdivision 4 and Subdivision 5, as amended; 358.14; 387.15; 387.16; 393.01, Subdivisions 2, as amended, and 7; 423.34; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.809, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; 459.16; 490.102, Subdivision 6; 490.105; 510.06; 517.07; 518.15; 519.01; 525.05; 525.082; 525.14; 525.60, Subdivision 1, as amended; 540.08; 540.09; 548.06; 550.37, Subdivision 10; 558.28; 576.08; 617.22; 624.61; 629.55; 631.09; 631.412; 641.06; 641.14; repealing Minnesota Statutes 1971, Section 352C.02, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 9, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Braun	Carlson, L.	Culhane
Andersen, R.	Bennett	Brinkman	Casserly	Cummiskey
Anderson, G.	Berg	Carlson, A.	Cleary	Dahl
Anderson, I.	Berglin	Carlson, E.	Clifford	DeGroat
Becklin	Biersdorf	Carlson, D.	Connors	Dieterich

Dirlam	Heinitz	Lindstrom, J.	Ojala	Savelkoul
Eckstein	Hook	Long	Parish	Schreiber
Eken	Jacobs	Mann	Patton	Sherwood
Enebo	Jaros	McArthur	Pavlak, R.	Sieben, H.
Erdahl	Johnson, D.	McCarron	Pehler	Smith
Erickson	Johnson, J.	McCauley	Peterson	Spanish
Faricy	Jude	McEachern	Pieper	Stanton
Ferderer	Kahn	McFarlin	Pleasant	Swanson
Fjoslien	Kempe	McMillan	Prahl	Tomlinson
Forsythe	Klaus	Menke	Quirin	Ulland
Fudro	Knickerbocker	Miller, D.	Resner	Vanasek
Fugina	Knoll	Miller, M.	Rice	Vento
Graba	Kostehryz	Moe	Ryan	Weaver
Graw	Laidig	Munger	St. Onge	Wenzel
Growe	LaVoy	Nelson	Salchert	Wohlwend
Hanson	Lemke	Newcome	Samuelson	Wolcott
Haugerud	Lindstrom, E.	Norton	Sarna	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Larson	Niehaus	Pavlak, R. L.	Wigley
Kvam	Lombardi	Ohnstad	Skaar	

The bill was passed and its title agreed to.

H. F. No. 1634 was reported to the House.

Dieterich moved to amend H. F. No. 1634, the printed bill, as follows:

Page 1, line 2, restore the stricken "or".

Page 1, line 3, restore the stricken "other".

Page 2, line 25, after "record" insert "*which shall be made pursuant to the rules of evidence*".

Page 4, line 28, after "*proceeding.*" insert the following:

"Sec. 9. Section 8 of this act shall take effect in Hennepin and Ramsey County on July 1, 1975."

The motion prevailed and the amendment was adopted.

H. F. No. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Moe	Schreiber
Andersen, R.	Eckstein	Kempe	Munger	Schulz
Anderson, D.	Eken	Klaus	Nelson	Searle
Anderson, G.	Enebo	Knickerbocker	Newcome	Sherwood
Anderson, I.	Erdahl	Knoll	Niehaus	Sieben, H.
Becklin	Erickson	Kostohryz	Norton	Skaar
Bell	Faricy	Kvam	Ohnstad	Smith
Bennett	Ferderer	Laidig	Ojala	Spanish
Berg	Fjoslien	Larson	Parish	Stangeland
Berglin	Forsythe	LaVoy	Patton	Stanton
Biersdorf	Fudro	Lemke	Pavlak, R.	Swanson
Braun	Fugina	Lindstrom, E.	Pehler	Tomlinson
Brinkman	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, A.	Growe	Lombardi	Pieper	Vanasek
Carlson, B.	Hagedorn	Long	Pleasant	Vento
Carlson, D.	Hanson	Mann	Prahl	Voss
Carlson, L.	Haugerud	McArthur	Quirin	Weaver
Casserly	Heinitz	McCarron	Resner	Wenzel
Cleary	Hook	McCauley	Rice	Wigley
Clifford	Jacobs	McEachern	Ryan	Wohlwend
Connors	Jaros	McFarlin	St. Onge	Wolcott
Culhane	Johnson, D.	McMillan	Salchert	Mr. Speaker
Dahl	Johnson, J.	Menke	Samuelson	
DeGroat	Jude	Miller, D.	Sarna	
Dieterich	Kahn	Miller, M.	Savelkoul	

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

H. F. No. 2872 was reported to the House.

Kelly moved to amend H. F. No. 2872, the printed bill, as follows:

Page 2, lines 15 through 18, strike clause (a).

Reletter the subsequent clauses.

The motion prevailed and the amendment was adopted.

H. F. No. 2872, A bill for an act relating to public safety; providing for emergency measures to meet disasters; vesting certain powers in the governor and executive council; amending Minnesota Statutes 1971, Section 9.061.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 86, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Carlson, A.	Culhane	Eckstein
Anderson, G.	Berglin	Carlson, L.	Cummiskey	Eken
Anderson, I.	Braun	Casserly	Dahl	Enebo
Bennett	Brinkman	Connors	Dieterich	Faricy

Ferderer	Kempe	Menke	Peterson	Stanton
Fudro	Klaus	Miller, D.	Quirin	Swanson
Fugina	Knickerbocker	Miller, M.	Resner	Tomlinson
Graba	Knoll	Moe	Rice	Ulland
Growe	Kostohryz	Munger	Ryan	Vento
Hanson	Laidig	Nelson	St. Onge	Voss
Haugerud	LaVoy	Newcome	Salchert	Wenzel
Jacobs	Lemke	Norton	Samuelson	Wohlwend
Jaros	Lindstrom, J.	Ojala	Sarna	Wolcott
Johnson, C.	McArthur	Parish	Schulz	Mr. Speaker
Johnson, D.	McCarron	Patton	Sherwood	
Jude	McEachern	Pavlak, R.	Sieben, H.	
Kahn	McFarlin	Pavlak, R. L.	Smith	
Kelly	McMillan	Pehler	Spanish	

Those who voted in the negative were:

Andersen, R.	Clifford	Hagedorn	Long	Schreiber
Anderson, D.	DeGroat	Heinitz	Mann	Searle
Becklin	Dirlam	Hook	Niehaus	Skaar
Belisle	Erdahl	Johnson, J.	Ohnstad	Stangeland
Bell	Erickson	Kvam	Pieper	Wigley
Biersdorf	Fjoslien	Larson	Pleasant	
Carlson, D.	Forsythe	Lindstrom, E.	Prahl	
Cleary	Graw	Lombardi	Savelkoul	

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

H. F. No. 3027, A bill for an act relating to housing and re-development authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 11; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Heinitz	Lombardi	Ojala
Andersen, R.	DeGroat	Hook	Long	Parish
Anderson, I.	Dieterich	Jacobs	Mann	Patton
Becklin	Dirlam	Jaros	McArthur	Pavlak, R. L.
Belisle	Eckstein	Johnson, D.	McCarron	Pehler
Bell	Enebo	Jude	McCauley	Pieper
Bennett	Erdahl	Kahn	McEachern	Pleasant
Berg	Erickson	Kelly	McFarlin	Prahl
Berglin	Faricy	Kempe	McMillan	Rice
Brinkman	Ferderer	Klaus	Menke	Ryan
Carlson, A.	Forsythe	Knickerbocker	Miller, D.	St. Onge
Carlson, D.	Fudro	Knoll	Moe	Salchert
Carlson, L.	Fugina	Kostohryz	Munger	Samuelson
Casserly	Graba	Kvam	Nelson	Sarna
Cleary	Graw	Larson	Newcome	Savelkoul
Clifford	Growe	LaVoy	Niehaus	Schreiber
Connors	Hagedorn	Lemke	Norton	Searle
Culhane	Hanson	Lindstrom, J.	Ohnstad	Sherwood

Sieben, H.	Spanish	Swanson	Vento	Wohlwend
Skaar	Stangeland	Tomlinson	Voss	Wolcott
Smith	Stanton	Ulland	Wigley	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Fjoslien	Peterson	Vanasek	Wenzel
Anderson, G.	Miller, M.	Quirin		
Eken	Pavlak, R.	Resner		

The bill was passed and its title agreed to.

H. F. No. 3544 was reported to the House.

Quirin moved to amend H. F. No. 3544, the printed bill, as follows:

Page 1, line 14, after the word "skilled" strike the word "administration" and add in lieu thereof "ministration".

The motion prevailed and the amendment was adopted.

H. F. No. 3544, A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Miller, D.	Samuelson
Andersen, R.	Dirlam	Kahn	Miller, M.	Sarna
Anderson, D.	Eckstein	Kelly	Moe	Savelkoul
Anderson, G.	Eken	Kempe	Munger	Schreiber
Anderson, I.	Enebo	Klaus	Nelson	Schulz
Becklin	Erdahl	Knickerbocker	Newcome	Searle
Belisle	Erickson	Knoll	Niehaus	Sherwood
Bell	Faricy	Kostohryz	Norton	Sieben, H.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Growe	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Casserly	Hanson	Mann	Pleasant	Vento
Cleary	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Wenzel
Connors	Hook	McCauley	Resner	Wigley
Culhane	Jacobs	McEachern	Rice	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, J.	Menke	Salchert	

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

H. F. No. 3395, A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Kahn	Moe	Schreiber
Anderson, D.	Eckstein	Kelly	Munger	Schulz
Anderson, G.	Eken	Kempe	Nelson	Searle
Anderson, I.	Enebo	Klaus	Newcome	Sherwood
Becklin	Erdahl	Knickerbocker	Niehaus	Sieben, H.
Belisle	Erickson	Knoll	Norton	Skaar
Bell	Faricy	Kostohryz	Ohnstad	Smith
Bennett	Ferderer	Kvam	Ojala	Spanish
Berg	Fjoslien	Laidig	Parish	Stangeland
Berglin	Forsythe	Larson	Patton	Stanton
Biersdorf	Fudro	LaVoy	Pavlak, R.	Swanson
Braun	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Growe	Lombardi	Pieper	Vento
Carlson, D.	Hagedorn	Long	Pleasant	Voss
Carlson, L.	Hanson	Mann	Prahl	Wenzel
Cassery	Hangerud	McArthur	Quirin	Wigley
Cleary	Heinitz	McCarron	Resner	Wohlwend
Clifford	Hook	McCauley	Rice	Wolcott
Connors	Jacobs	McEachern	Ryan	Mr. Speaker
Culhane	Jaros	McFarlin	St. Onge	
Cummiskey	Johnson, C.	McMillan	Salchert	
Dahl	Johnson, D.	Menke	Samuelson	
DeGroat	Johnson, J.	Miller, D.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 3313 was reported to the House.

There being no objection, H. F. No. 3313 was continued for one day.

H. F. No. 3035 was reported to the House.

Voss moved to amend H. F. No. 3035, the printed bill, as follows:

Page 1, before "Section 1." insert the following:

"Section 1. Minnesota Statutes 1971, Section 473A.09, is amended by adding a subdivision to read:

Subd. 12. [BUS SYSTEM FARES.] The commission shall charge bus system passengers a uniform fare of not more than \$.50 per ride, without additional charge for distance traveled or transfer. This subdivision shall be in effect on January 30, 1975."

Renumber the sections accordingly.

Page 1, line 10, strike the figure "2.69" and insert in lieu thereof the figure "2.89".

Further, amend the title, line 2, after the word "therefor;" insert "setting bus fares;". Further in the line, after "Statutes" and before the comma, insert "1971, Section 473.09 and Minnesota Statutes".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 63, and nays 56, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Kempe	McEachern	Samuelson
Anderson, D.	Eckstein	Klaus	McFarlin	Savelkoul
Becklin	Erdahl	Knickerbocker	McMillan	Schreiber
Belisle	Erickson	Kostohryz	Menke	Searle
Biersdorf	Fjoslien	Kvam	Newcome	Sieben, H.
Braun	Forsythe	Laidig	Niehaus	Stangeland
Carlson, B.	Fudro	Larson	Ohnstad	Swanson
Carlson, L.	Graw	Lemke	Parish	Vanasek
Cleary	Growe	Long	Pavlak, R.	Voss
Clifford	Haugerud	Mann	Pavlak, R. L.	Wigley
Connors	Heinitz	McArthur	Peterson	Wohlwend
Culhane	Jacobs	McCarron	Pieper	
DeGroat	Jude	McCauley	Pleasant	

Those who voted in the negative were:

Adams, J.	Dieterich	Kelly	Patton	Skaar
Anderson, G.	Eken	Knoll	Pehler	Spanish
Anderson, I.	Enebo	LaVoy	Prahl	Stanton
Bell	Faricy	Lindstrom, E.	Quirin	Tomlinson
Bennett	Ferderer	Lindstrom, J.	Resner	Vento
Berg	Fugina	Lombardi	Rice	Wenzel
Berglin	Hanson	Miller, D.	Ryan	Wolcott
Brinkman	Hook	Moe	St. Onge	Mr. Speaker
Carlson, A.	Jaros	Munger	Salchert	
Carlson, D.	Johnson, D.	Nelson	Sarna	
Casserly	Johnson, J.	Norton	Schulz	
Cummiskey	Kahn	Ojala	Sherwood	

The motion prevailed and the amendment was adopted.

There being no objection, H. F. No. 3035, as amended, was continued for one day.

H. F. No. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, M.	Sarna
Andersen, R.	Dieterich	Kahn	Moe	Savelkoul
Anderson, D.	Dirlam	Kelly	Munger	Schreiber
Anderson, G.	Eckstein	Kempe	Nelson	Schulz
Anderson, I.	Eken	Klaus	Newcome	Searle
Becklin	Enebo	Knickerbocker	Niehaus	Sherwood
Belisle	Erdahl	Knoll	Norton	Sieben, H.
Bell	Erickson	Kostohryz	Ohnstad	Skaar
Bennett	Faricy	Kvam	Ojala	Smith
Berg	Ferderer	Laidig	Parish	Spanish
Berglin	Fjoslien	Larson	Patton	Stangeland
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Stanton
Braun	Fudro	Lemke	Pavlak, R. L.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graba	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Graw	Lombardi	Pieper	Vanasek
Carlson, D.	Growe	Long	Pleasant	Vento
Carlson, L.	Hagedorn	Mann	Prahl	Voss
Cassery	Hanson	McArthur	Quirin	Wenzel
Cleary	Haugerud	McCarron	Resner	Wigley
Clifford	Heinitz	McCauley	Rice	Wohlwend
Connors	Hook	McEachern	Ryan	Wolcott
Culhane	Jacobs	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McMillan	Salchert	
Dahl	Johnson, J.	Menke	Samuelson	

The bill was passed and its title agreed to.

H. F. No. 3436 was reported to the House.

Cummiskey moved to amend H. F. No. 3436, the printed bill, as follows:

Page 1, line 9, strike "1971" and insert in lieu thereof "1973".

The motion prevailed and the amendment was adopted.

H. F. No. 3436, A bill for an act relating to the state building code; adopting the uniform fire code.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Miller, M.	Sarna
Andersen, R.	Eckstein	Kelly	Moe	Savelkoul
Anderson, G.	Eken	Kempe	Munger	Schreiber
Anderson, I.	Enebo	Klaus	Nelson	Schulz
Becklin	Erdahl	Knickerbocker	Newcome	Searle
Belisle	Erickson	Knoll	Niehaus	Sherwood
Bell	Faricy	Kostohryz	Norton	Sieben, H.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Growe	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Casserly	Hanson	Mann	Pleasant	Vento
Cleary	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Wenzel
Connors	Hook	McCauley	Resner	Wigley
Culhane	Jacobs	McEachern	Rice	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, J.	Menke	Salchert	
Dieterich	Jude	Miller, D.	Samuelson	

Those who voted in the negative were:

Anderson, D.

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

H. F. No. 1834 was reported to the House.

There being no objection, H. F. No. 1834 was continued for one day.

H. F. No. 3032, A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Brinkman	Clifford	Dieterich
Andersen, R.	Bennett	Carlson, A.	Connors	Eken
Anderson, G.	Berg	Carlson, B.	Culhane	Enebo
Anderson, I.	Berglin	Carlson, L.	Cummiskey	Erdahl
Becklin	Biersdorf	Casserly	Dahl	Erickson
Belisle	Braun	Cleary	DeGroat	Faricy

Ferderer	Jude	McCauley	Pehler	Schulz
Fudro	Kahn	McMillan	Peterson	Sherwood
Fugina	Kelly	Menke	Pieper	Smith
Graba	Kempe	Miller, D.	Pleasant	Spanish
Graw	Klaus	Moe	Prahl	Stangeland
Growe	Knickerbocker	Munger	Quirin	Stanton
Hagedorn	Knoll	Nelson	Resner	Swanson
Hanson	Kostohryz	Newcome	Rice	Tomlinson
Haugerud	Laidig	Norton	Ryan	Ulland
Hook	LaVoy	Ohnstad	St. Onge	Vanasek
Jacobs	Lemke	Ojala	Salchert	Vento
Jaros	Lindstrom, E.	Parish	Samuelson	Voss
Johnson, C.	Lombardi	Patton	Sarna	Wenzel
Johnson, D.	McArthur	Pavlak, R.	Savelkoul	Wolcott
Johnson, J.	McCarron	Pavlak, R. L.	Schreiber	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Fjoslien	Lindstrom, J.	Miller, M.	Skaar
Dirlam	Kvam	Long	Niehaus	
Eckstein	Larson	McFarlin	Searle	

The bill was passed and its title agreed to.

Biersdorf was excused for the remainder of today's session.

H. F. No. 2477 was reported to the House.

Munger moved to amend H. F. No. 2477, the printed bill, as follows:

Page 1, line 12, after "municipality" strike "or regional agency".

Page 1, line 15, after "municipality" strike "or regional agency".

Page 2, line 4, after "municipality" strike "or regional agency".

Page 2, line 6, after "facility" strike "and may require the bidder to furnish" and insert in lieu thereof the comma.

Page 2, line 6, after "preliminary" strike "design" and insert "detailed".

Page 2, line 8, after "municipality" strike "or regional agency".

Page 2, line 15, strike "or regional agency".

Page 2, lines 18 and 19, after "municipality" strike "or regional agency".

Page 2, line 20, after "contract" strike "the bidder shall furnish to".

Page 2, line 20, after "municipality" strike "or regional agency" and insert in lieu thereof "shall require the bidder to furnish".

Page 2, line 21, after the second "and" insert "shall".

Page 2, line 21, after "contract" insert "and may provide for penalties".

Page 2, line 21, after "such" strike "information is" and insert in lieu thereof "plans and specifications are".

Page 2, line 22, after "municipality" strike "or regional agency".

Page 3, line 9, strike "certified check" and insert in lieu thereof "bond".

The motion prevailed and the amendment was adopted.

Quirin moved to amend H. F. No. 2477, the printed bill, as follows:

Page 1, line 17, after "detail" insert "for the bidder".

Page 2, line 1, after "and" and before "shall" insert "the documents".

Page 2, line 6, after "facility," delete "preliminary detailed" and insert "conceptual".

Page 2, lines 34 and 35, after "materials bond" delete ", performance bond, and applicable federal wage determination and other" and insert "and shall conform with".

Page 3, line 3, after "Section 2" delete "[SECURITY.] Subdivision 1."

Page 3, lines 5, 6, and 7, after "three" delete all of the language and insert "best bidders shall be retained by the municipality until the award has been approved in accordance with the provisions of this act."

Page 3, lines 8 to 11, delete all language.

The motion prevailed and the amendment was adopted.

McFarlin moved to amend H. F. No. 2477, the printed bill, as follows:

Page 2, line 1, strike "process,".

The motion prevailed and the amendment was adopted.

H. F. No. 2477, A bill for an act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Miller, D.	Savelkoul
Andersen, R.	Eckstein	Kelly	Miller, M.	Schreiber
Anderson, D.	Eken	Kempe	Moe	Schulz
Anderson, G.	Enebo	Klaus	Munger	Searle
Anderson, I.	Erdahl	Knickerbocker	Nelson	Sherwood
Becklin	Erickson	Knoll	Newcome	Sieben, H.
Belisle	Faricy	Kostohryz	Niehaus	Skaar
Bennett	Ferderer	Kvam	Norton	Smith
Berg	Forsythe	Laidig	Ojala	Spanish
Braun	Fudro	Larson	Parish	Stangeland
Brinkman	Fugina	LaVoy	Patton	Stanton
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Swanson
Carlson, B.	Graw	Lindstrom, E.	Pehler	Tomlinson
Carlson, D.	Growe	Lindstrom, J.	Peterson	Vanasek
Carlson, L.	Hagedorn	Lombardi	Pleasant	Vento
Cassery	Hanson	Long	Prahl	Voss
Cleary	Haugerud	Mann	Quirin	Wenzel
Clifford	Heinitz	McArthur	Resner	Wigley
Connors	Hook	McCarron	Rice	Wohlwend
Culhane	Jaros	McCauley	Ryan	Wolcott
Cummiskey	Johnson, C.	McEachern	St. Onge	Mr. Speaker
Dahl	Johnson, D.	McFarlin	Salchert	
DeGroat	Johnson, J.	McMillan	Samuelson	
Dieterich	Jude	Menke	Sarna	

Those who voted in the negative were:

Bell	Jacobs	Pavlak, R.	Pieper	Ulland
Fjoslien	Ohnstad			

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

H. F. No. 3190, A bill for an act relating to the metropolitan transit taxing district; establishing the outer limits as existing on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Klaus	Nelson	Searle
Andersen, R.	Eken	Knickerbocker	Newcome	Sherwood
Anderson, D.	Enebo	Knoll	Niehaus	Sieben, H.
Anderson, G.	Erdahl	Kostohryz	Norton	Skaar
Anderson, I.	Erickson	Kvam	Ohnstad	Smith
Becklin	Fjoslien	Laidig	Ojala	Spanish
Belisle	Forsythe	Larson	Parish	Stangeland
Bell	Fudro	LaVoy	Patton	Stanton
Bennett	Fugina	Lemke	Pavlak, R. L.	Swanson
Braun	Graba	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Growe	Lombardi	Pieper	Vento
Carlson, D.	Hagedorn	Long	Pleasant	Voss
Carlson, L.	Haugerud	Mann	Prahl	Wenzel
Casserly	Heinitz	McArthur	Quirin	Wigley
Cleary	Jacobs	McCarron	Resner	Wohlwend
Clifford	Jaros	McEachern	Ryan	Wolcott
Connors	Johnson, C.	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McMillan	Samuelson	
Dahl	Johnson, J.	Menke	Saveikoul	
DeGroat	Kelly	Miller, M.	Schreiber	
Dirlam	Kempe	Munger	Schulz	

Those who voted in the negative were:

Berg	Farcy	Jude	Rice	Sarna
Berglin	Ferderer	Kahn	Salchert	Tomlinson
Carlson, A.	Hanson	Moe		
Dieterich	Hook	Pavlak, R.		

The bill was passed and its title agreed to.

Anderson, I., moved that H. F. Nos. 3432, 3105, 2847, 3313, 3314, 3244, 3035, and 1834, be continued in sequence on Special Orders for Tuesday, March 12, 1974, to immediately follow the Consent Calendar and be placed at the end of Special Orders following H. F. Nos. 1069, 2243, and 2992. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1866:

Samuelson, Resner, and McCauley.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, March 12, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-THIRD DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 12, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, J.	Menke	Samuelson
Adams, S.	Dieterich	Johnson, R.	Miller, D.	Sarna
Andersen, R.	Dirlam	Jude	Miller, M.	Saveikoul
Anderson, D.	Eckstein	Kahn	Moe	Schreiber
Anderson, G.	Eken	Kelly	Mueller	Schulz
Anderson, I.	Erdahl	Kempe	Munger	Searle
Becklin	Erickson	Klaus	Myrah	Sherwood
Belisle	Esau	Knickerbocker	Nelson	Sieben, H.
Bell	Faricy	Knoll	Newcome	Sieben, M.
Bennett	Ferderer	Kostohryz	Niehaus	Skaar
Berg	Fjoslien	Kvam	Norton	Smith
Berglin	Forsythe	Laidig	Ohnstad	Spanish
Biersdorf	Fudro	Larson	Ojala	Stangeland
Braun	Fugina	LaVoy	Parish	Stanton
Brinkman	Graba	Lemke	Patton	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Long	Pieper	Vento
Casserly	Haugerud	Mann	Pleasant	Voss
Cleary	Heintz	McArthur	Prahl	Weaver
Clifford	Hook	McCarron	Quirin	Wenzel
Connors	Jacobs	McCauley	Resner	Wigley
Culhane	Jaros	McEachern	Rice	Wohlwend
Cummiskey	Johnson, C.	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker

A quorum was present.

Jopp, Peterson, and Salchert were excused. Enebo was excused until 4:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 913, 1995, 2716, 2742, 2974, 3151, 3335, 3492, 3400, 1835, 3035, 1498, 1634, 2608, 2872, 3319, 3399, 3544, and 2156 and S. F. Nos. 707, 2177, 2332, 3331, 2518, 2576, 2639, 2640, 2685, 2759, 2820, 1018, 2812, 3162, 3183, 3406, 3301, 3355, 3360, 3394, 3409, 3033, 2005, 2105, 2933, 3023, 3144, 2918, 2975, 3039, 3123, 3287, 2878, 3163, 3189, 3247, 1482, 1483, 2004, 3160, 3246, 3325, 3338, 3372, 2621, 2954, 3061, 3175, 2347, and 3233 have been placed in the members' files.

S. F. No. 2004 and H. F. No. 1700 which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Andersen, R., moved that S. F. No. 2004 be substituted for H. F. No. 1700 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2332 and H. F. No. 2310, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Newcome moved that S. F. No. 2332 be substituted for H. F. No. 2310 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3162 and H. F. No. 3254, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kahn moved that S. F. No. 3162 be substituted for H. F. No. 3254 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3338 and H. F. No. 3474, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Quirin moved that S. F. No. 3338 be substituted for H. F. No. 3474 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3009 and H. F. No. 3367, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 3009, page 1, line 14, reads as follows: "Minnesota, the following described state lands in Pine and"; whereas H. F. No. 3367, page 1, line 14, reads as follows: "Minnesota, the following described state lands in Pine".

S. F. No. 3009, page 1, line 15, reads as follows: "Carlton counties, Minnesota."; whereas H. F. No. 3367, page 1, line 15, reads as follows: "county, Minnesota.".

S. F. No. 3009, page 2, line 21, reads as follows: "residents of Carlton county. Each appraiser shall before"; whereas H. F. No. 3367, page 2, line 21, reads as follows: "residents of Pine county. Each appraiser shall before".

In the title, S. F. No. 3009, page 1, lines 4 and 5 read as follows: "Pine and Carlton counties to the city of Moose Lake, Minnesota."; whereas H. F. No. 3367, page 1, lines 4 and 5 read as follows: "Pine county to the city of Moose Lake, Minnesota.".

SUSPENSION OF RULES

Carlson, D., moved that the rules be so far suspended that S. F. No. 3009 be substituted for H. F. No. 3367 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3163 and H. F. No. 3244, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that in the title of S. F. No. 3163, line 5 reads as follows: "old federal courts building."; whereas in the title of H. F. No. 3244, lines 5 and 6 read as follows: "old federal courts building and the arts and science center.".

SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 3163 be substituted for H. F. No. 3244 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

March 12, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 2812, An act relating to environment; solid waste user fee study; amending Laws 1973, Chapter 748, by adding a section; repealing Laws 1973, Chapter 748, Section 7.

Sincerely,

WENDELL R. ANDERSON
Governor

REPORTS OF STANDING COMMITTEES

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 526, A bill for an act relating to wild animals; providing authority for the commissioner of natural resources to charge a fee for permits for the destruction of harmful or undesirable aquatic vegetation; amending Minnesota Statutes 1971, Section 98.48, Subdivision 9.

Reported the same back with the following amendments:

Page 2, line 6, strike "1974" and insert "1975".

Page 2, line 12, strike "and" and insert a comma.

Page 2, line 13, after "programs," insert "wild and scenic river plans,".

Page 2, line 15, strike "1974" and insert "1975".

Further, amend the title on line 2 by striking "wild animals" and inserting in lieu thereof "aquatic vegetation".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2264, A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2457, A bill for an act relating to pollution control; regulating the display and distribution of certain lists setting forth the phosphorous content of certain products; amending Minnesota Statutes 1971, Section 116.28, Subdivisions 1 and 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2501, A bill for an act relating to game and fish; distribution of certain proceeds from hunting leases; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2822, A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Sections 378.31, Subdivision 2; and 378.32, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1405, A bill for an act relating to registration and regulation of landscape architects; amending Minnesota Statutes 1971, 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, Subdivisions 1, 2, and 7; 326.11, Subdivision 1; 326.12, Subdivisions 1, 2, and 3; 326.13; and 326.14.

Reported the same back with the following amendments:

Page 2, strike lines 5 to 23 and insert in lieu thereof the following:

"Subd. 4a. [PRACTICE OF LANDSCAPE ARCHITECTURE.] Any person shall be deemed to be practicing landscape architecture, within the meaning of sections 326.02 to 326.16, who holds himself out as able to perform or who does perform

any professional service, in connection with the development of land areas where, the dominant purpose of such service is the preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements, natural drainage and the consideration and determination of inherent problems of the land relating to the erosion, wear and tear, blight and hazards. This practice shall include the location and arrangement of such tangible objects and features as are incidental and necessary to the purposes outlined herein but shall not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture; and shall not include the making of land surveys or final land plats for official approval or recording. This subdivision shall not exclude architects or engineers from land use planning, including site planning and master planning of sites and such work as is appropriate and/or necessary to the design of structures and people oriented facilities."

Page 2, line 24, strike "1971" and insert ", 1973 Supplement".

Page 3, line 11, after "326.03" insert ", nor to the planning for and supervision of the construction and installation of work by an electrical contractor or master plumber as defined in and licensed pursuant to this chapter, where such work is within the scope of such licensed activity and not within the practice of professional engineering or architecture as defined in section 326.02, subdivisions 2 and 3".

Page 4, strike lines 4 to 28 and insert in lieu thereof the following:

"Sec. 6. Minnesota Statutes, 1973 Supplement, Section 326.04, is amended to read:

326.04 [STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND SURVEYORS.] To carry out the provisions of sections 326.02 to 326.15 there is hereby created a state board of registration for architects, engineers, (AND) land surveyors, and *landscape architects* (hereinafter called the board) consisting of (FIFTEEN) *sixteen* members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers, *one member shall be a landscape architect*, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of Laws 1973, Chapter 638. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two members for three years; and one member for four years, said term ending on the first day of January of the succeeding years.

On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. *The first landscape architect member shall be appointed as soon as possible and no later than 60 days after the effective date of this act and shall serve for a term to end on January 1, 1975.* Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years. The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term."

Page 5, strike lines 1 to 15.

Page 5, line 16, strike "1971" and insert ", 1973 Supplement".

Page 5, line 20, remove "He" and insert "Each member except the public members".

Page 5, line 23, remove "He" and insert "Each such member".

Page 5, line 27, strike "*association*" and insert in lieu thereof "*society*".

Page 6, strike lines 23 to 28 and insert in lieu thereof the following:

"Sec. 9. Minnesota Statutes, 1973 Supplement, Section 326.07, is amended to read:

326.07 [BOARD, MEETINGS OF, OFFICERS, QUORUM.]
The board shall hold a meeting within 30 days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect annually from its members a chairman, a vice-chairman and a secretary-treasurer. A quorum of the board shall consist of not less than (EIGHT) *nine* members, of whom (TWO)

three shall be architects, three engineers, and three public members.”.

Page 7, strike lines 1 to 7.

Page 11, line 13, after “member” and before “of” insert “or one civil engineer member”.

Further, amend the title as follows:

Page 1, strike lines 5 to 12, and insert in lieu thereof: “326.02, Subdivision 1, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.06; 326.08, Subdivision 2; 326.09; 326.10, Subdivisions 1, 2 and 7; 326.11, Subdivision 1; 326.12, Subdivisions 1, 2 and 3; 326.13; and 326.14; and Minnesota Statutes, 1973 Supplement, Sections 326.02, Subdivision 5; 326.04; 326.05; and 326.07.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3263, A bill for an act relating to the legislature; establishing the office of state demographer; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [PURPOSE.] The legislature finds that competent demographic estimates and projections are basic tools for operating all units of government and planning for their future development. Therefore, the effective operation of the state planning agency requires the appointment of a state demographer.

Sec. 2. Minnesota Statutes 1971, Section 4.11, is amended by adding a subdivision to read:

Subd. 8. Within the organization of the state planning agency, the position of state demographer shall be appointed by and serve under the supervision and control of the director of planning. The state demographer shall be professionally competent in the field of demography and shall possess demonstrated ability, based upon experience and past performance.

Sec. 3. Minnesota Statutes 1971, Section 4.12, is amended by adding a subdivision to read:

Subd. 6. The director of planning shall:

(1) *Employ personnel with qualifications as are needed to perform the duties prescribed in this section. To the greatest extent practicable, the director of planning shall limit the permanent demographic staff and shall contract for basic research, employ consultants, and use the existing facilities of state departments, other agencies, and the state educational institutions, and*

(2) *Utilize the computer facilities of the state or state educational institutions for the research data necessary for periodic population projections.*

Sec. 4. Minnesota Statutes 1971, Section 412, is amended by adding a subdivision to read:

Subd. 7. The director of planning or his designee:

(1) *Shall continuously gather and develop demographic data within the state,*

(2) *Shall design and test methods of research and data collection,*

(3) *Shall have the power to call upon any agency of the state or political subdivision for data as may be available, and the agencies and political subdivisions shall cooperate to the fullest extent possible,*

(4) *Shall annually prepare population projections for designated regions and for the state and may periodically prepare projections for each county, or other political or geographic division,*

(5) *Shall review, comment, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies or nongovernmental persons, institutions or commissions,*

(6) *Shall serve as the state representative to the federal bureau of census and shall coordinate his activities with federal demographic activities to the fullest extent possible,*

(7) *Shall compile an annual study of population estimates on the basis of county, regional or other political or geographic divisions as necessary to carry out the purposes of this act, and*

(8) *Shall, on or before January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections.*

Sec. 5. Each state agency shall submit to the director of planning for his comment all population estimates and projections prepared by it prior to:

(a) Submitting those estimates and projections to the state legislature or federal government to obtain appropriations or grants,

(b) The issuance of bonds based upon those estimates and projections, and

(c) Releasing any plan based upon those estimates and projection.

Sec. 6. On or before March 1, 1975, the state demographer shall report to the legislature on his progress in carrying out the powers and duties enumerated in sections 3 and 4.

Sec. 7. On or before January 1, 1976, the state demographer shall submit a report to the legislature on the feasibility and potential uses of a periodic official census, and of periodic population estimates and projections.

Sec. 8. The sum of \$ is appropriated to the state planning agency from the general fund for the purposes of this act. This appropriation shall expire June 30, 1975.

Sec. 9. This act is effective on the day following its final enactment."

Further, amend the title as follows:

Strike the title and insert in lieu thereof the following:

"A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing its powers and duties; appropriating moneys therefore; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 2767, A bill for an act relating to inheritance taxes; prescribing inheritance tax rates and exemptions for certain donees; amending Minnesota Statutes 1971, Sections 291.03, as amended; and 291.05, as amended.

Reported the same back with the following amendments:

Page 2, line 27, after "husband" insert "*or widower*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1405 and 2767 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2004, 2332, 3162, 3338, 3009, 3163, 526, 2264, 2457, 2501 and 2822 were read for the second time.

INTRODUCTION OF BILLS

Eken, Kelly, and Hanson introduced:

H. F. No. 3696, A bill for an act relating to livestock; revising and updating the law governing the livestock sanitary board; repealing obsolete provisions; providing a penalty; amending Minnesota Statutes 1971, Sections 35.01, Subdivision 1; 35.05; 35.08; 35.09; 35.15, Subdivision 2; 35.245, Subdivisions 1 and 3; 35.30; 35.31; 35.32; 35.49; 35.55; and 35.70, Subdivision 5; repealing Minnesota Statutes 1971, Sections 35.01, Subdivisions 3, 4, 5, 6 and 7; 35.07; 35.17; 35.18; 35.19; 35.20; 35.25; 35.26; 35.27; 35.28; 35.29; 35.33; 35.34; 35.35; 35.40; 35.41; 35.42; 35.43; 35.44; 35.45; 35.46; 35.47; 35.48; 35.50; 35.51; 35.58; 35.60; 35.605; 35.70, Subdivisions 6 and 8; and 35.823.

The bill was read for the first time and referred to the Committee on Agriculture.

Fjoslien; Anderson, D.; Graba; Sabo; and Munger introduced:

H. F. No. 3697, A bill for an act establishing the Runestone state wayside park; authorizing the commissioner of natural resources to acquire lands therefor.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Prahl, Moe, Patton, Parish, and Johnson, D., introduced:

H. F. No. 3698, A bill for an act relating to retirement; military service credit of members of the teachers retirement fund; amending Minnesota Statutes, 1973 Supplement, Sections 354.38, Subdivisions 1 and 3; and 354.53, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Stangeland, Myrah, Larson, Hagedorn, and Savelkoul introduced:

H. F. No. 3699, A bill for an act relating to taxation; providing for income averaging for the purposes of the income tax; amending Minnesota Statutes 1971, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs introduced:

H. F. No. 3700, A bill for an act relating to taxation; imposing certain taxes; and providing for the collection of such taxes and the uses of the proceeds.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3264, A bill for an act relating to taxes on and measured by net income; credits against tax, amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1292, A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ferderer moved that the House refuse to concur in the Senate amendments to H. F. No. 1292, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3533, A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sherwood moved that the House refuse to concur in the Senate amendments to H. F. No. 3533, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1136, A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

PATRICK E. FLAHAVER, Secretary of the Senate

Prahl moved that the House refuse to concur in the Senate amendments to H. F. No. 1136, and that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 951, A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

PATRICK E. FLAHAVER, Secretary of the Senate

Berg moved that the House refuse to concur in the Senate amendments to H. F. No. 951, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2728, A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78;

repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

PATRICK E. FLAHAVEN, Secretary of the Senate

Menke moved that the House refuse to concur in the Senate amendments to H. F. No. 2728, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2043, A bill for an act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of administration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 2043 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2043, A bill for an act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of ad-

ministration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	McMillan	Sarna
Adams, S.	DeGroat	Johnson, D.	Menke	Savelkoul
Andersen, R.	Dieterich	Johnson, J.	Miller, D.	Schreiber
Anderson, D.	Dirlam	Johnson, R.	Miller, M.	Schulz
Anderson, G.	Eckstein	Jude	Moe	Searle
Anderson, I.	Eken	Kahn	Mueller	Sherwood
Becklin	Erdahl	Kelly	Munger	Sieben, H.
Belisle	Erickson	Kempe	Myrah	Sieben, M.
Bell	Esau	Knickerbocker	Nelson	Skaar
Bennett	Faricy	Knoll	Newcome	Smith
Berg	Ferderer	Kostohryz	Niehaus	Spanish
Berglin	Fjoslien	Kvam	Ohnstad	Stangeland
Biersdorf	Forsythe	Larson	Ojala	Tomlinson
Braun	Fudro	LaVoy	Parish	Ulland
Brinkman	Fugina	Lemke	Patton	Vanasek
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R.	Vento
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R. L.	Voss
Carlson, D.	Growe	Lombardi	Pehler	Weaver
Carlson, L.	Hagedorn	Long	Pieper	Wenzel
Cassery	Hanson	Mann	Pleasant	Wigley
Cleary	Haugerud	McArthur	Quirin	Wohlwend
Clifford	Heinitz	McCarron	Resner	Wolcott
Connors	Hook	McCauley	Rice	Mr. Speaker
Culhane	Jacobs	McEachern	St. Onge	
Cummiskey	Jaros	McFarlin	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1704, 1823, 2042, 2477, and 2747.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1985.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2850, 2898, 2994, 3193, 3212, 3408, and 3479.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1704, A bill for an act relating to education; providing for the appointment of six citizens to the board of directors of the Minnesota high school league; requiring open league meetings and financial reporting; amending Minnesota Statutes, 1973 Supplement, Section 129.121, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 1823, 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 1971, Section 169.14, Subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation.

S. F. No. 2042, A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

The bill was read for the first time.

Anderson, I., moved that S. F. No. 2477 and H. F. No. 2505, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2747, A bill for an act relating to children; requiring the court to consider the best interests of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 1985, A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 508.79; and 541.15.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2850, A bill for an act relating to St. Louis county; authorizing issuance of seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

The bill was read for the first time.

Fugina moved that S. F. No. 2850 and H. F. No. 3111, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2898, A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 2994, A bill for an act relating to education; buildings; certificates of need; providing for the economical joint use of school and other public buildings.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 3193, A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding a section; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

The bill was read for the first time.

Hanson moved that S. F. No. 3193 and H. F. No. 3252, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3212, A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 3408, A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 3479, A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, re-establish the bracero program.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders for today, March 12, 1974, to be acted upon immediately following the Special Orders for Tuesday, March 12, 1974:

H. F. Nos. 2644, 3383, 3347, 3111, 3276, 3279, 3321, 3557, 3252, 3571, 1951, 3433, 1827, 1710, 3455, and 3151.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 892

March 7, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 892, report

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

That the Senate recede from its amendments placed on H. F. No. 892 on May 7, 1973 and that H. F. No. 892 be repassed.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JERRY KNICKERBOCKER, GARY W. LAIDIG, and JACK LAVOY.

Senate Conferees: MEL FREDERICKS, JOHN M. PATTON, and ROGER LAUFENBURGER.

Knickerbocker moved that the report of the Conference Committee on H. F. No. 892 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 892, A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jude	Moe	Schreiber
Andersen, R.	Eckstein	Kahn	Mueller	Schulz
Anderson, D.	Eken	Kelly	Munger	Searle
Anderson, G.	Enebo	Kempe	Myrah	Sherwood
Anderson, I.	Erdahl	Klaus	Nelson	Sieben, H.
Becklin	Erickson	Knickerbocker	Newcome	Sieben, M.
Belisle	Esau	Knoll	Niehaus	Skaar
Bell	Faricy	Kostohryz	Norton	Smith
Bennett	Ferderer	Kvam	Ohnstad	Spanish
Berg	Fjoslien	Laidig	Ojala	Stangeland
Berglin	Forsythe	Larson	Parish	Stanton
Biersdorf	Fudro	LaVoy	Patton	Swanson
Braun	Fugina	Lemke	Pavlak, R.	Tomlinson
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, A.	Graw	Lindstrom, J.	Pehler	Vento
Carlson, B.	Grove	Lombardi	Pieper	Voss
Carlson, D.	Hagedorn	Long	Pleasant	Weaver
Carlson, L.	Hanson	Mann	Prahl	Wenzel
Casserly	Haugerud	McArthur	Quirin	Wigley
Cleary	Hook	McCarron	Resner	Wohlwend
Clifford	Jacobs	McCauley	Rice	Wolcott
Connors	Jaros	McEachern	Ryan	Mr. Speaker
Culhane	Johnson, C.	McMillan	St. Onge	
Cummiskey	Johnson, D.	Menke	Samuelson	
Dahl	Johnson, J.	Miller, D.	Sarna	

Those who voted in the negative were:

DeGroat Heinitz McFarlin

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

Anderson, I., moved that H. F. No. 3272; S. F. Nos. 3218, 3271, and 3017; H. F. No. 3462; S. F. Nos. 2995, 2840, 2973, 3176, and 3239; H. F. No. 3254; and S. F. Nos. 3417 and 2971 be continued for one day. The motion prevailed.

H. F. No. 2525, A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws

1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapters 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Miller, D.	Sarna
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Johnson, R.	Moe	Schreiber
Anderson, D.	Eckstein	Jude	Mueller	Schulz
Anderson, G.	Eken	Kahn	Munger	Searle
Anderson, I.	Enebo	Kelly	Myrah	Sherwood
Becklin	Erdahl	Kempe	Nelson	Sieben, H.
Belisle	Erickson	Klaus	Newcome	Sieben, M.
Bell	Esau	Knickerbocker	Niehaus	Skaar
Bennett	Faricy	Knoll	Norton	Smith
Berg	Ferderer	Kostohryz	Ohnstad	Spanish
Berglin	Fjoslien	Kvam	Ojala	Stangeland
Biersdorf	Forsythe	Laidig	Parish	Stanton
Braun	Fudro	Larson	Patton	Swanson
Brinkman	Fugina	LaVoy	Pavlak, R.	Tomlinson
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Ulland
Carlson, B.	Graw	Lindstrom, E.	Pehler	Vanasek
Carlson, D.	Growe	Lombardi	Pieper	Vento
Carlson, L.	Hagedorn	Long	Pleasant	Voss
Casserly	Hanson	Mann	Prahl	Weaver
Cleary	Haugerud	McArthur	Quirin	Wenzel
Clifford	Heinitz	McCarron	Resner	Wigley
Connors	Hook	McCauley	Rice	Wohlwend
Culhane	Jacobs	McEachern	Ryan	Wolcott
Cummiskey	Jaros	McFarlin	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Menke	Samuelson	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2930, 3422, 3506, and 3507.

H. F. No. 2930, A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, D.	Becklin	Bennett	Biersdorf
Adams, S.	Anderson, G.	Belisle	Berg	Braun
Andersen, R.	Anderson, I.	Bell	Berglin	Brinkman

Carlson, A.	Forsythe	Kostohryz	Nelson	Schulz
Carlson, B.	Fudro	Kvam	Newcome	Searle
Carlson, D.	Fugina	Laidig	Niehaus	Sherwood
Carlson, L.	Graba	Larson	Norton	Sieben, H.
Cassery	Graw	LaVoy	Ohnstad	Sieben, M.
Cleary	Growe	Lemke	Ojala	Skaar
Clifford	Hagedorn	Lindstrom, E.	Parish	Smith
Connors	Haugerud	Lombardi	Patton	Spanish
Culhane	Heinitz	Long	Paviak, R.	Stangeland
Cummiskey	Hook	Mann	Pavlak, R. L.	Stanton
Dahl	Jacobs	McArthur	Pehler	Swanson
DeGroat	Jaros	McCarron	Pieper	Tomlinson
Dieterich	Johnson, C.	McCauley	Pleasant	Ulland
Dirlam	Johnson, D.	McEachern	Prahl	Vanasek
Eckstein	Johnson, J.	McFarlin	Quirin	Vento
Eken	Johnson, R.	McMillan	Resner	Voss
Enebo	Jude	Menke	Rice	Weaver
Erdahl	Kahn	Miller, D.	Ryan	Wenzel
Erickson	Kelly	Miller, M.	St. Onge	Wigley
Esau	Kempe	Moe	Samuelson	Wohlwend
Faricy	Klaus	Mueller	Sarna	Wolcott
Ferderer	Knickerbocker	Munger	Savelkoul	Mr. Speaker
Fjoslien	Knoll	Myrah	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 3422, A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jaros	Mann	Pavlak, R.
Adams, S.	Dieterich	Johnson, C.	McArthur	Pavlak, R. L.
Andersen, R.	Dirlam	Johnson, D.	McCarron	Pehler
Anderson, D.	Eckstein	Johnson, J.	McCauley	Pieper
Anderson, G.	Enebo	Johnson, R.	McEachern	Pleasant
Anderson, I.	Erdahl	Jude	McFarlin	Quirin
Becklin	Erickson	Kahn	McMillan	Resner
Belisle	Esau	Kelly	Menke	Rice
Bell	Ferderer	Kempe	Miller, D.	Ryan
Bennett	Fjoslien	Klaus	Miller, M.	St. Onge
Berg	Forsythe	Knickerbocker	Moe	Samuelson
Berglin	Fudro	Knoll	Mueller	Sarna
Biersdorf	Fugina	Kostohryz	Munger	Savelkoul
Brinkman	Graba	Kvam	Myrah	Schreiber
Carlson, D.	Graw	Laidig	Nelson	Searle
Carlson, L.	Growe	Larson	Newcome	Sherwood
Cassery	Hagedorn	LaVoy	Niehaus	Sieben, H.
Cleary	Haugerud	Lemke	Norton	Sieben, M.
Clifford	Heinitz	Lindstrom, E.	Ohnstad	Skaar
Cummiskey	Hook	Lombardi	Parish	Smith
Dahl	Jacobs	Long	Patton	Stangeland

Swanson	Vanasek	Weaver	Wohlwend	Mr. Speaker
Tomlinson	Vento	Wenzel	Wolcott	
Ulland	Voss	Wigley		

Those who voted in the negative were:

Braun	Connors	Faricy	Prahl	Stanton
Carlson, A.	Culhane	Lindstrom, J.		
Carlson, B.	Eken	Ojala		

The bill was passed and its title agreed to.

H. F. No. 3506, A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Schreiber
Adams, S.	Dirlam	Jude	Miller, M.	Schulz
Andersen, R.	Eckstein	Kahn	Moe	Searle
Anderson, D.	Eken	Kelly	Mueller	Sherwood
Anderson, G.	Enebo	Kempe	Munger	Sieben, H.
Anderson, I.	Erdahl	Klaus	Myrah	Sieben, M.
Belisle	Erickson	Knickerbocker	Nelson	Skaar
Bell	Esau	Knoll	Newcome	Smith
Bennett	Faricy	Kostohryz	Niehaus	Spanish
Berg	Ferderer	Kvam	Norton	Stanton
Berglin	Forsythe	Laidig	Ojala	Swanson
Biersdorf	Fudro	LaVoy	Parish	Tomlinson
Braun	Fugina	Lemke	Patton	Ulland
Brinkman	Graba	Lindstrom, E.	Pavlak, R.	Vanasek
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R. L.	Vento
Carlson, L.	Grove	Lombardi	Pehler	Voss
Casserly	Hagedorn	Long	Pieper	Weaver
Cleary	Haugerud	Mann	Quirin	Wenzel
Clifford	Heinitz	McArthur	Resner	Wigley
Connors	Jacobs	McCarron	Rice	Wohlwend
Culhane	Jaros	McEachern	Ryan	Wolcott
Cummiskey	Johnson, C.	McFarlin	St. Onge	Mr. Speaker
Dahl	Johnson, D.	McMillan	Samuelson	
DeGroat	Johnson, J.	Menke	Sarna	

Those who voted in the negative were:

Becklin	Fjoslien	McCauley	Savelkoul	Stangeland
Carlson, A.	Hook	Ohnstad		
Carlson, D.	Larson	Prahl		

The bill was passed and its title agreed to.

H. F. No. 3507, A bill for an act relating to education; education planning innovative developmental evaluative services and

programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Miller, D.	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, M.	Savelkoul
Anderson, D.	Eckstein	Jude	Moe	Schreiber
Anderson, G.	Eken	Kahn	Mueller	Schulz
Anderson, I.	Enebo	Kelly	Munger	Searle
Becklin	Erdahl	Kempe	Myrah	Sherwood
Belisle	Erickson	Klaus	Nelson	Sieben, H.
Bell	Esau	Knickerbocker	Newcome	Sieben, M.
Bennett	Faricy	Knoll	Niehaus	Skaar
Berg	Ferderer	Kostohryz	Norton	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Spanish
Biersdorf	Forsythe	Laidig	Ojala	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graba	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hagedorn	Lombardi	Pieper	Vento
Casserly	Hanson	Long	Pleasant	Voss
Cleary	Haugerud	Mann	Prahl	Weaver
Clifford	Heinitz	McArthur	Quirin	Wenzel
Connors	Hook	McCarron	Resner	Wigley
Culhane	Jacobs	McCauley	Rice	Wohlwend
Cummiskey	Jaros	McEachern	Ryan	Wolcott
Dahl	Johnson, C.	McFarlin	St. Onge	Mr. Speaker

The bill was passed and its title agreed to.

SPECIAL ORDERS

Hanson was excused for the remainder of today's session.

H. F. No. 1069 was reported to the House.

Haugerud moved to amend H. F. No. 1069, the printed bill, as follows:

Page 2, after line 22, insert the following:

"Sec. 5. [525A.01] [INFORMAL ADMINISTRATION.]
 "Informal administration of estates" means the administration of decedents' estates; testate and intestate, without exercise of continuous supervision by the court. Administrative action by the probate registrar is not action by the court. All provisions of

Minnesota Statutes, Chapter 525, consistent with sections 5 to 27 shall apply to the informal administration of estates.

Sec. 6. [525A.02] [USE OF INFORMAL ADMINISTRATION.] Subdivision 1. Informal administration may be used:

(a) If the decedent died testate and;

(1) The will does not prohibit the use of informal administration;

(2) The will names a personal representative who accepts appointment for informal administration; and

(3) Bond is furnished if required under section 13.

(b) If the decedent died intestate or the requirements of clause (a), subclauses (2) and (3) are not satisfied; and

(1) All interested persons request or consent in writing to informal administration and to the appointment of the same person as personal representative. An interested person who is a minor or otherwise incompetent may give consent by a guardian or guardian ad litem. The registrar may appoint a parent as guardian ad litem. Consent may also be given by an interested person who has an identical interest as the person who is a minor or otherwise incompetent.

(2) Bond is furnished if required under section 13.

Subd. 2. When the will of the decedent expressly prohibits informal administration it shall not be used.

Sec. 7. [525A.03] [FORMAL PROCEEDINGS; NATURE; EFFECT.] Subdivision 1. A formal proceeding in sections 5 to 27 is a judicial proceeding before the court involving the administration of the estate of a decedent, including a court proceeding concerning the use or availability of sections 5 to 27. It is distinguished from an administrative proceeding before the probate registrar. Formal proceedings, either as to a particular issue or as to the entire subsequent administration of the estate, may be initiated by the personal representative or by any interested person at any time by a written demand. Formal proceedings may be demanded by a guardian or guardian ad litem on behalf of an interested person who is a minor or otherwise incompetent.

Subd. 2. A demand for formal proceedings shall be served on the personal representative, if any, and filed with the court. Service of a demand on the personal representative or, if none is appointed, filing of a demand with the court shall suspend informal administration as to the issues or matters referred to

therein and shall suspend the powers of the personal representative in respect thereto until the same are reinstated by the court.

Sec. 8. [525A.04] [EFFECT OF FRAUD AND EVASION.] Whenever fraud has been perpetrated in connection with any proceeding or in any statement filed under sections 5 to 27, or if fraud is used to avoid or circumvent the provisions or purposes of sections 5 to 27, any person injured thereby may obtain appropriate relief against the perpetrator of the fraud, including restitution from any person, other than a bona fide purchaser, benefitting from the fraud, whether innocent or not. Any proceeding must be commenced within two years after the discovery of the fraud, but no proceeding may be brought against one not a perpetrator of the fraud later than five years after the time of commission of the fraud. This section has no bearing on remedies relating to fraud practiced on a decedent during his lifetime which affects the succession of his estate.

Sec. 9. [525A.05] [PROCEEDINGS INDEPENDENT; EXCEPTIONS.] Subdivision 1. Except when a demand for formal administration of the estate has been made:

(a) Any interested person may apply for informal administration if administration of the estate has not been commenced under chapter 525; and

(b) The personal representative may apply for informal administration at any time during administration.

Subd. 2. The determination of each issue and the completion of each proceeding required for the administration of a decedent's estate is independent of any other issue or proceeding involving the same estate.

Subd. 3. Petitions in formal proceedings during informal administration may combine various requests for relief if all the requests may be finally granted without delay.

Subd. 4. Upon entry of an order of judgment in a formal proceeding informal administration shall resume except as otherwise ordered by the court.

Sec. 10. [525A.06] [NOTICE; METHOD AND TIME OF GIVING.] Subdivision 1. Notice of application to initiate administration of an estate under sections 5 to 27 shall be given to the persons interested in the disposition of the estate in the form prescribed by section 525.282 in the manner of a summons in a civil action unless waived in writing. Notice to creditors shall be given in accordance with section 525.83. The notice shall state that claims shall be presented pursuant to section 20 and shall further state that all claims shall be presented within three months of the date of first insertion or be forever barred.

Subd. 2. When an estate is under formal administration and is to be made subject to sections 5 to 27 the personal representative shall give notice in accordance with subdivision 1 to every interested person at least 20 days prior to filing with the probate registrar the application to initiate informal administration.

Subd. 3. When an estate is under informal administration and a demand for a formal proceeding has been made, the personal representative shall, within ten days of receipt of the demand, mail to each person interested in the estate a statement disclosing the demand and its nature.

Sec. 11. [525A.07] [APPLICATION; CONTENTS.] Subdivision 1. The application to initiate informal administration shall be verified, directed to the probate registrar of the court and state the information required by section 525.281, and whether any probate or administration proceeding concerning the estate of the decedent is pending in this state or elsewhere, and the nature of the proceeding, if any.

Subd. 2. In addition to the statements required by subdivision 1, when the decedent apparently died testate, the application shall state:

(a) That the original will is in the possession of the court or accompanies the application, or that it was probated elsewhere and an authenticated copy accompanies the application;

(b) That the applicant believes the will to have been executed properly and to be valid and that he has made diligent inquiry and is unaware of any subsequent revocation of the will.

Subd. 3. In addition to the statements required by subdivision 1, when the decedent apparently died intestate, the application shall state that the applicant has made diligent inquiry and is unaware of any unrevoked testamentary instrument of the decedent.

Subd. 4. An application for appointment of a successor personal representative shall adopt the statements of any previous application unless they no longer are accurate in which event corrected statements shall be made. Consents required by section 6 shall be reaffirmed by all interested persons.

Subd. 5. An application for informal administration in a pending estate shall incorporate all information otherwise required by this section and in addition shall set forth the name and post office address of the personal representative of the estate.

Sec. 12. [525A.08] [PROBATE REGISTRAR; DEFINITION AND POWERS.] The term "probate registrar" refers

to the official of the court designated to perform the functions of probate registrar. The acts and orders which sections 5 to 27 specify as performable by the probate registrar may be performed either by the county or probate judge or by a person, including the clerk, deputy clerk, register in probate, deputy register in probate, and court legal assistant, designated by the court by a written order filed and recorded in the office of the court.

Sec. 13. [525A.09] [DETERMINATIONS REQUIRED OF PROBATE REGISTRAR.] Subdivision 1. When no administration proceedings are pending, upon receipt of an application for informal administration the probate registrar shall determine whether:

(a) The application is complete including verification and the applicant is an interested person;

(b) The court of the county in which the application is made has jurisdiction of the estate of the decedent;

(c) The requests and consents required by section 6, subdivision 1, clause (b) are complete and notice has been given as required under section 10;

(d) The decedent died intestate or testate, and if testate, whether the original will is in the possession of the court or accompanies the application and contains an attestation clause showing compliance with the requirements of execution under section 525.18, and does not expressly prohibit informal administration;

(e) The person nominated for personal representative is not disqualified under chapter 525 or otherwise deemed unsuitable;

(f) [BOND MAY BE REQUIRED.] The probate registrar shall have the authority granted to the court to require bond.

Subd. 2. When administration proceedings are pending either before the court or in another jurisdiction, upon receipt of an application for informal administration the probate registrar shall determine, in addition to the requirements of subdivision 1, that no demand for formal administration has been made and, when the decedent died testate and the will was probated elsewhere, that an authenticated copy of the will and proof of probate accompany the application.

Subd. 3. The failure of the probate registrar to make a determination on any of the items set forth in subdivisions 1 and 2 shall not be a defense in any suit at law against the personal representative.

Sec. 14. [525A.10] [INFORMAL APPOINTMENT; LETTERS.] Subdivision 1. Upon receipt of an application and making the determinations required by section 13, the probate registrar may enter a statement of informal administration, admit a will to informal probate and may appoint the personal representative nominated by the will or requested by the interested parties, subject to qualification and acceptance.

(a) When no personal representative is named or when the named personal representative fails to qualify, the personal representative shall be either a bank or trust company entitled to exercise fiduciary powers in this state which has the consent of all interested persons, other than creditors of the deceased, or a natural person who has the consent of all interested parties, other than creditors of the deceased, and is:

- (1) In an intestate estate, an heir; or
- (2) In a testate estate, a beneficiary; or
- (3) In any estate, an attorney admitted to practice law in this state.

(b) If the decedent was a nonresident, the appointment shall be delayed until 30 days have elapsed since death unless the applicant is the domiciliary representative.

Subd. 2. Prior to receiving letters, a personal representative shall qualify by filing with the probate registrar a statement of acceptance of the duties of the office and any required bond. By accepting appointment, a personal representative submits personally to the jurisdiction of the court in any proceeding relating to the estate that may be instituted by any interested person.

Subd. 3. If the probate registrar is not satisfied that a will is entitled to be probated or that a requested appointment of a personal representative should not be made because of failure to meet the requirements of chapter 525, or for any other reason, he shall deny the application. Denial of an application is not an adjudication and does not preclude proceeding formally.

Subd. 4. Upon appointment and qualification, letters shall be issued and the estate shall be administered under sections 5 to 27 unless or until superseded or suspended by formal proceedings.

Subd. 5. Within ten days of his appointment the personal representative shall, when the estate is testate, provide a copy of the will and a list of all interested persons to each interested person; and, when the estate is intestate, the personal representative shall furnish a list of all interested persons to each interested person.

Subd. 6. If the will of the decedent provides for a testamentary trust, letters of trust shall be issued to the trustee upon admission of the will to informal probate at the same time that letters are granted to the personal representative. Thereafter, the trustee shall continue to be interested in the estate, and beneficiaries in the testamentary trust shall cease to be interested in the estate.

Sec. 15. [525A.11] [POWERS AND DUTIES; TIME OF ACCRUAL.] Subdivision 1. A personal representative to whom letters have been issued by the probate registrar and whose letters have not been revoked has all the powers of a personal representative to whom letters have been issued by the court.

Subd. 2. The duties and powers of a personal representative appointed under sections 5 to 27 commence upon his appointment. His powers relate back in time to acts by him prior to appointment which are beneficial to the estate.

Sec. 16. [525A.12] [PERSONAL REPRESENTATIVE TO PROCEED WITHOUT COURT ORDER; EXCEPTION.] Subdivision 1. A personal representative shall proceed with the settlement and distribution of the decedent's estate and, except as provided by sections 5 to 27 or required by interested persons, shall do so without adjudication, order or direction of the court. At any time however, the personal representative may invoke the authority of the court to resolve questions concerning the estate or its administration. Subject to other obligations of administration, an informally probated will is authority to administer and distribute the estate of the decedent according to its terms. The personal representative may pay an allowance as necessary or appropriate for the support of the surviving spouse and any minor children during informal administration of the estate. The allowance shall be determined and paid under section 525.15, except that a court order shall not be required unless formal proceedings as to this issue are initiated under section 7, subdivision 1.

Subd. 2. Any determination made in the course of informal administration or probate is subject to review and redetermination by the court informal judicial proceedings at any time prior to termination of the appointment of the personal representative under section 23, subdivision 2, or the entry of final judgment under chapter 525. The redetermination shall not affect the rights of bona fide purchasers and other third parties dealing in good faith with an informally appointed personal representative.

Sec. 17. [525A.13] [INVENTORY AND TAX RETURNS.] Subdivision 1. A personal representative who is not successor to another representative who previously has discharged this duty shall prepare an inventory of property owned by the dece-

dent at the time of death, listing all items with reasonable detail. The inventory may indicate as to each listed item its fair market value and the amount of any encumbrance as of the death of the decedent and shall list the fair market value of and the amount of any encumbrance on bank and savings accounts, securities and real property.

Subd. 2. The personal representative shall furnish a copy of the inventory to interested persons, and the probate registrar. He need not file the inventory, the Minnesota inheritance tax return, nor the federal estate tax return with the court but he may do so if he deems it in the best interest of the estate and the beneficiaries.

Sec. 18. [525A.14] [EMPLOYMENT OF APPRAISERS.] The personal representative may employ a qualified and disinterested appraiser to assist in ascertaining values of any assets when valuation is subject to reasonable doubt. The name and address of any appraiser so employed shall be indicated on the inventory with the item or items appraised by him, notwithstanding the omission from the inventory of the value thereof. Any interested person may invoke the jurisdiction of the court to require an appraisal or to contest the appraisals.

Sec. 19. [525A.15] [PERSONAL REPRESENTATIVE MAY PAY CLAIMS.] A personal representative may pay valid demands against the estate, whether filed as a claim or not, within the time allowed for filing claims. In allowing a claim the personal representative may deduct any counterclaim which the estate has against the claimant. Any claim filed with the court shall be allowed or disallowed according to sections 525.411 to 525.46.

Sec. 20. [525A.16] [MANNER OF PRESENTATION, ALLOWANCE AND PAYMENT OF CLAIMS.] Claims against a decedent's estate shall be presented as follows:

(a) The claimant may deliver or mail to the probate registrar a written statement of the claim indicating its basis, the name and address of the claimant and the amount claimed. If a claim is not yet due, the date when it will become due shall be stated. If the claim is contingent or unliquidated, the nature of the uncertainty shall be stated. If the claim is secured, the security shall be described. Failure to describe correctly the security, the nature of any uncertainty and the due date of a claim not yet due does not invalidate the presentation made.

(b) The claimant may commence a proceeding against the personal representative in the probate or county court having jurisdiction to obtain payment of his claim against the estate, but the commencement of the proceeding must occur within the time limited for presenting the claim or within 60 days. No presentation of claim is required in regard to matters claimed in

proceedings against the decedent which were pending at the time of his death.

(c) In the case of a claim which is not presently due or which is contingent or unliquidated, the personal representative may consent to an extension of the 60 day period, or to avoid injustice to the court, on petition, may order an extension of the 60 day period, but in no event shall the extension run beyond the applicable statute of limitations.

(d) All claims must be presented within three months of the first insertion of the notice required by section 10, subdivision 1, or be forever barred.

(e) The personal representative shall mail the claimant a notice that his claim is either allowed or disallowed within 30 days after the date on which claims are barred.

Sec. 21. [525A.17] [IMPROPER DISTRIBUTION; LIABILITY OF DISTRIBUTE.] A distributee of property which was distributed or paid improperly and a claimant who was paid improperly are liable to return the property or assets so distributed or paid together with all income received thereon, unless the distribution or payment cannot be questioned because of an adjudication, estoppel, limitation or other bar. If the distributee or claimant no longer has the property or assets, he is liable to return the value thereof as of the date of distribution together with all income and gain received thereon.

Sec. 22. [525A.18] [PURCHASERS FROM DISTRIBUTEES PROTECTED.] If property distributed in kind or a security interest therein is acquired from a distributee by a purchaser, or lender, in good faith, for value and without actual notice that the distribution was improper, the purchaser or lender takes title free of any claims of the estate and incurs no personal liability to the estate, whether or not the distribution was proper. Purchasers and lenders have no duty to inquire whether a distribution was proper.

Sec. 23. [525A.19] [CLOSING ESTATES BY SWORN STATEMENT.] Subdivision 1. As an alternative to closing an estate pursuant to chapter 525, a personal representative may close an estate by filing with the court a verified statement that he, or a prior personal representative whom he has succeeded, has:

(a) Duly given notice to interested persons under section 10 and to creditors under section 525.83, and that the time for filing claims has expired prior to the date of the statement;

(b) Fully administered the estate of the decedent by making payment, settlement or other disposition of all claims which were

presented, expenses of administration, reasonable funeral and burial expenses and estate, inheritance and other taxes, except as expressly specified otherwise, and that the assets of the estate have been inventoried and distributed to the persons entitled thereto. If any claims, expenses or taxes remain undischarged, the statement shall disclose in detail all arrangements made to accommodate the outstanding liabilities; and

(c) Sent a copy of the statement to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected thereby.

Subd. 2. If no proceedings challenging the statement or otherwise involving the personal representative are pending in the court six months after the statement is filed, appointment of the personal representative terminates.

Sec. 24. [525A.20] [LIABILITY OF DISTRIBUTEES TO CLAIMANTS.] After assets of an estate have been distributed, and subject to section 26, an undischarged claim not barred by notice under section 525.83 or otherwise may be prosecuted in a proceeding against one or more distributees of property from an estate administered under this chapter. No distributee shall be liable to claimants for amounts in excess of the value of his distribution as of the time of distribution. As among distributees, each shall bear the cost of satisfaction of unbarred claims as if the claim had been satisfied in the course of administration.

Sec. 25. [525A.21] [LIMITATIONS ON PROCEEDINGS AGAINST PERSONAL REPRESENTATIVE.] Unless barred by adjudication and except as provided in the closing statement, the rights of interested persons and of creditors whose claims have not otherwise been barred against the personal representative for breach of fiduciary duty are barred unless a proceeding to assert the same is commenced within six months after the filing of the closing statement. Rights thus barred do not include recovery for fraud, misrepresentation, or inadequate disclosure related to the settlement of the decedent's estate.

Sec. 26. [525A.22] [LIMITATIONS ON ACTIONS AND PROCEEDINGS AGAINST DISTRIBUTEES.] Subdivision 1. Unless previously adjudicated in a formal testacy proceeding or otherwise barred, the claim of any claimant to recover from a distributee who is liable to pay the claim, and the right of any heir or devisee, or of a successor personal representative acting in their behalf, to recover property improperly distributed or the value thereof from any distributee is forever barred at the later of:

(a) Three years after the decedent's death; or

(b) One year after the time of distribution thereof.

Subd. 2. This section does not bar an action to recover property or value received as the result of fraud or an action by a creditor if notice was not given under section 525.83.

Sec. 27. [525A.23] If under informal administration under sections 5 to 27 the estate has not been closed by sworn affidavit within 18 months after filing of the petition for administration and the estate is not open pursuant to an order extending time, the probate registrar shall order the personal representative for the estate to show cause why the estate has not been closed. If cause is not shown the probate registrar shall appoint a new personal representative acceptable to all interested parties other than creditors of the deceased who shall proceed under sections 5 to 27.

Sec. 28. Minnesota Statutes 1971, Section 525.23, is amended to read:

525.23 [PETITION FOR PROBATE.] At any time after the death of the testator, any executor, devisee, or legatee named in a will, or any other person interested in the estate may petition the court of the proper county or the probate registrar to have the will admitted to probate or informal administration, whether the same is in his possession or not, is lost, is destroyed, or is without the state.

Sec. 29. Minnesota Statutes 1971, Section 525.33, is amended to read:

525.33 [CONTENTS OF INVENTORY.] *Except as provided by section 17* within one month after his appointment unless a longer time has been granted by the court, every representative shall make and exhibit to the court a verified inventory of all the estate of the decedent or ward which shall have come to his possession or knowledge. Such property shall be classified therein as follows: (1) real estate, with plat or survey description, and if a homestead, designated as such, (2) furniture and household goods, (3) wearing apparel, (4) corporation stocks described by certificate numbers, (5) mortgages, bonds, notes, and other written evidence of debt, described by name of debtor, recording data, or other identification, (6) all other personal property accurately identified. All encumbrances, liens, and other charges on any item shall be stated.

Sec. 30. Minnesota Statutes 1971, Section 525.48, is amended to read:

525.48 [FILING OF ACCOUNT.] *Except when the final settlement is by verified statement pursuant to section 23*, within the time limited every representative shall file a verified account of his administration and petition the court to settle and allow his

account and to assign the estate to the persons entitled thereto. The representative shall also account at such other times as the court may require; the hearing on such account shall be had upon such notice as the court may direct.

Sec. 31. Minnesota Statutes 1971, Section 525.483, is amended to read:

525.483 [RECORDING DECREE.] A certified copy of any decree of distribution or settlement by verified statement pursuant to section 23 may be filed for record in the office of the register of deeds of any county. It shall not be necessary to pay real estate taxes in order to record such certified copy, but the same shall be first presented to the county auditor for entry upon his transfer record and shall have noted thereon "Transfer entered" over his official signature. Upon request, the court shall furnish a certified copy of any decree of distribution, omitting the description of any property except that specified in the request, but indicating omissions by the words "other property omitted." Such copy and its record shall have the same force and effect as to property therein described as though the entire decree had been so certified and recorded."

Renumber the last section in order.

Further, amend the title in line 2 after "counsels" and before the period by inserting "; providing for informal administration of estates; amending Minnesota Statutes 1971, Sections 525.23, 525.33, 525.48 and 525.483".

POINT OF ORDER

Pursuant to Rule 45b, Pavlak, R., raised a point of order that the proposed amendment of Haugerud is out of order.

The Speaker submitted to the House the following question:

"Is it the judgment of the House that the point of order is well taken?"

The question was taken on the point of order and the roll being called, there were yeas 36, and nays 82, as follows:

Those who voted in the affirmative were:

Adams, S.	Dirlam	McFarlin	Pavlak, R.	Sieben, M.
Anderson, D.	Fariy	McMillan	Pavlak, R. L.	Tomlinson
Anderson, I.	Hook	Menke	Pleasant	Weaver
Bell	Johnson, R.	Mueller	Prahl	Wolcott
Berg	Knoll	Newcome	Samuelson	
Brinkman	Lindstrom, E.	Norton	Savelkoul	
Casserly	Lindstrom, J.	Ohnstad	Searle	
Connors	Lombardi	Parish	Sieben, H.	

Those who voted in the negative were:

Adams, J.	Dieterich	Jaros	Mann	Schreiber
Andersen, R.	Eken	Johnson, C.	McArthur	Sherwood
Anderson, G.	Erdahl	Johnson, D.	McCarron	Skaar
Becklin	Erickson	Johnson, J.	McCauley	Smith
Belisle	Esau	Jude	Miller, M.	Stangeland
Bennett	Ferderer	Kahn	Moe	Stanton
Berglin	Fjoslien	Kelly	Munger	Swanson
Biersdorf	Forsythe	Kempe	Myrah	Ulland
Braun	Fudro	Klaus	Nelson	Vanasek
Carlson, A.	Fugina	Knickerbocker	Niehaus	Vento
Carlson, B.	Graba	Kostohryz	Ojala	Voss
Carlson, L.	Graw	Kvam	Patton	Wenzel
Cleary	Grove	Laidig	Pehler	Wigley
Clifford	Hagedorn	Larson	Pieper	Wohlwend
Culhane	Haugerud	LaVoy	Ryan	
Cummskey	Heinitz	Lumke	St. Onge	
DeGroat	Jacobs	Long	Sarna	

It was the judgment of the House that the point of order was not well taken.

POINT OF ORDER

Pursuant to Rule 45c, Faricy raised a point of order that the proposed amendment of Haugerud is out of order.

The Speaker ruled the point of order not well taken.

Faricy moved to amend the Haugerud amendment to H. F. No. 1069, as follows:

Page 7, line 11 of the Haugerud amendment, after "bond" and before the period insert "unless a testator has provided that no bond be required".

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll being called, there were yeas 77, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Graw	Laidig	Niehaus
Adams, S.	Clifford	Hagedorn	Larson	Norton
Anderson, D.	Connors	Heinitz	Lindstrom, E.	Ohnstad
Anderson, I.	Culhane	Hook	Lindstrom, J.	Patton
Becklin	Dahl	Johnson, J.	Lombardi	Pavlak, R.
Belisle	DeGroat	Johnson, R.	Long	Pehler
Berg	Dieterich	Jude	McCauley	Pieper
Biersdorf	Dirlam	Kelly	McEachern	Pleasant
Brinkman	Erdahl	Klaus	McFarlin	Resner
Carlson, A.	Erickson	Knickerbocker	McMillan	Rice
Carlson, B.	Faricy	Knoll	Menke	Ryan
Carlson, D.	Forsythe	Kostohryz	Myrah	Sarna
Casserly	Fudro	Kvam	Newcome	Savelkoul

Schreiber	Sieben, M.	Ulland	Wigley	Wolcott
Searle	Skaar	Vento	Wohlwend	
Sieben, H.	Smith	Weaver		

Those who voted in the negative were:

Andersen, R.	Ferderer	Kahn	Miller, D.	Sherwood
Anderson, G.	Fugina	Kempe	Miller, M.	Stangeland
Bennett	Graba	LaVoy	Moe	Stanton
Braun	Haugerud	Lemke	Ojala	Swanson
Carlson, L.	Jacobs	Mann	Pavlak, R. L.	Voss
Eken	Johnson, C.	McArthur	Prahl	Wenzel
Enebo	Johnson, D.	McCarron	St. Onge	Mr. Speaker

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

Casserly moved to amend the Haugerud amendment, as amended, to H. F. No. 1069, as follows:

Page 6, line 8, in the Haugerud amendment, strike "official" and insert "county or probate judge."

Page 6, strike lines 9 through 16.

A roll call was requested and properly seconded.

Rice moved that H. F. No. 1069 be re-referred to the Committee on General Legislation and Veterans Affairs.

A roll call was requested and properly seconded.

The question was taken on the motion to re-refer and the roll being called, there were yeas 22, and nays 91, as follows:

Those who voted in the affirmative were:

Adams, S.	Dahl	Lindstrom, J.	Resner	Weaver
Berg	Hook	Lombardi	Rice	Wolcott
Carlson, A.	Knoll	Newcome	Savelkoul	
Casserly	Laidig	Pavlak, R.	Searle	
Connors	Lindstrom, E.	Quirin	Sieben, H.	

Those who voted in the negative were:

Adams, J.	Carlson, D.	Esau	Johnson, J.	Long
Andersen, R.	Carlson, L.	Ferderer	Jude	Mann
Anderson, D.	Cleary	Fjoslien	Kahn	McArthur
Anderson, G.	Clifford	Fugina	Kelly	McCarron
Anderson, I.	Culhane	Graba	Kempe	McCauley
Becklin	Cummiskey	Growe	Klaus	McMillan
Belisle	DeGroat	Haugerud	Knickerbocker	Miller, D.
Bennett	Dieterich	Heinitz	Kostohryz	Miller, M.
Berglin	Eckstein	Jacobs	Kvam	Moe
Biersdorf	Eken	Jaros	Larson	Munger
Braun	Enebo	Johnson, C.	LaVoy	Myrah
Carlson, B.	Erdahl	Johnson, D.	Lemke	Nelson

Niehaus	Pleasant	Schulz	Swanson	Wigley
Norton	Prahl	Sherwood	Tomlinson	Wohlwend
Ohnstad	Ryan	Skaar	Ulland	Mr. Speaker
Ojala	St. Onge	Smith	Vanasek	
Patton	Samuelson	Spanish	Vento	
Pehler	Sarna	Stangeland	Voss	
Pieper	Schreiber	Stanton	Wenzel	

The motion did not prevail.

The question recurred on the Casserly amendment to the Haugerud amendment and the roll being called, there were yeas 38, and nays 77, as follows:

Those who voted in the affirmative were:

Adams, S.	Cummiskey	Johnson, R.	McCauley	Sieben, H.
Anderson, D.	Dirlam	Kempe	Newcome	Skaar
Anderson, I.	Erdahl	Klaus	Parish	Vento
Belisle	Erickson	Knoll	Pavlak, R.	Weaver
Berg	Faricy	Lindstrom, E.	Pleasant	Wigley
Carlson, A.	Forsythe	Lindstrom, J.	Rice	Wolcott
Casserly	Hook	Lombardi	Savelkoul	
Clifford	Johnson, J.	Long	Searle	

Those who voted in the negative were:

Adams, J.	Eken	Kahn	Munger	Schulz
Andersen, R.	Enebo	Kelly	Myrah	Sherwood
Anderson, G.	Esau	Knickerbocker	Nelson	Smith
Becklin	Ferderer	Kostohryz	Niehaus	Spanish
Bennett	Fjoslien	Kvam	Ohnstad	Stangeland
Berglin	Fudro	Laidig	Ojala	Stanton
Biersdorf	Fugina	Larson	Patton	Swanson
Braun	Graba	LaVoy	Pehler	Tomlinson
Brinkman	Grove	Lemke	Pieper	Ulland
Carlson, B.	Haugerud	Mann	Prahl	Voss
Carlson, D.	Heinitz	McArthur	Quirin	Wenzel
Carlson, L.	Jacobs	McCarron	Ryan	Wohlwend
Cleary	Jaros	McMillan	St. Onge	Mr. Speaker
Connors	Johnson, C.	Miller, D.	Samuelson	
DeGroat	Johnson, D.	Miller, M.	Sarna	
Eckstein	Jude	Moe	Schreiber	

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

Pavlak, R., moved to amend the Haugerud amendment, as amended, to H. F. No. 1069, as follows:

Page 11, lines 21 and 22, strike "the Minnesota inheritance tax return,".

Page 11, line 24, after the period add "He shall file the Minnesota inheritance tax return with the court.".

The motion prevailed and the amendment was adopted.

The question recurred on the Haugerud amendment, as amended.

A roll call was requested and properly seconded.

The roll being called, there were yeas 85, and nays 24, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	McCauley	St. Onge
Andersen, R.	Dieterich	Johnson, D.	McMillan	Samuelson
Anderson, G.	Eken	Johnson, J.	Miller, D.	Sarna
Anderson, I.	Enebo	Jude	Miller, M.	Sherwood
Becklin	Erdahl	Kahn	Moe	Skaar
Belisle	Erickson	Kelly	Munger	Smith
Bennett	Esau	Kempe	Myrah	Spanish
Berglin	Ferderer	Knickerbocker	Nelson	Stanton
Braun	Forsythe	Kostohryz	Niehaus	Swanson
Brinkman	Fudro	Laidig	Ojala	Tomlinson
Carlson, B.	Fugina	Larson	Patton	Ulland
Carlson, D.	Graba	LaVoy	Pehler	Vanasek
Carlson, L.	Graw	Lemke	Pieper	Vento
Cleary	Growe	Long	Pleasant	Voss
Clifford	Haugerud	Mann	Prahl	Wenzel
Culhane	Heinitz	McArthur	Quirin	Wohiwend
Cummiskey	Jaros	McCarron	Ryan	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Connors	Klaus	Parish	Searle
Anderson, D.	Dirlam	Knoll	Pavlak, R.	Sieben, H.
Bell	Eckstein	Mueller	Rice	Weaver
Berg	Fjoslien	Norton	Savelkoul	Wigley
Carlson, A.	Johnson, R.	Ohnstad	Schulz	

The motion prevailed and the amendment, as amended, was adopted.

Haugerud moved to amend H. F. No. 1069, the printed bill, as amended, as follows:

Page 1, line 5, after "be" insert "a full time position and the counsel is".

Page 1, line 5, after "from" insert "accepting outside employment or".

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

Clifford moved to amend H. F. No. 1069, the printed bill, as amended; as follows:

Pages 1 and 2, strike sections 1, 2, 3, and 4.

Renumber the subsequent sections accordingly.

Further, amend the title, after "proceedings;" strike "authorizing the creation and prescribing the powers and duties of county probate counsels".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 71, and nays 48, as follows:

Those who voted in the affirmative were:

Anderson, D.	Dirlam	Knoll	Niehaus	Sieben, M.
Becklin	Erdahl	Kostohryz	Norton	Skaar
Belisle	Erickson	Kvam	Ohnstad	Stangeland
Bell	Esau	Laidig	Parish	Ulland
Bennett	Faricy	Larson	Pavlak, R.	Vanasek
Berg	Ferderer	Lindstrom, E.	Pavlak, R. L.	Vento
Biersdorf	Forsythe	Lindstrom, J.	Pieper	Weaver
Carlson, A.	Graw	Lombardi	Pleasant	Wigley
Casserly	Grove	Long	Quirin	Wohlwend
Clifford	Hook	McArthur	Resner	Wolcott
Connors	Johnson, J.	McCauley	Rice	Mr. Speaker
Culhane	Johnson, R.	McMillan	Savelkoul	
Cummiskey	Kempe	Mueller	Schreiber	
Dahl	Klaus	Myrah	Searle	
DeGroat	Knickerbocker	Newcome	Sieben, H.	

Those who voted in the negative were:

Adams, J.	Eckstein	Jude	Nelson	Sherwood
Andersen, R.	Eken	Kahn	Ojala	Smith
Anderson, G.	Enebo	Kelly	Patton	Spanish
Anderson, I.	Fjoslien	LaVoy	Pehler	Stanton
Berglin	Fudro	Lemke	Prahl	Swanson
Braun	Fugina	Mann	Ryan	Tomlinson
Carlson, B.	Haugerud	McCarron	St. Onge	Voss
Carlson, L.	Jacobs	Miller, M.	Samuelson	Wenzel
Cleary	Jaros	Moe	Sarna	
Dieterich	Johnson, D.	Munger	Schulz	

The motion prevailed and the amendment was adopted.

H. F. No. 1069, A bill for an act relating to probate proceedings; providing for informal administration of estates; amending Minnesota Statutes 1971, Sections 525.23, 525.33, 525.48 and 525.483.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	McCarron	Schreiber
Andersen, R.	DeGroat	Johnson, J.	McCauley	Searle
Anderson, G.	Dieterich	Johnson, R.	McEachern	Sherwood
Anderson, I.	Dirlam	Jude	McMillan	Skaar
Becklin	Eken	Kahn	Miller, D.	Smith
Belisle	Enebo	Kelly	Miller, M.	Spanish
Bennett	Erdahl	Kempe	Moe	Stangeland
Berglin	Erickson	Klaus	Munger	Stanton
Biersdorf	Esau	Knickerbocker	Myrah	Swanson
Braun	Faricy	Knoll	Nelson	Tomlinson
Brinkman	Ferderer	Kostohryz	Newcome	Ulland
Carlson, A.	Fjoslien	Kvam	Ojala	Vanasek
Carlson, B.	Forsythe	Laidig	Patton	Vento
Carlson, D.	Fudro	Larson	Pehler	Voss
Carlson, L.	Fugina	LaVoy	Pieper	Wenzel
Casserly	Graba	Lemke	Pleasant	Wigley
Cleary	Grove	Lindstrom, E.	Prahl	Wohlwend
Clifford	Haugerud	Lindstrom, J.	Ryan	Wolcott
Connors	Jacobs	Long	St. Onge	Mr. Speaker
Culhane	Jaros	Mann	Samuelson	
Cummiskey	Johnson, C.	McArthur	Sarna	

Those who voted in the negative were:

Anderson, D.	Niehaus	Parish	Quirin	Sieben, H.
Bell	Norton	Pavlak, R.	Resner	Weaver
Eckstein	Ohnstad	Pavlak, R. L.	Schulz	

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

Biersdorf, Heinitz, Lemke, McCauley, Myrah, Quirin, and Searle were excused for the remainder of today's session.

H. F. No. 2243 was reported to the House.

Graw moved to amend H. F. No. 2243, the printed bill, as follows:

Page 2, line 11, strike "1974 for" and insert "1976".

Page 2, line 12, strike "the counties, 1975 for the cities and 1976 for the statutory cities" and insert "and a commissioner for an initial term expiring on June 30 in 1978".

Page 2, line 13, strike "three" and insert "four".

Page 2, line 14, strike "third" and insert "fourth".

Page 2, line 25, strike "Commissioners shall receive" and insert "The board may by regulation establish".

Page 2, line 26, strike "\$50 as determined by the board" and insert "\$35".

Page 2, line 26, after "and" insert "shall".

Page 2, line 30, strike "1974" and insert "1975".

Page 4, line 17, strike "incorporated business enterprises" and insert "business corporation with a place of business located".

Page 4, line 17, strike "and" and insert a comma.

Page 4, line 17, after "cities" insert "and statutory cities".

Page 5, line 7, strike "section 11,".

Page 5, line 7, strike "other" and insert "additional".

Page 5, line 7, after "provisions" insert "and regulations".

The motion prevailed and the amendment was adopted.

H. F. No. 2243, A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18; repealing Laws 1971, Chapter 739.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 60, and nays 51, as follows:

Those who voted in the affirmative were:

Andersen, R.	Clifford	Haugerud	McArthur	Schreiber
Anderson, D.	Culhane	Johnson, J.	Menke	Schulz
Anderson, G.	DeGroat	Kelly	Miller, D.	Skaar
Becklin	Dirlam	Kempe	Mueller	Smith
Belisle	Eckstein	Klaus	Niehaus	Stangeland
Bennett	Eken	Kvam	Ohnstad	Swanson
Braun	Erdahl	Laidig	Patton	Ulland
Brinkman	Erickson	Larson	Pavlak, R. L.	Weaver
Carlson, A.	Fjoslien	Lindstrom, E.	Pieper	Wenzel
Carlson, B.	Forsythe	Lombardi	Prahl	Wigley
Carlson, D.	Graw	Long	Samuelson	Wohlwend
Cleary	Hagedorn	Mann	Savelkoul	Wolcott

Those who voted in the negative were:

Adams, J.	Bell	Berglin	Casserly	Cummiskey
Anderson, I.	Berg	Carlson, L.	Connors	Dieterich

Enebo	Johnson, R.	McEachern	Pehler	Stanton
Faricy	Jude	Miller, M.	Pleasant	Tomlinson
Ferderer	Kahn	Moe	Resner	Vento
Fugina	Knickerbocker	Munger	Rice	Voss
Graba	Knoll	Nelson	Ryan	Mr. Speaker
Grove	Kostohryz	Norton	Sarna	
Hook	LaVoy	Ojala	Sherwood	
Jaros	Lindstrom, J.	Parish	Sieben, H.	
Johnson, D.	McCarron	Pavlak, R.	Sieben, M.	

The bill was not passed, as amended.

H. F. No. 2992 was reported to the House.

Lindstrom, J., moved to amend H. F. No. 2992, the printed bill, as follows:

Pages 2 and 3, strike section 3.

Renumber the subsequent section accordingly.

Further, amend the title, after "Statutes 1971," strike "Section 525.71; and".

The motion prevailed and the amendment was adopted.

Rice moved to amend H. F. No. 2992, the printed bill, as follows:

Page 1, line 12, after "therein." insert "Appraisers may be appointed by the court. The value of assets other than those assets specified in section 525.331, subdivision 1, clause (c) shall be determined by the court-appointed appraisers."

The motion prevailed and the amendment was adopted.

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 97, and nays 2, as follows:

Those who voted in the affirmative were:

Andersen, R.	Anderson, I.	Bell	Braun	Carlson, D.
Anderson, D.	Becklin	Bennett	Brinkman	Carlson, L.
Anderson, G.	Belisle	Berglin	Carlson, A.	Casserly.

Clifford	Hook	LaVoy	Pavlak, R.	Spanish
Culhane	Jacobs	Lindstrom, E.	Pavlak, R. L.	Stangeland
Dahl	Jaros	Lindstrom, J.	Pehler	Stanton
Dieterich	Johnson, D.	Lombardi	Pieper	Swanson
Dirlam	Johnson, J.	Long	Prahl	Tomlinson
Eckstein	Johnson, R.	Mann	Resner	Ulland
Eken	Jude	McArthur	Rice	Vanasek
Enebo	Kahn	McCarron	St. Onge	Voss
Erdahl	Kelly	McEachern	Samuelson	Weaver
Erickson	Kempe	Menke	Sarna	Wenzel
Ferderer	Klaus	Miller, D.	Savelkoul	Wigley
Fjoslien	Knickerbocker	Miller, M.	Schreiber	Wohlwend
Fudro	Knoll	Nelson	Sherwood	Wolcott
Fugina	Kostohryz	Niehaus	Sieben, H.	Mr. Speaker
Graba	Kvam	Norton	Sieben, M.	
Growe	Laidig	Ohnstad	Skaar	
Haugerud	Larson	Patton	Smith	

Those who voted in the negative were:

Faricy Vento

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

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Wednesday, March 13, 1974, immediately following the Consent Calendar. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 951:

Berg; Sieben, H.; and Savelkoul.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3533:

Sherwood, Patton, and Laidig.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1136:

Prahl; Adams, S.; and Anderson, I.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1292:

Ferderer, McCarron, and Pavlak, R. L.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2728:

Menke, Cummiskey, and Myrah.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Wednesday, March 13, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FOURTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 13, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, R.	Miller, M.	Samuelson
Adams, S.	Dieterich	Jude	Moe	Sarna
Andersen, R.	Dirlam	Kahn	Mueller	Savelkoul
Anderson, D.	Eckstein	Kelly	Munger	Schreiber
Anderson, G.	Eken	Kempe	Myrah	Schulz
Anderson, I.	Enebo	Klaus	Nelson	Searle
Becklin	Erdahl	Knickerbocker	Newcome	Sherwood
Belisle	Erickson	Knoll	Niehaus	Sieben, H.
Bell	Esau	Kostohryz	Norton	Sieben, M.
Bennett	Faricy	Kvam	Ohnstad	Skaar
Berg	Ferderer	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavлак, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavлак, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Growe	Lombardi	Peterson	Ulland
Carlson, D.	Hagedorn	Long	Pieper	Vanasek
Carlson, L.	Haugerud	Mann	Pleasant	Vento
Casserly	Heinitz	McArthur	Prahl	Voss
Cleary	Hook	McCarron	Quirin	Weaver
Clifford	Jacobs	McCauley	Resner	Wenzel
Connors	Jaros	McEachern	Rice	Wigley
Culhane	Johnson, C.	McMillan	Ryan	Wohlwend
Cummiskey	Johnson, D.	Menke	St. Onge	Wolcott
Dahl	Johnson, J.	Miller, D.	Salchert	Mr. Speaker

A quorum was present.

Hanson, Jopp, and McFarlin were excused. Fjoslien was excused until 6:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. DeGroat, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2477, 3436, 1405, and 2767 and S. F. Nos. 1985, 1704, 1823, 1888, 2042, 2477, 2747, 2850, 2898, 2994, 3193, 3212, 3408, and 3479 have been placed in the members' files.

S. F. No. 1253 and H. F. No. 1350, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 1253, page 1, line 20, reads as follows: "hereinafter described in subdivisions 2 through (10) 12 of"; whereas, H. F. No. 1350, page 1, line 20, reads as follows: "hereinafter described in subdivisions 2 through (10) 11 of".

S. F. No. 1253, page 2, lines 23 to 25, read as follows "*all taxing districts. Any part or all of such tax, if so directed by the city council, shall be pledged and appropriated for the payment of any general obligation bonds*"; whereas, H. F. No. 1350, page 2, lines 23 to 25, read as follows: "*all taxing districts. Any part or all of such tax increments, if so directed by the city council, shall be pledged and appropriated for the payment of such general*".

S. F. No. 1253, page 3, line 15, reads as follows: "*district shall not, when added to the total current acreage*"; whereas, H. F. No. 1350, page 3, line 15, reads as follows: "*district shall not when added to the total current acreage*".

S. F. No. 1253, page 3, line 18, reads as follows: "*unrecovered costs remain, exceed ten percent of the total*"; whereas, H. F. No. 1350, page 3, line 18, reads as follows: "*unrecovered costs remain exceed ten percent of the total*".

SUSPENSION OF RULES

Salchert moved that the rules be so far suspended that S. F. No. 1253 be substituted for H. F. No. 1350 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2347 and H. F. No. 3484, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2347, page 1, lines 12 through 14, contain in part, the following language: "This levy shall be subject to the levy limits established by Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.59."; whereas, H. F. No. 3484 does not contain this language.

SUSPENSION OF RULES

Sieben, M., moved that the rules be so far suspended that S. F. No. 2347 be substituted for H. F. No. 3484 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3233 and H. F. No. 3314, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 3314, page 1, lines 20 and 21, read:

"Sec. 2. This act shall take effect upon the day following final enactment.";

whereas, S. F. No. 3233, page 1, lines 20 and 21, read:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment."

SUSPENSION OF RULES

Sieben, M., moved that the rules be so far suspended that S. F. No. 3233 be substituted for H. F. No. 3314 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3023 and H. F. No. 2938, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3023, page 1, line 9, reads as follows: "Section 1. Minnesota Statutes 1971, Section 474.02, is"; whereas, H. F. No. 2938, page 1, lines 8 and 9, read in part: "Section 1. Minnesota Statutes, 1973 Supplement, Section 474.02, is".

In the title, S. F. No. 3023, lines 4, 5, 6, and 7 read as follows: "bonds; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 474.06."; whereas, in the title, H. F. No. 2938, lines 4, 5, and 6 read as follows: "bonds; amending Minnesota Statutes, 1973 Supplement, Sections 474.02, by adding a subdivision; and 474.06.".

SUSPENSION OF RULES

Casserly moved that the rules be so far suspended that S. F. No. 3023 be substituted for H. F. No. 2938 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3123 and H. F. No. 3246, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3123, page 2, line 3, reads: "of services or merchandise."; whereas, H. F. No. 3246, page 2, line 3, reads: "of service or merchandise.".

S. F. No. 3123, page 2, lines 10 to 16, read: "rendered. Money received by a club from a financial institution upon assignment of a contract shall be considered prepayment when and to the extent the member is required to make prepayments to the financial institution pursuant to the contract."

Subd. 9. "Business day" means any day other than a Saturday, Sunday, or holiday as defined in section 645.44."; whereas, H. F. No. 3246, page 2, line 10 reads: "rendered."

S. F. No. 3123, page 3, line 28, reads: "shall be valid for a term longer than one year from the date"; whereas, H. F. No. 3246, page 3, line 22, reads: "shall be valid for a term longer than two years from the".

S. F. No. 3123, page 4, line 3, reads: "period longer than one year after the member has been a"; whereas, H. F. No. 3246, page 3, line 25, reads: "period longer than two years after the member has been a".

S. F. No. 3123, page 4, lines 13 to 16, read: "membership entered into after May 31, 1974, and (b) the total of all deposits being held on merchandise ordered or purchased through the club, pursuant to contracts entered into after May 31, 1974."; whereas, H. F. No. 3246, page 4, lines 7 and 8, read: "membership in force and (b) the total of all deposits being held on merchandise ordered or purchased through the club."

S. F. No. 3123, page 4, lines 21 and 22, read: "prepayment received for all contracts of membership entered into after May 31, 1974."; whereas, H. F. No. 3246, page 4, lines 13 and 14, read: "prepayment received for all contracts of membership in force."

S. F. No. 3123, page 4, lines 27 and 28, and page 5, line 1, read: "loss of prepayment made pursuant to a contract entered into after May 31, 1974, due to a breach of contract, insolvency of the club or the cessation of business by the club. A"; whereas, H. F. No. 3246, page 4, lines 19 and 20, read in part: "loss of prepayment due to insolvency of the club or the cessation of business by the club. A".

H. F. No. 3246, page 6, lines 4 to 6, contain the following language:

"Sec. 7. [EFFECTIVE DATE.] This act shall be effective as to all contracts entered into or deposits made on merchandise ordered or purchased on or after August 1, 1974.";

whereas, S. F. No. 3123 does not contain this language.

SUSPENSION OF RULES

Stanton moved that the rules be so far suspended that S. F. No. 3123 be substituted for H. F. No. 3246 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 707 and H. F. No. 903, which had been referred to the Chief Clerk for comparison, were examined and found to be

identical, except that S. F. No. 707, after the enacting clause, reads as follows:

"Section 1. Minnesota Statutes 1971, Section 466.05, is amended to read:

466.05 [NOTICE OF CLAIM.] Subdivision 1. [NOTICE REQUIRED.] *Except as provided in subdivisions 2 and 3, every person who claims damages from any municipality for or on account of any loss or injury within the scope of section 466.02 shall cause to be presented to the governing body of the municipality within (30) 60 days after the alleged loss or injury is discovered a (WRITTEN) notice stating the time, place and circumstances thereof, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the governing body of the municipality or its insurer on notice of a possible claim shall be construed to comply with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice; but in such case, the claimant shall furnish full information regarding the nature and extent of the injuries and damages within 15 days after demand by the municipality. No action therefor shall be maintained unless such notice has been given and unless the action is commenced within one year after such notice. The time for giving such notice does not include the time, not exceeding 90 days, during which the person injured is incapacitated by the injury from giving the notice.*

Subd. 2. [EXCEPTIONS TO THE NOTICE REQUIREMENT.] Notice shall not be required to maintain an action for damages for or on account of any loss or injury within the scope of section 466.02 if such injury or loss:

(a) arises out of an intentional tort committed by an officer, employee or agent of the municipality; or

(b) involves a motor vehicle or other equipment owned by the municipality or operated by an officer, employee or agent of the municipality.

Subd. (2) 3. [CLAIMS FOR WRONGFUL DEATH; NOTICE.] When the claim is one for death by wrongful act or omission, the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in such death; (BUT) if the person for whose death the claim is made has presented a notice that would have been sufficient had he lived an action for wrongful death may be brought without any additional notice."

whereas, H. F. No. 903, after the enacting clause, reads:

“Section 1. Minnesota Statutes 1971, Section 466.05, Subdivision 1, is amended to read:

466.05 [NOTICE OF CLAIM.] Subdivision 1. [NOTICE REQUIRED.] *As to all claims arising after August 1, 1974, every person who claims damages from any municipality for or on account of any loss or injury within the scope of section 466.02 shall cause to be presented to the governing body of the municipality within (30) 90 days after the alleged loss or injury a written notice stating the time, place and circumstances thereof, and the amount of compensation or other relief demanded. Failure to state the amount of compensation or other relief demanded does not invalidate the notice; but in such case, the claimant shall furnish full information regarding the nature and extent of the injuries and damages within 15 days after demand by the municipality. No action therefor shall be maintained unless such notice has been given or the municipality had actual knowledge within said 90 days and unless the action is commenced within one year after such notice. The time for giving such notice does not include the time, not exceeding 90 days, during which the person injured is incapacitated by the injury from giving the notice.*

Sec. 2. Minnesota Statutes 1971, Section 466.05, Subdivision 2, is amended to read:

Subd. 2. [CLAIMS FOR WRONGFUL DEATH; NOTICE.] (WHEN THE CLAIM IS ONE) *As to all claims for death by wrongful act or omission (,) arising after August 1, 1974 the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in such death (;). No notice shall be required if the municipality had actual knowledge within said one year period. Also no additional notice shall be required (BUT) if either the person for whose death the claim is made has presented a notice within 90 days after the alleged loss or injury that would have been sufficient as to claims arising after August 1, 1974 had he lived, (AN ACTION FOR WRONGFUL DEATH MAY BE BROUGHT WITHOUT ANY ADDITIONAL NOTICE) or if the municipality had actual knowledge within said 90 days.”.*

The title of S. F. No. 707 reads:

“A bill for an act relating to tort liability; political subdivisions; defining notice; extending time for notice of claims and eliminating notice requirements for intentional torts and vehicular accidents; amending Minnesota Statutes 1971, Section 466.05.”:

whereas, the title of H. F. No. 903 reads:

“A bill for an act relating to tort liability; political subdivisions; extending time for notice of claim and providing for

actual notice; amending Minnesota Statutes 1971, Section 466.05, Subdivisions 1 and 2.”.

SUSPENSION OF RULES

Hook moved that the rules be so far suspended that S. F. No. 707 be substituted for H. F. No. 903 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3360 and H. F. No. 3432, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 3432, page 1, lines 14 and 15, reads in part “this act (.) *or the district may at any time*”; whereas S. F. No. 3360, page 1, lines 14 and 15, reads in part “this act (.) *or the board of education of the district may by resolution at any time*”.

SUSPENSION OF RULES

Quirin moved that the rules be so far suspended that S. F. No. 3360 be substituted for H. F. No. 3432 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2918 and H. F. No. 3348, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 3348, page 8, line 18, after “Sec. 10.” through page 9, line 4, contains the following language: “Minnesota Statutes 1971, Section 546.27, is amended to read:

546.27 [DECISION BY THE COURT.] (WHEN AN ISSUE OF FACT HAS BEEN TRIED BY THE COURT, THE DECISION SHALL BE IN WRITING, THE FACTS FOUND AND THE CONCLUSION OF LAW SHALL BE SEPARATELY STATED, AND JUDGMENT SHALL BE ENTERED ACCORDINGLY.) All questions of fact and law, and all motions and matters submitted to a judge for his decision, shall be disposed of and his decision filed with the clerk within 90 days after such submission, unless sickness or casualty shall prevent, or the time be extended by written consent of the parties. No part of the salary of any judge shall be paid unless the voucher therefor be accompanied by a certificate of the judge that he has fully complied with the requirements of this section.”;

whereas, S. F. No. 2918 does not contain this language.

In the title, H. F. No. 3348, line 10, after “546.25;” contains “546.27;”; whereas, S. F. No. 2918 does not contain this number.

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 2918 be substituted for H. F. No. 3348 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3160 and H. F. No. 3309, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 3160, page 1, lines 28, 29 and 30 read as follows: "by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose *and in*"; whereas H. F. No. 3309, page 1, lines 28, 29 and 30 read as follows: "(, BY UNITED STATES MAIL, TO REPRESENTATIVES OF ASSOCIATIONS OR OTHER INTERESTED GROUPS OR PERSONS WHO HAVE REGISTERED THEIR NAME WITH THE SECRETARY OF STATE FOR THAT PURPOSE) *in*".

S. F. No. 3160, page 2, line 15, reads as follows: "*Any rule adopted after July 1, 1975 which is not published*"; whereas H. F. No. 3309, page 2, line 15, reads as follows: "*Any rule adopted after July 1, 1974 which is not published*".

S. F. No. 3160, page 5, lines 10 and 11 read as follows: "*of administration and at a price as the commissioner of administration shall determine. The commissioner of*"; whereas H. F. No. 3309, page 2, line 10, reads in part: "*of administration. The commissioner of*".

S. F. No. 3160, page 6, line 17, reads as follows: "*adopted rules or changes thereof, or executive order shall*"; whereas H. F. No. 3309, page 6, line 16, reads in part: "*adopted rules or changes thereof shall*".

S. F. No. 3160, page 7, line 3, reads as follows:

"Sec. 9. This act is effective on July 1, 1975.";

whereas H. F. No. 3309, page 7, line 2, reads as follows:

"Sec. 9. This act is effective on June 30, 1974."

SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 3160 be substituted for H. F. No. 3309 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2975 and H. F. No. 3138, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 2975, page 1, line 25, reads as follows: "to one-third mill times the assessed value of taxable"; whereas H. F. No. 3138, page 1, line 25, reads as follows: "to one-third mill times the assessed value of all taxable".

In S. F. No. 2975, page 2, lines 3 to 7 read as follows: "unless the city contributes to the construction or improvement in an amount that the county board and the city by agreement deter-

mine to be fair and equitable and in no case to be more than 45 percent of the cost of the construction or improvement.”; whereas H. F. No. 3138, page 2, lines 3 to 6 read as follows: “unless the city agrees to contribute to the construction or improvement in an amount that the county board determines to be fair and equitable and in no case to be more than ten percent of the cost of the construction or improvement.”.

SUSPENSION OF RULES

Pavliak, R. L., moved that the rules be so far suspended that S. F. No. 2975 be substituted for H. F. No. 3138 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2285 and H. F. No. 3462, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2285, page 1, line 20, reads as follows: “other divisions of land (OF ONE ACRE OR LESS IN AREA), for”; whereas, H. F. No. 3462, page 1, line 16, reads: “other divisions of land, (OF ONE ACRE OR LESS IN AREA,) for”.

S. F. No. 2285, page 5, line 23, reads: “Sec. 7. [MINNESOTA STATUTES, 1969, SECTION 462.358,”; whereas, H. F. No. 3462, page 5, line 21, reads: “Sec. 7. [MINNESOTA STATUTES 1971, SECTION 462.358,”.

S. F. No. 2285, page 6, line 14, reads: “*The provisions of Minnesota Statutes, Section 462.358,*”; whereas, H. F. No. 3462, page 6, line 12, reads: “*The provisions of Minnesota Statutes 1971, Section*”.

S. F. No. 2285, page 7, lines 13 and 14, read: “*recorded under the provisions of Minnesota Statutes, Section 462.358, Subdivision 4.*”; whereas, H. F. No. 3462, page 7, lines 11 and 12, read: “*recorded under the provisions of Laws 1933, Chapter 93, Section 7, as amended.*”.

The title of S. F. No. 2285 reads as follows:

“A bill for an act relating to the city of Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.”;

whereas the title of H. F. No. 3462 reads:

“A bill for an act relating to the city of Duluth; redefining a subdivision; modifying the procedure for approval of plats by

the planning commission; making certain state laws applicable to the city; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10."

SUSPENSION OF RULES

LaVoy moved that the rules be so far suspended that S. F. No. 2285 be substituted for H. F. No. 3462 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3033 and H. F. No. 3100, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 3100, page 27, line 1, reads "the district court. *In the event survivor benefits are*"; whereas S. F. No. 3033, page 27, line 1, reads "the district court. *In the event all survivor benefits are*".

H. F. No. 3100, page 39, line 20 reads:

"June 30, 1967 \$432 \$144";

whereas S. F. No. 3033, page 39, line 20 reads:

"June 30, 1967 \$432 \$216".

SUSPENSION OF RULES

Moe moved that the rules be so far suspended that S. F. No. 3033 be substituted for H. F. No. 3100 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3144 and H. F. No. 3307, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3144, page 21, lines 3 and 4 read as follows:

"Sec. 26. This act is effective the day following its final enactment.";

whereas H. F. No. 3307, page 21, line 3, reads:

"Sec. 26. This act is effective July 1, 1974."

SUSPENSION OF RULES

Parish moved that the rules be so far suspended that S. F. No. 3144 be substituted for H. F. No. 3307 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2933 and H. F. No. 2847, which had been referred to the Chief Clerk for comparison, were examined and found to

be identical except that S. F. No. 2933, page 1, line 15, reads as follows: "*act shall include coverage for payment of the costs of*"; whereas H. F. No. 2847, page 1, line 15, reads as follows: "*act shall include coverage for payment of the costs of minor*".

S. F. No. 2933, page 1, lines 18 and 19 read as follows: "*out-patient basis on the same terms as it provides coverage in other facilities.*"; whereas H. F. No. 2847, page 1, line 18, reads as follows: "*out-patient basis.*".

S. F. No. 2933, page 1, lines 24 to 28 read as follows: "*renewed after the effective date of this act shall include coverage for payment of the costs of surgery performed in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis on the same terms as it provides coverage in other facilities.*"; whereas H. F. No. 2847, page 1, lines 23 to 27 read as follows: "*renewed after the effective date of this act which includes coverage for surgical expense shall not exclude coverage for payment of the costs of surgery performed in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis.*".

S. F. No. 2933, page 1, line 31 reads in part as follows:

"[144.965] [OUTPATIENT SURGERY CENTERS.]";

whereas H. F. No. 2847, page 1, line 30 reads in part as follows:

"[144.941] [OUTPATIENT SURGERY CENTERS.]".

S. F. No. 2933, page 2, line 17, reads as follows: "Minnesota Statutes 1969, Section 144.583; (OR) any boarding"; whereas H. F. No. 2847, page 2, line 16, reads as follows: "Minnesota Statutes 1969, Section 144.583; or any boarding".

SUSPENSION OF RULES

Pehler moved that the rules be so far suspended that S. F. No. 2933 be substituted for H. F. No. 2847 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2759 and H. F. No. 3063, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that after the enacting clause S. F. No. 2759 reads as follows:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8, is amended to read:

Subd. 8. (1) At the request of an officer or employee of the state of Minnesota *or any political subdivision thereof*, the appointing authority shall, by payroll deduction, defer the payment of such part of the compensation of the officer or employee

as provided in a written agreement between the officer or employee and the state of Minnesota or *political subdivision* in such a manner as will qualify the deferred amount for benefits afforded under federal and state tax laws, regulations, and rulings.

(2) The amount of compensation so deferred shall be used to purchase shares in the Minnesota supplemental retirement fund established in section 11.18. The shares so purchased shall stand in the name of the state of Minnesota for the officer or employee whose deferred compensation purchased said shares until distributed to said officer or employee in a manner agreed upon by the appointing authority and the employee. Nothing in this subdivision shall be construed as to authorize an employer contribution, nor shall the state be responsible for any loss which may result from investment of the deferred compensation.

(3) The provisions of this subdivision, except clause (2), shall be administered by the Minnesota state retirement system pursuant to the provisions of clause (4).

(4) The commissioner of administration shall establish rules, regulations, and procedures to carry out the provisions of this subdivision including allocation of administrative costs against the assets accumulated under this subdivision. Funds to pay such costs are hereby appropriated from the fund or account in which the assets accumulated under this subdivision are placed.

Sec. 2. This act shall take effect on the day following its enactment.”;

whereas, after the enacting clause, H. F. No. 3063 reads as follows:

“Section 1. Minnesota Statutes 1971, Section 16.027, is amended by adding a subdivision to read:

Subd. 9. It is the policy of the legislature that the plan authorized in subdivision 8 apply to all officers and employees of all governmental units of the state and to all members of the public employees retirement association. After approval of their inclusion by the proper official of the United States Internal Revenue Service, at the request of an officer or employee, the governing body of any city, town, county, school district, public corporation, public authority, special district or other political subdivision shall defer and forward to the Minnesota state retirement system a part of such officer's or employee's income in accord with and for the purpose set out in subdivision 8 and rules, regulations and procedures promulgated thereunder. The commissioner of administration shall certify the date on which the approval of the proper officer of the United States Internal Revenue Service was obtained, and thereafter no governmental unit listed herein shall be authorized under Minnesota Statutes, Section 471.615, statutes authorizing contracts to meet the re-

quirements of section 403(b) of the Federal Internal Revenue Code or any other express or implied authority to negotiate or purchase deferred compensation contracts providing for payment in a lump sum or periodic payments for life or a period certain for its officers or employees, provided if the commissioner of administration certifies that the approval of the Internal Revenue Service has been withdrawn from the plan herein this proscription shall not thereafter apply to statutes authorizing governmental units to negotiate and purchase contracts that meet the requirements of section 403(b) of the Federal Internal Revenue Code. This subdivision shall not apply to deferred compensation contracts entered into prior to the date, as certified by the commissioner, approval of the plan was obtained, provided that if a contract is renegotiated or its terms changed after such date, it shall be deemed to have been entered into after the certification and no compensation shall be deferred pursuant to the contract.

Sec. 2. This act is effective the day following final passage.”.

In the title in S. F. No. 2759, page 1, lines 5 and 6 read as follows: “Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.”; whereas, in the title in H. F. No. 3063, page 1, lines 5 and 6 read as follows: “Minnesota Statutes 1971, Section 16.027, by adding a subdivision.”.

SUSPENSION OF RULES

Parish moved that the rules be so far suspended that S. F. No. 2759 be substituted for H. F. No. 3063 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3189 and H. F. No. 3179, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3189, page 4, line 13, reads as follows: “*urban or rural area or any part thereof solely because of*”; whereas, H. F. No. 3179, page 4, line 13 reads: “*urban or rural area or any portion thereof solely because of*”.

SUSPENSION OF RULES

Berglin moved that the rules be so far suspended that S. F. No. 3189 be substituted for H. F. No. 3179 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3372 and H. F. No. 3481, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 3481, page 1, lines 14 through 16, contain in part, the following new language: “*and for day care services on the recommendations of the appropriate advisory council*”. S. F. No. 3372 does not contain this language.

SUSPENSION OF RULES

Berglin moved that the rules be so far suspended that S. F. No. 3372 be substituted for H. F. No. 3481 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3183 and H. F. No. 3272, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 3272, page 1, line 30 through page 2, line 10, reads:

"Sec. 2. Laws 1973, Chapter 327, Section 8, Subdivision 2, is amended to read:

Subd. 2. General obligation bonds under this section shall be issued in such amounts as required, but in no event shall they exceed the amount of \$1,000,000, at such times and in such series as the authority shall determine by resolution, subject to the approval and ratification of the city council, evidenced by resolution. Except as otherwise provided by this section, the maturities, any right of prior redemption, execution, paying agency, provision for interest, or other terms of the bonds, shall be subject to the provisions of Minnesota Statutes, Sections 475.54 to 475.56. *Bonds issued under this section may be issued for public or negotiated sale.*";

whereas S. F. No. 3183, page 1, line 32 through page 2, line 23, reads:

"Sec. 2. Laws 1973, Chapter 327, Section 7, Subdivision 3, is amended to read:

Subd. 3. In the authorizing resolution, the authority may provide covenants for the protection of the bondholders relating to disposition of bond proceeds and revenues; reserves and investment thereof; construction, acquisition, repair, replacement, operation and insurance of the recreation area buildings and facilities; accounting and reports; issuance of parity or subordinate lien bonds; rates and charges to be established or maintained; and such other covenants as the authority shall find to be usual and reasonable for the protection of revenue bondholders.

The authority may also define the event or events of default and other requisites for suit by bondholders or their representatives, conditions of bond registration or replacement, and conditions upon which any covenant may be amended. Any terms, covenants, or conditions of revenue bonds to be provided by resolution of the authority may be set forth in a trust indenture with a corporation having trust powers appointed by the authority, with the approval of the city council, to represent and act for bondholders, and to hold and disburse pledged revenues, and to

perform such other duties as may be provided in the trust indenture; (BUT NO) such trust indenture (SHALL) *may* confer or authorize (ANY) a mortgage lien on the real or operating properties or general funds of the authority.”.

In the title, H. F. No. 3272, lines 6 through 11, reads: “thereof; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 7, Subdivision 1; 8, Subdivision 2; and by adding a section.”; whereas S. F. No. 3183, lines 6 through 13, reads: “thereof; permitting mortgage liens on the property of the authority; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Section 7, Subdivisions 1 and 3; and by adding a section.”.

SUSPENSION OF RULES

Jaros moved that the rules be so far suspended that S. F. No. 3183 be substituted for H. F. No. 3272 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3287 and H. F. No. 3404, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except H. F. No. 3404, page 3, lines 5 to 7, reads as follows: “*in the development of the plan of major private sector providers of services related to those services which are publicly provided;*”; whereas S. F. No. 3287, page 1, lines 27 and 28, reads: “*in the development of the plan by major private sector providers of related services;*”.

H. F. No. 3404, page 4, line 3, reads: “*providers. The remaining members shall represent the*”; whereas S. F. No. 3287, page 2, lines 21 and 22, reads: “*providers if such providers exist in the county or counties party to the agreement. The remaining members shall*”.

H. F. No. 3404, page 5, lines 4 to 9, reads:

“*Prior to adoption of the plan by the human services board there shall be a public hearing on the plan. Annually, the human services board shall, as far as practicable, publish or otherwise circulate notice of its intended plan and afford interested persons opportunity to submit data or views orally or in writing.*”;

whereas S. F. No. 3287, page 4, lines 7 to 12, reads:

“*Prior to adoption of the plan by the human services board there shall be a public hearing on the plan. As far as practicable, the human services board shall annually publish or otherwise circulate notice of its proposed plan and afford interested persons opportunity to submit data or views orally or in writing.*”.

H. F. No. 3404, page 2, line 5 after "county." to line 15, contains the following language: "*Such study shall also include an evaluation of existing state and federal requirements for comprehensive planning at the local level for the delivery of social services and proposals for strengthening such requirements to encourage (a) closer cooperation and coordination between public and private agencies furnishing social services, (b) greater utilization of auxiliary personnel; (c) more experimentation with purchase of service alternatives, and (d) a greater degree of sharing of capital facilities and specialized personnel among various public and private agencies.*"; whereas S. F. No. 3287 does not contain this language.

SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 3287 be substituted for H. F. No. 3404 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3175 and H. F. No. 3445, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 3445, page 1, line 13 after "*Subd.*" reads in part "*4a.*"; whereas S. F. No. 3175, page 1, line 13 after "*Subd.*" reads in part "*4.*".

H. F. No. 3445, page 3, lines 12 and 13, reads: "**ORGANIZATIONS.]** No person who is a member, *who acts in an advisory capacity to*, or employee of, or who furnishes"; whereas S. F. No. 3175, page 3, lines 12 and 13, reads: "**ORGANIZATIONS.]** No person who is a member or employee of, *who acts in an advisory capacity to* or who furnishes counsel".

SUSPENSION OF RULES

Swanson moved that the rules be so far suspended that S. F. No. 3175 be substituted for H. F. No. 3445 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2576 and H. F. No. 2591, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except H. F. No. 2591, after the enacting clause, reads as follows:

"Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, is amended to read:

Subd. 6. "**Official control**" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a municipality or a county or any part thereof or any detail thereof, and are the means of translating into (**REGULATIONS AND**) ordinances all or any part of the general objectives of the comprehensive

plan. Such official controls may include but are not limited to ordinances establishing zoning, subdivision (CONTROL, PLATTING) controls, site plan regulations, sanitary codes, building codes, housing codes, and (THE ADOPTION OF DETAILED) official maps.

Sec. 2. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 7. "Conditional use" means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that (1) certain conditions as detailed in the zoning ordinance exist, and (2) the use or development conforms to the comprehensive land use plan of the county and to the declaration of state environmental policy and standards set forth in Laws 1973, Chapter 412, and (3) is compatible with the existing neighborhood.

Sec. 3. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 8. "Nonconformity" means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Sec. 4. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 9. "Comprehensive plan" means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Sec. 5. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 10. "Variance" means any modification or variation of land development standards contained in official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause unnecessary hardship.

Sec. 6. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. "Town" means any town, including those with the powers of villages pursuant to law.

Sec. 7. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 12. "Official map" means a map adopted in accordance with section 51 of this act which may show existing county roads and county state aid highways, proposed future county roads and highways and the area needed for widening existing county roads and highways. An official map may also show the location of existing and future public land and other public facilities owned or planned by the county. When requested in accordance with section 394.32, subdivision 3, an official map may include existing and planned public land uses within incorporated areas.

Sec. 8. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 13. "Subdivision" means any division of an existing lot, parcel, or tract of land into two or more parcels for any purpose whether by platting, metes and bounds conveyance, contract for deed, easement, leasing, or by any other plans, terms and conditions.

Sec. 9. Minnesota Statutes 1971, Section 394.23, is amended to read:

394.23 [COMPREHENSIVE PLAN.] The board shall have the power and authority to prepare and adopt by ordinance, a comprehensive plan (FOR THE ORDERLY FUTURE PHYSICAL DEVELOPMENT OF THE AREA OF THE COUNTY OR PARTS THEREOF OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. THE PLAN, WHICH MAY INCLUDE TEXT AND MAPS, SHALL BE APPROVED AND CERTIFIED BY THE BOARD AND WHEN SO CERTIFIED SHALL BE REFERRED TO AS THE COMPREHENSIVE PLAN. THE PLAN MAY THEREAFTER BE AMENDED OR ADDED TO BY THE BOARD). A comprehensive plan or plans when adopted by ordinance shall be the basis for official controls adopted under the provisions of sections 394.21 to 394.37.

Sec. 10. Minnesota Statutes 1971, Section 394.24, Subdivision 1, is amended to read:

394.24 [OFFICIAL CONTROLS.] Subdivision 1. Official controls which shall further the purpose and objectives of the comprehensive plan and parts thereof shall be adopted by (RESOLUTION BY THE BOARD) ordinance.

Sec. 11. Minnesota Statutes 1971, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board (SHALL) *may apply to and be binding upon (ONLY THAT AREA OR) the county or any parts thereof (OUTSIDE) including areas within the incorporated limits of a (CITY, VILLAGE, OR BOROUGH) municipality, when requested by the municipality under section 394.32.*

Sec. 12. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 3. For the area within which official controls adopted by the board are effective, such controls shall apply to the use of land for both private and public purposes, provided that the need for adequate, timely and convenient public and semi-public services and facilities must receive due consideration in the formulation, administration and enforcement of all official controls and no land owned or leased by the federal or state government shall be subject to official controls of the county.

Sec. 13. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 4. Nothing in sections 394.21 to 394.37 authorizes any county to adopt official controls that constitute a taking of real or personal property or unequal protection of the laws in violation of the constitution of this state or of the United States.

Sec. 14. Minnesota Statutes 1971, Section 394.25, Subdivision 1, is amended to read:

394.25 [FORMS OF CONTROL.] Subdivision 1. Official controls *shall be adopted by ordinance and may include but are not limited to the features set forth in this section.*

Sec. 15. Minnesota Statutes 1971, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. (THE ESTABLISHMENT OF) Zoning *ordinances establishing districts within which (DISTRICTS) the use of land and the surface of water pursuant to Laws 1973, Chapter 702, for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, surface water drainage and removal, conservation of shorelands, as defined in section 105.485, and additional uses of land and the surface of water, pursuant to Laws 1973, Chapter 702, may be by official controls encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan. With the assistance and consultation of the commissioner of natural resources, official controls may be applied to wetlands preservation, open space, parks, sewage disposal, protection of ground water, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers*

as defined in section 104.33, protection of slope, soils, unconsolidated materials or bedrock from potentially damaging development, preservation of forests, woodlands and essential wildlife habitat, reclamation of non-metallic mining lands; and with the assistance and consultation of the county extension service, preservation of agricultural lands.

Sec. 16. Minnesota Statutes 1971, Section 394.25, Subdivision 3, is amended to read:

Subd. 3. (FOR EACH SUCH DISTRICT A) Zoning ordinances may provide for regulations (ORDINANCE OR MAP OR REGULATIONS OR PROVISIONS MAY ALSO BE ADOPTED) designating or limiting the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may (HEREAFTER) be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; *setback from existing roads and highways and roads and highways designated on an official map;* (SANITARY, SAFETY, AND) protective measures *necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke* (THAT SHALL BE REQUIRED FOR SUCH DWELLINGS, BUILDINGS, AND STRUCTURES); the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building or type of development throughout each district, but the provisions in one district may differ from those in other districts.

Sec. 17. Minnesota Statutes 1971, Section 394.25, Subdivision 4, is amended to read:

Subd. 4. (MAPS FOR) *Official maps establishing the location and other pertinent features of existing and proposed highways, roadways, parkways, roads, and streets* (SHOWING THE EXACT ALIGNMENT, GRADIENTS, DIMENSIONS, AND OTHER PERTINENT FEATURES, AND INCLUDING SPECIFIC CONTROLS FOR SET-BACKS FROM THE RIGHT OF WAY AGAINST ENCROACHMENT BY BUILDINGS OR OTHER PHYSICAL STRUCTURES OR FACILITIES).

Sec. 18. Minnesota Statutes 1971, Section 394.25, Subdivision 5, is amended to read:

Subd. 5. (MAPS FOR) *Other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities* (SHOWING EXACT LOCATION, SIZE, BOUNDARIES AND OTHER RELATED FEATURES) including appropriate regulations protecting such future sites against encroachment by buildings and other physical structures or facilities.

Sec. 19. Minnesota Statutes 1971, Section 394.25, Subdivision 7, is amended to read:

Subd. 7. Specific (REGULATIONS AND) controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation *and dedication* of streets and land for other public purposes (REQUIRING FUTURE DEDICATION OR ACQUISITION) and *the* general design of physical improvement.

Sec. 20. Minnesota Statutes 1971, Section 394.25, Subdivision 8, is amended to read:

Subd. 8. Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code, *adopted by ordinance as part of the official control*. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. (ALL REQUIREMENTS OF STATUTES FOR THE PUBLICATION OR POSTING OF RESOLUTIONS SHALL BE SATISFIED IN SUCH CASE IF THE RESOLUTION INCORPORATING THE STATUTE, REGULATION, ORDINANCE OR CODE IS PUBLISHED OR POSTED IN THE REQUIRED MANNER AND IF,) Prior to (SUCH POSTING OR PUBLICATION,) *adoption* at least (THREE COPIES) *one copy* of the statute, rule, regulation, ordinance or code (ARE) *shall be* marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such (RESOLUTION) *ordinance* by reference shall be as much a part of the (RESOLUTION) *ordinance* as if they had been set out in full therein.

Sec. 21. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 9. Erosion and sediment controls with regard to clearing, grading, excavation, transporting and filling of lands. Erosion and sediment controls may include, but need not be limited to requiring the development of plans before any land is disturbed. Plans for disturbing land may be submitted to the appropriate soil and water conservation district for comment and review.

Sec. 22. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 10. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected

property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission. Any amendment instigated by an affected property owner which would result in a reclassification of a parcel or parcels of property under the provisions of a zoning ordinance may be made subject by the board to such additional restrictions, conditions, or limitations as may be deemed appropriate to preserve, improve, or protect the general character and design of the lands and improvements being zoned, or of other lands and improvements in the vicinity of the subject parcel or parcels. Such restrictions, conditions, or limitations may include but are not restricted to matters relating to appearance, lighting, hours of operation, and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Sec. 23. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. All official controls and any variance therefrom shall be consistent with the declaration of state environmental policy and standards set forth in Laws 1973, Chapter 412.

Sec. 24. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 1a. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.

Sec. 25. Minnesota Statutes 1971, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the

county. Written notice of public hearings regarding the application of official controls to specific properties, including conditional uses, variances and subdivisions, shall be sent to all property owners of record within 500 feet of the concerned property, in incorporated areas, and one-half mile in unincorporated areas the relevant board of town supervisors, and the municipal council of any municipality within two miles of the concerned property. The notice shall contain, in addition to a legal description, a description of the location of the specific properties which shall be designed to be understandable to residents of the county without reference to legal documents or descriptions.

Sec. 26. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 3a. The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in Minnesota Statutes, Section 375.51.

Sec. 27. Minnesota Statutes 1971, Section 394.27, Subdivision 1, is amended to read:

394.27 [CREATION AND DUTIES OF A BOARD OF ADJUSTMENT.] Subdivision 1. Whenever a board of county commissioners shall have adopted official controls it shall at the same time as the adoption of such controls create a board of adjustment(, PROVIDED THAT ANY COUNTY WHICH PRIOR TO THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559, HAS ADOPTED A ZONING ORDINANCE OR OFFICIAL CONTROLS SHALL CREATE A BOARD OF ADJUSTMENT WITHIN 90 DAYS OF THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559) *by ordinance.*

Sec. 28. Minnesota Statutes 1971, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of at least three but nor more than seven members whose appointment, term of office, or removal from the board shall be as provided in the (RESOLUTION) ordinance creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. In an ordinance creating a three member board of adjustment, provision may be made for one alternate member. The alternate board member shall, when directed by the chairman, attend all meetings of the board and participate fully in its activities but shall not vote on any issue unless authorized to do so by the chairman. The chairman shall authorize the alternate board member to vote on an issue when a regular member is absent, physically in-

capacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting thereon shall be decided by majority vote of all regular board members except the member who is being challenged. In the ordinance establishing the board of adjustment provision may be made for removal of any member for nonperformance of duty or misconduct in office and for the filling of vacancies for any unexpired term. The regular and alternate members of such board of adjustment (SHALL SERVE WITHOUT COMPENSATION BUT) may be paid compensation in an amount specified by the ordinance establishing the board of adjustment and may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.

Sec. 29. Minnesota Statutes 1971, Section 394.27, Subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall (ACT UPON ALL QUESTIONS AS THEY MAY ARISE IN THE ADMINISTRATION OF ANY ORDINANCE OR OFFICIAL CONTROL, INCLUDING THE INTERPRETATION OF ZONING MAPS, AND IT SHALL) *have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by (AN) any administrative official charged with enforcing any ordinance adopted pursuant to the provision of sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls.* Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state.

Sec. 30. Minnesota Statutes 1971, Section 394.27, Subdivision 6, is amended to read:

Subd. 6. (SUCH APPEAL) *Appeals to any order, requirement, decision, or determination of any administrative official shall be taken in such time as shall be prescribed by the ordinance creating the board of adjustment (BY GENERAL RULE,) by filing with the board of adjustment a notice of appeal specifying the grounds thereof. The board of adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within a reasonable time which shall be defined in the ordinance establishing the board of adjustment. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after notice of appeal has been filed that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of ad-*

justment or the district court. The board of adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from (AS IN ITS OPINION OUGHT TO BE MADE IN THE PREMISES) and to that end shall have all the powers of the officer from whom the appeal was taken and may (ISSUE OR) direct the issuance of a permit. The reasons for the board's decision shall be stated. The decision of such board shall not be final and any person having an interest affected by such (ORDINANCE) order shall have the right to appeal to the district court in the county in which the land is located on questions of law and fact.

Sec. 31. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 7. The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there is particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the comprehensive plan. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.

Sec. 32. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 8. A certified copy of any order issued by the board of adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, including all special restrictions and conditions, shall be filed with the register of deeds for record. The order issued by the board of adjustment shall include the legal description of the property involved, as provided by the person requesting the variance. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of this subdivision. Notwithstanding any other statutory requirements, such certified copy of the order shall be eligible for recording if the property is precisely described.

Sec. 33. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 9. All decisions by the board of adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any person or persons, or any taxpayer, or any officer, department, board or commission of the state or its political subdivisions shall have the right to appeal within 30 days to the district court in the county in which the land is located on questions of law and fact.

Sec. 34. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding any provision herein to the contrary, any person, as defined in section 116B.02, may appeal any order, requirement, decision, or determination made by any county administrative official concerning any ordinance adopted pursuant to the provisions of sections 394.21 to 394.27 which is required to be adopted by a county pursuant to standards, criteria, model ordinances, management plans or orders promulgated by any state agency or official. The order of the board of adjustment acting upon such an appeal or a request for a variance from such an ordinance may be appealed to the state agency or official which promulgated such standard, criteria, model ordinance, management plan or order. An appeal to such state agency or official shall be taken by the filing of a notice of appeal within the time allowed for an appeal to district court of a decision of the board of adjustment. Thereafter, the state agency or official may, within 60 days of the filing of the notice of appeal, modify, affirm or reverse the decision of the board of adjustment provided that if no action is taken by the state agency or official within that period of time, the appeal shall lapse. The filing of a notice of appeal with a state agency or official under this section shall suspend the running of the time for appeal to district court until a final decision is issued by the state agency or official, or for 60 days, whichever is later. If the state agency or official issues its order within 60 days, that order may be appealed to the district court in the manner provided by law.

Sec. 35. Minnesota Statutes 1971, Section 394.29, is amended to read:

394.29 [MAY EMPLOY DIRECTOR AND STAFF.] To carry out the purposes of sections 394.21 to 394.37 the board may employ a planning director (AND INSPECTOR OR EITHER OF THEM) and such staff as it deems necessary(;) to assist the planning director in carrying out his assigned responsibilities, including but not limited to a zoning administrator, sanitary inspector and a building official. If no planning director is appointed, the board shall designate a chief administrative officer who shall administer the official controls. (OR) The board may employ or contract with a planning (AGENCY,) author-

ity (,) or commission, *any agency of the state or federal government, a regional development commission or with planning consultants, or with other specialists for such services as it requires.*

Sec. 36. Minnesota Statutes 1971, Section 394.30, Subdivision 1, is amended to read:

394.30 [PLANNING COMMISSION.] Subdivision 1. (THE) *Any board of county commissioners (WHICH HAS ADOPTED A RESOLUTION INDICATING ITS INTENT TO AVAIL ITSELF OF THE AUTHORITY GRANTED BY SECTIONS 394.21 TO 394.37) may (AT THAT TIME OR ANY SUBSEQUENT TIME) by ordinance appoint a planning (ADVISORY) commission composed of not less than five nor more than eleven members appointed by the chairman of the board. (FOUR MEMBERS OF SUCH COMMISSION SHALL BE CHOSEN FROM THE ELECTORS OF THE COUNTY PROVIDED THAT NOT LESS THAN THREE SHALL BE RESIDENTS OF THE PORTION OF THE COUNTY LYING OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. ONE MEMBER OF SUCH COMMISSION SHALL BE A MEMBER OF THE BOARD.) The manner of appointment and terms of office of the members shall be as provided in the ordinance. No regular member may be an elected officer of the county except that one member of the board may serve on the commission. No more than one regular member of the commission shall have received, during the two years prior to appointment, any substantial portion of his income, directly or indirectly, from business operations involving the development of land for urban and urban related purposes. (IN ADDITION) In the ordinance establishing the planning commission the board may designate any county officer or employee or any employee of the state or federal government as an ex officio non-voting member of such commission. The term of office and removal of any member for non-performance of duty or misconduct in office as well as filling vacancies on the board shall be as provided in the (RESOLUTION) ordinance creating the commission.*

Sec. 37. Minnesota Statutes 1971, Section 394.30, Subdivision 3, is amended to read:

Subd. 3. The members of (SUCH) *the commission (SHALL SERVE WITHOUT) may be paid a fixed annual compensation (BUT) in an amount specified in the ordinance establishing the commission and may be paid their necessary expenses in attending meetings of the commission and in the conduct of the business of the commission.*

Sec. 38. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 4. *The planning commission shall elect a chairman and secretary from among its members and cooperate with the plan-*

ning director and other employees of the county in preparing and recommending to the board for adoption a comprehensive plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto. In all instances in which the planning commission is not the final authority, as authorized in subdivision 5, the commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the board.

Sec. 39. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 5. The board may by ordinance assign additional duties and responsibilities to the planning commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land, and the authority to approve some or all categories of planned unit developments. The planning commission may be required by the board to review any comprehensive plans and official controls and any plans for public land acquisition and development sent to the county for that purpose by any local unit of government or any state or federal agency and shall report thereon in writing to the board.

Sec. 40. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.301] [CONDITIONAL USE PERMITS.] *Subdivision 1. The board may by ordinance designate certain types of developments, including planned unit developments and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved upon a showing by an applicant that standards and criteria stated in the ordinance will be satisfied. Such standards and criteria shall include both general requirements for all conditional uses and, insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. Conditional use permits shall be issued by the officer administering the official controls only upon the order of the board or the planning commission as designated by ordinance as the approval authority for one or more categories of conditional uses. The planning commission shall in all instances have an opportunity to review conditional uses prior to any final decision by the designated approval authority. Public hearings shall be held in accordance with section 394.26. In connection with ordering the issuance of a conditional use permit the designated approval authority may impose such additional restrictions or conditions as it deems necessary to protect the public interest, including but not limited to matters relating to appearance, lighting, hours of operation and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Subd. 3. A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses.

Subd. 4. A certified copy of any conditional use permit shall be filed with the register of deeds for record. The conditional use permit shall include the legal description of the property involved as provided by the person requesting the permit. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of the subdivision. Notwithstanding any other statutory requirements, such certified copy of the permit shall be eligible for recording if the property is precisely described.

Sec. 41. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.312] [RELATION TO OTHER COUNTY AUTHORITY.] *All official controls in effect on the effective date of this act shall remain in full force and effect until amended or repealed whether such controls were adopted by resolution of the board or by ordinance and whether or not comprehensive plans had been adopted before the official controls were adopted. Any official controls and any procedures for the administration of official controls which are in existence on the effective date of this act shall be brought into compliance with this act within three years from the effective date of this act.*

Sec. 42. Minnesota Statutes 1971, Section 394.32, Subdivision 2, is amended to read:

Subd. 2. The contract between the governing body of the municipality and the board may provide among other things for joint county-municipal planning activities, or it may designate (A COUNTY PLANNING AGENCY) the board as the planning agency for the municipality.

Sec. 43. Minnesota Statutes 1971, Section 394.32, Subdivision 3, is amended to read:

Subd. 3. The governing body of any municipality may request a county (PLANNING AGENCY) board to submit to such governing body a comprehensive plan for the municipality setting forth such provisions as the (PLANNING AGENCY) board deems applicable to the municipality and for its best interests, or to include the area within the municipality in a county-wide comprehensive plan, or to prepare official controls to apply to the area within the municipality. Notwithstanding the adoption of the comprehensive plan and recommendations for the municipality the plan and recommendations shall not be binding until official controls are adopted by the municipality in accor-

dance with the plan or until the county adopts official controls for the areas within the incorporated limits of the municipality when requested by the governing body of the municipality.

Sec. 44. Minnesota Statutes 1971, Section 394.33, is amended to read:

394.33 [RELATIONS WITH TOWNS.] *Subdivision 1.* The governing body of any town including any town with the powers of villages pursuant to law may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no town shall enact or enforce official controls inconsistent with or less restrictive than the standards prescribed in the official (CONTROL) controls adopted by the board. (NOTHING IN THIS SECTION SHALL LIMIT ANY TOWN'S POWER TO ZONE MORE RESTRICTIVELY THAN PROVIDED IN THE CONTROLS ADOPTED BY THE COUNTY.) Upon the adoption or amendment of any official controls the governing body of the town shall file a certified copy thereof with the register of deeds for record. A certified copy of any official controls of any town which are in effect on the effective date of this act shall also be filed by the governing body of the town with the register of deeds for record within one year from the effective date of this act.

Subd. 2. The board of supervisors of any town which has adopted or desires to adopt building and zoning regulations and restrictions pursuant to law shall have the authority granted the governing body of any municipality as provided in section 394.32.

Sec. 45. Minnesota Statutes 1971, Section 394.35, is amended to read:

394.35 [FILING WITH REGISTER OF DEEDS.] Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as part thereof, the county auditor shall file a certified copy thereof with the register of deeds for record. *Ordinances, resolutions, maps or regulations filed with the register of deeds pursuant to sections 394.21 to 394.37 do not constitute encumbrances on real property.*

Sec. 46. Minnesota Statutes 1971, Section 394.36, Subdivision 1, is amended to read:

394.36 [NONCONFORMITIES.] *Subdivision 1.* Any nonconformity including the lawful use or occupation of land or premises existing at the time of the adoption of an official control hereunder may be continued, except as regulated, eliminated or taken by the board as provided in subdivisions 2 or 3, although such use or occupation does not conform to the provisions thereof, but if such (NONCONFORMING USE) nonconformity or occupancy is discontinued for a period of more than one year,

or any nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

Sec. 47. Minnesota Statutes 1971, Section 394.36, Subdivision 2, is amended to read:

Subd. 2. The board may by (RESOLUTION AS HEREIN PROVIDED PRESCRIBE) ordinance adopt such regulations not contrary to law as it deems desirable or necessary to classify, regulate and control, (OR) reduce the number or extent of (OR) and provide for the gradual elimination of (NONCONFORMING USES) nonconformities and occupancies, including requiring nonconformities to conform with the official controls of the county or terminate within a reasonable time as specified in the official controls. The board may by ordinance impose upon nonconformities additional regulations relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke.

Sec. 48. Minnesota Statutes 1971, Section 394.36, is amended by adding a subdivision to read:

Subd. 3. A nonconformity that is determined by the board to be detrimental to the achievement of the goals and objectives of the comprehensive plan may be acquired by the board by purchase.

Sec. 49. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.361] [OFFICIAL MAP.] Subdivision 1. Land that is needed for future street and highway purposes and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish.

Subd. 2. The planning commission may develop and recommend for adoption by the board official maps and amendments thereto covering all or any portion of the unincorporated area of the county. Public hearings on proposed official maps and amendments thereto shall be held in accordance with section 394.26. The official map may be adopted and amended by ordinance by the board.

All official maps shall be prepared in sufficient detail to permit the establishment of future acquisition lines on the ground. In unplatted areas a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by the county surveyor. Copies of official maps and amendments shall be filed in accordance with section 394.35.

Subd. 3. After an official map has been adopted and filed, the issuance of building permits by the county shall be subject to the provisions of this section. Whenever any street or highway is widened or improved or any new street is opened, or interests in lands for other public purposes are acquired by the county, it is not required in such proceedings to pay for any building or structure placed without a permit or in violation of conditions of a permit within the limits of the mapped street or highway or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes. The adoption of official maps does not give the county any right, title or interest in areas identified for public purposes thereon, but the adoption of a map does authorize the county to acquire such interests without paying compensation for buildings or structures erected in such areas without a permit or in violation of the conditions of a permit.

Subd. 4. If a permit for a building in such location is denied, the board of adjustment shall have the power, upon appeal by the owner of the land to authorize the issuance of a permit for building in such location in any case in which the board finds, upon the evidence and the arguments presented to it, (a) that the entire property of the appellant of which such area identified for public purposes forms a part cannot be put to a reasonable use by the owner unless such a permit is granted, and (b) that balancing the interest of the county in preserving the integrity of the official map and the comprehensive plan and interest of the owner of the property in the use of his property and in the benefits of ownership, the issuance of such permit is required by considerations of justice and equity. Prior to reaching a decision upon the appeal, public hearings shall be held in accordance with section 394.26. If the board of adjustment authorizes the issuance of a permit the board shall have six months from the date of the decision of the board of adjustment to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible shall issue a permit in accordance with the conditions stated in the authorization specifying the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

Sec. 50. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.362] *The proponent of any variance, conditional use, or non-conformity which may result in an adverse effect on the environment may be required by the board to demonstrate the nature and extent of such effect.*

Sec. 51. Minnesota Statutes 1971, Section 394.37, Subdivision 1, is amended to read:

394.37 [ENFORCEMENT.] Subdivision 1. The board shall provide for the enforcement of sections 394.21 to 394.37 and of ordinances (, RESOLUTIONS,) and regulations made thereunder, and may impose enforcement duties on any officer, department, agency, or employee of the county. (IN A COUNTY IN WHICH SUBDIVISION REGULATIONS OR CONTROLS ARE IN FORCE AND HAVE BEEN FILED OR RECORDED AS PROVIDED IN SECTION 394.35, NO CONVEYANCE OF LAND TO WHICH THE REGULATIONS ARE APPLICABLE SHALL BE FILED OR RECORDED IF THE LAND IS DESCRIBED IN THE CONVEYANCE BY METES AND BOUNDS OR BY REFERENCE TO AN UNAPPROVED REGISTERED LAND SURVEY MADE AFTER JUNE 4, 1971, OR TO AN UNAPPROVED PLAT MADE AFTER SUCH REGULATIONS HAVE BECOME EFFECTIVE. THE FOREGOING PROVISION DOES NOT APPLY TO A CONVEYANCE IF THE LAND DESCRIBED:)

((1) WAS A SEPARATE PARCEL OF RECORD ON THE DATE OF ADOPTION OF SUBDIVISION REGULATIONS UNDER SECTIONS 394.12 TO 394.37, OR)

((2) WAS THE SUBJECT OF A WRITTEN AGREEMENT TO CONVEY ENTERED INTO PRIOR TO SUCH TIME, OR)

((3) WAS A SEPARATE PARCEL OF NOT LESS THAN TWO AND ONE-HALF ACRES IN AREA ON 300 FEET.)

(IN ANY CASE IN WHICH COMPLIANCE WITH THE FOREGOING RESTRICTIONS WILL CREATE AN UNNECESSARY HARDSHIP AND FAILURE TO COMPLY DOES NOT INTERFERE WITH THE PURPOSE OF THE SUBDIVISION REGULATIONS, THE BOARD MAY WAIVE SUCH COMPLIANCE BY ADOPTION OF A RESOLUTION TO THAT EFFECT AND THE CONVEYANCE MAY THEN BE FILED OR RECORDED. ANY OWNER OR AGENT OF THE OWNER OF LAND WHO CONVEYS A LOT OR PARCEL IN VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL FORFEIT AND PAY TO THE COUNTY A PENALTY OF NOT LESS THAN \$100 FOR EACH LOT OR PARCEL SO CONVEYED. A COUNTY MAY ENJOIN SUCH CONVEYANCE OR MAY RECOVER SUCH PENALTY BY A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.)

Sec. 52. Minnesota Statutes 1971, Section 375.51, Subdivision 1, is amended to read:

375.51 [ORDINANCES; ENACTMENT, PUBLICATION.] Subdivision 1. [ENACTMENT.] In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted *or amended* in the manner hereinafter prescribed except as otherwise provided by law. *A public hearing on the proposed ordinance or amendment shall be held prior to enactment or amendment.* Every county ordinance shall be enacted *or amended* by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance *or amendments* shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance *or amendments* in the office of the county auditor. Every ordinance *and amendments thereto* shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances *or amendments* shall be suitably entitled and shall be substantially in the style: "The county board of County ordains:".

Sec. 53. Minnesota Statutes 1971, Section 375.51, Subdivision 2, is amended to read:

Subd. 2. [NOTICE OF INTENTION.] No ordinance of a county *or amendment* shall be enacted unless a notice of the intention to enact such ordinance *or amendment* has been published in the official newspaper of the county not less than ten days before the (MEETING) *public hearing* at which the ordinance *or amendment* is to be considered. *Such public hearings may be continued from time to time and additional hearings may be held.* The notice shall state the subject matter and the general purpose of the proposed ordinance *or amendment*. Proof of the publication of the notice shall be attached to and filed with the ordinance *or amendment*, if enacted, in the office of the county auditor.

Sec. 54. Minnesota Statutes 1971, Section 375.51, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] Every ordinance *or amendment* enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance *or amendment* was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance *or amendment* may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance *or amendment* by reference any statute of Minnesota, any administrative

rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances or amendments, or ordinances or amendments which include charts or maps, the ordinance or amendment need not be published in its entirety if the title of the ordinance or amendment and a summary of the ordinance or amendment is included in the publication of the proceedings of the meeting at which the ordinance or amendment was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances or amendments shall be satisfied if the summary of the ordinance or amendment or the ordinance or amendment incorporating the statute, regulation, ordinance or amendment or code is published in the required manner and if, prior to such publication, at least (THREE COPIES) one copy of the entire ordinance or of the statute, rule, regulation or code are marked as the official (COPIES) copy and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus incorporated in such ordinance or amendment by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 55. Minnesota Statutes 1971, Section 599.13, is amended to read:

599.13 [MUNICIPAL AND COUNTY ORDINANCES.] Copies of the ordinances, bylaws, resolutions, and regulations of any city, village, (OR) borough, or county, certified by the mayor or president of the council, and the clerk thereof, under its seal or by the county auditor or chairman of the county board, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or village, or county board, shall be prima facie evidence thereof and, after three years from the compilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

Sec. 56. Minnesota Statutes 1971, Sections 394.06; 394.07; 394.08; 394.09; 394.10; 394.11; 394.12; 394.13; 394.14; 394.15; 394.16, as amended by Laws 1973, Chapter 35, Section 68; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; 396.01; 396.02; 396.03; 396.04; 396.05; 396.051; 396.06; 396.07; 396.08; 396.09; 396.10; 396.11;

396.12; 396.13; 396.14; 396.15; 396.16; 396.17; 396.18; 396.19; 396.20; and 396.21, are repealed.”;

whereas S. F. No. 2576, after the enacting clause reads:

“Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, is amended to read:

Subd. 6. “Official control” means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a municipality or a county or any part thereof or any detail thereof, and are the means of translating into (REGULATIONS AND) ordinances all or any part of the general objectives of the comprehensive plan. Such official controls may include but are not limited to ordinances establishing zoning, subdivision (CONTROL, PLATTING) controls, site plan regulations, sanitary codes, building codes, housing codes, and (THE ADOPTION OF DETAILED) official maps.

Sec. 2. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 7. “Conditional use” means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that (1) certain conditions as detailed in the zoning ordinance exist, and (2) the use or development conforms to the comprehensive land use plan of the county and (3) is compatible with the existing neighborhood.

Sec. 3. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 8. “Nonconformity” means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Sec. 4. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 9. “Comprehensive plan” means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Sec. 5. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 10. "Variance" means a modification or variation of the provisions of official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of any provision of the official controls would cause unnecessary hardship, or that strict conformity with official controls would be unreasonable, impractical or infeasible under the circumstances.

Sec. 6. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. "Town" means any town, including those with the powers of villages pursuant to law.

Sec. 7. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 12. "Official map" means a map adopted in accordance with section 46 of this act which may show existing county roads and county state and highways, proposed future county roads and highways and the area needed for widening existing county roads and highways. An official map may also show the location of existing public land and facilities and other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities.

Sec. 8. Minnesota Statutes 1971, Section 394.22, is amended by adding subdivisions to read:

Subd. 13. "Essential services" means overhead or underground electric, gas, steam or water transmission or distribution systems or structures used by public utilities or governmental departments or commissions.

Subd. 14. "Transmission services" means services such as electric power lines of a voltage of 35 Kv or greater, or bulk gas or fuel being transferred by pipe-line and not intended for en route consumption.

Sec. 9. Minnesota Statutes 1971, Section 394.23, is amended to read:

394.23 [COMPREHENSIVE PLAN.] The board shall have the power and authority to prepare *and adopt by ordinance*, a comprehensive plan (FOR THE ORDERLY FUTURE PHYSICAL DEVELOPMENT OF THE AREA OF THE COUNTY OR PARTS THEREOF OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. THE PLAN, WHICH MAY IN-

CLUDE TEXT AND MAPS, SHALL BE APPROVED AND CERTIFIED BY THE BOARD AND WHEN SO CERTIFIED SHALL BE REFERRED TO AS THE COMPREHENSIVE PLAN. THE PLAN MAY THEREAFTER BE AMENDED OR ADDED TO BY THE BOARD). *A comprehensive plan or plans when adopted by ordinance shall be the basis for official controls adopted under the provisions of sections 394.21 to 394.37.*

Sec. 10. Minnesota Statutes 1971, Section 394.24, Subdivision 1, is amended to read:

394.24 [OFFICIAL CONTROLS.] Subdivision 1. Official controls which shall further the purpose and objectives of the comprehensive plan and parts thereof shall be adopted by (RESOLUTION BY THE BOARD) *ordinance.*

Sec. 11. Minnesota Statutes 1971, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board shall apply to and be binding upon (ONLY THAT AREA OR) *the county or any parts thereof (OUTSIDE) including areas within the incorporated limits of a (CITY, VILLAGE, OR BOROUGH) municipality, when requested by the municipality under section 394.32.*

Sec. 12. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 3. *For the area within which official controls adopted by the board are effective, such controls shall apply to the use of land for both private and public purposes, provided that the need for adequate, timely and convenient public and semi-public services and facilities must receive due consideration in the formulation, administration and enforcement of all official controls and no land owned or leased by the federal or state government shall be subject to official controls of the county. The provisions of this subdivision shall not apply in the metropolitan area as described in Minnesota Statutes, Section 473B.01.*

Sec. 13. Minnesota Statutes 1971, Section 394.25, Subdivision 1, is amended to read:

394.25 [FORMS OF CONTROL.] Subdivision 1. Official controls *shall be adopted by ordinance and may include but are not limited to the features set forth in this section.*

Sec. 14. Minnesota Statutes 1971, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. (THE ESTABLISHMENT OF) *Zoning ordinances establishing districts within which (DISTRICTS) the use of land or the use of water or the surface of water pursuant to Minne-*

sota Statutes, 1973 Supplement, Section 378.32 for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, and, with the assistance and subject to the approval of the commissioner of natural resources, surface water drainage and removal, conservation of shorelands, as defined in section 105.485, wetlands preservation, open space, parks, sewage disposal, preservation of prime agricultural lands, protection of ground water recharge areas, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers, protection of slopes, soils, unconsolidated materials or bedrock from potentially damaging development, preservation of forests, woodlands, and essential wildlife habitat, reclamation of non-metallic mining lands and additional uses of land or of water or the surface of water pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32 may be by official controls encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan.

Sec. 15. Minnesota Statutes 1971, Section 394.25, Subdivision 3, is amended to read:

Subd. 3. (FOR) *Within each such district (A) zoning (ORDINANCE) ordinances or (MAP) maps (OR REGULATIONS OR PROVISIONS) may also be adopted designating or limiting the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may (HEREAFTER) be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; setback from existing roads and highways and roads and highways designated on an official map; (SANITARY, SAFETY, AND) protective measures necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke (THAT SHALL BE REQUIRED FOR SUCH DWELLINGS, BUILDINGS, AND STRUCTURES); the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building throughout each district, but the provisions in one district may differ from those in other districts.*

Sec. 16. Minnesota Statutes 1971, Section 394.25, Subdivision 4, is amended to read:

Subd. 4. (MAPS FOR) *Official maps as defined in section 7, of this act (HIGHWAYS, ROADWAYS, PARKWAYS, ROADS, AND STREETS SHOWING THE EXACT ALIGNMENT, GRADIENTS, DIMENSIONS, AND OTHER PERTINENT FEATURES, AND INCLUDING SPECIFIC CON-*

TROLS FOR SET-BACKS FROM THE RIGHT OF WAY AGAINST ENCROACHMENT BY BUILDINGS OR OTHER PHYSICAL STRUCTURES OR FACILITIES).

Sec. 17. Minnesota Statutes 1971, Section 394.25, Subdivision 7, is amended to read:

Subd. 7. Specific (REGULATIONS AND) controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation *and dedication* of streets and land for other public purposes (REQUIRING FUTURE DEDICATION OR ACQUISITION) and *the* general design of physical improvement.

Sec. 18. Minnesota Statutes 1971, Section 394.25, Subdivision 8, is amended to read:

Subd. 8. Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code, *adopted by reference as part of the official control*. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. (ALL REQUIREMENTS OF STATUTES FOR THE PUBLICATION OR POSTING OF RESOLUTIONS SHALL BE SATISFIED IN SUCH CASE IF THE RESOLUTION INCORPORATING THE STATUTE, REGULATION, ORDINANCE OR CODE IS PUBLISHED OR POSTED IN THE REQUIRED MANNER AND IF,) Prior to (SUCH POSTING OR PUBLICATION,) *adoption* at least (THREE COPIES) *one copy* of the statute, rule, regulation, ordinance or code (ARE) *shall be* marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such (RESOLUTION) *ordinance* by reference shall be as much a part of the (RESOLUTION) *ordinance* as if they had been set out in full therein.

Sec. 19. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 9. *Erosion and sediment controls with regard to clearing, grading, excavation, transporting and filling of lands. Erosion and sediment controls may include, but need not be limited to requiring the development of plans before any land is disturbed. Plans for disturbing land may be submitted to the appropriate soil and water conservation district for comment and review.*

Sec. 20. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 10. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission.

Sec. 21. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 1a. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.

Sec. 22. Minnesota Statutes 1971, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the county. Written notice of public hearings regarding the application of official controls to specific properties, including conditional uses, variances and subdivisions, shall be sent to all property owners of record within 500 feet of the concerned property, the relevant board of town supervisors, and the municipal council of any municipality within two miles of the concerned property.

Sec. 23. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 3a. The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in Minnesota Statutes, Section 375.51.

Sec. 24. Minnesota Statutes 1971, Section 394.27, Subdivision 1, is amended to read:

394.27 [CREATION AND DUTIES OF A BOARD OF ADJUSTMENT.] Subdivision 1. Whenever a board of county commissioners shall have adopted official controls it shall at the same time as the adoption of such controls create a board of adjustment (, PROVIDED THAT ANY COUNTY WHICH PRIOR TO THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559, HAS ADOPTED A ZONING ORDINANCE OR OFFICIAL CONTROLS SHALL CREATE A BOARD OF ADJUSTMENT WITHIN 90 DAYS OF THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559) *by ordinance.*

Sec. 25. Minnesota Statutes 1971, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of *at least three but not more than seven* members whose appointment, term of office, or removal from the board shall be as provided in the (RESOLUTION) *ordinance* creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. *In an ordinance creating a three member board of adjustment, provision may be made for one alternate member. The alternate board member shall, when directed by the chairman, attend all meetings of the board and participate fully in its activities but shall not vote on any issue unless authorized to do so by the chairman. The chairman shall authorize the alternate board member to vote on an issue when a regular member is absent, physically incapacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting thereon shall be decided by majority vote of all regular board members except the member who is being challenged. In the ordinance establishing the board of adjustment provision may be made for removal of any member for nonperformance of duty or misconduct in office and for the filling of vacancies for any unexpired term. The regular and alternate members of such board of adjustment (SHALL SERVE WITHOUT COMPENSATION BUT) may be paid compensation in an amount specified by the ordinance establishing the board of adjustment and may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.*

Sec. 26. Minnesota Statutes 1971, Section 394.27, Subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall (ACT UPON ALL QUESTIONS AS THEY MAY ARISE IN THE ADMINISTRA-

TION OF ANY ORDINANCE OR OFFICIAL CONTROL, INCLUDING THE INTERPRETATION OF ZONING MAPS, AND IT SHALL) *have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by (AN) any administrative official charged with enforcing any ordinance adopted pursuant to the provision of sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state.*

Sec. 27. Minnesota Statutes 1971, Section 394.27, Subdivision 6, is amended to read:

Subd. 6. Such appeal shall be taken in such time as shall be prescribed by the ordinance creating the board of adjustment (BY GENERAL RULE,) by filing with the board of adjustment a notice of appeal specifying the grounds thereof. The board of adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within a reasonable time which shall be defined in the ordinance establishing the board of adjustment. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after notice of appeal has been filed that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or the district court. The board of adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from (AS IN ITS OPINION OUGHT TO BE MADE IN THE PREMISES) and to that end shall have all the powers of the officer from whom the appeal was taken and may (ISSUE OR) direct the issuance of a permit. The reasons for the board's decision shall be stated. The decision of such board shall not be final and any person having an interest affected by such (ORDINANCE) order shall have the right to appeal to the district court in the county in which the land is located on questions of law and fact.

Sec. 28. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 7. *The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official control,*

and when the terms of the variance are consistent with the comprehensive plan. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.

Sec. 29. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 8. A certified copy of any order issued by the board of adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, shall be filed with the register of deeds for record. The order issued by the board of adjustment shall include the legal description of the property involved, as provided by the person requesting the variance. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of this subdivision. Notwithstanding any other statutory requirements, such certified copy of the order shall be eligible for recording if the property is precisely described.

Sec. 30. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 9. All decisions by the board of adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any person or persons, or any taxpayer, or any officer, department, board or commission of the jurisdiction or of the state shall have the right to appeal within 30 days to the district court in the county in which the land is located on questions of law and fact.

Sec. 31. Minnesota Statutes 1971, Section 394.29, is amended to read:

394.29 [MAY EMPLOY DIRECTOR AND STAFF.] To carry out the purposes of sections 394.21 to 394.37 the board may employ a planning director (AND INSPECTOR OR EITHER OF THEM) and such staff as it deems necessary (;) to assist the planning director in carrying out his assigned responsibilities, including but not limited to a zoning administrator, sanitary

inspector and a building official. If no planning director is appointed, the board shall designate a chief administrative officer who shall administer the official controls. (OR) The board may employ or contract with a planning (AGENCY,) authority (,) or commission, any agency of the state or federal government, a regional development commission or with planning consultants, or with other specialists for such services as it requires.

Sec. 32. Minnesota Statutes 1971, Section 394.30, Subdivision 1, is amended to read:

394.30 [PLANNING COMMISSION.] Subdivision 1. (THE) *Any board of county commissioners (WHICH HAS ADOPTED A RESOLUTION INDICATING ITS INTENT TO AVAIL ITSELF OF THE AUTHORITY GRANTED BY SECTIONS 394.21 TO 394.37) may (AT THAT TIME OR ANY SUBSEQUENT TIME) by ordinance appoint a planning (ADVISORY) commission composed of not less than five nor more than eleven members appointed by the chairman of the board. (FOUR MEMBERS OF SUCH COMMISSION SHALL BE CHOSEN FROM THE ELECTORS OF THE COUNTY PROVIDED THAT NOT LESS THAN THREE SHALL BE RESIDENTS OF THE PORTION OF THE COUNTY LYING OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. ONE MEMBER OF SUCH COMMISSION SHALL BE A MEMBER OF THE BOARD.) The manner of appointment and terms of office of the members shall be as provided in the ordinance. No more than one member of the commission shall be an officer or employee of the county. (IN ADDITION) In the ordinance establishing the planning commission the board may designate any county officer or employee as an ex officio member of such commission. The term of office and removal of any member for nonperformance of duty or misconduct in office as well as filling vacancies on the board shall be as provided in the (RESOLUTION) ordinance creating the commission.*

Sec. 33. Minnesota Statutes 1971, Section 394.30, Subdivision 3, is amended to read:

Subd. 3. The members of (SUCH) *the commission (SHALL SERVE WITHOUT COMPENSATION BUT) may be compensated in an amount specified in the ordinance establishing the commission and may be paid their necessary expenses in attending meetings of the commission and in the conduct of the business of the commission.*

Sec. 34. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 4. *The planning commission shall elect a chairman and secretary from among its members and cooperate with the planning director and other employees of the county in preparing and recommending to the board for adoption a comprehensive*

plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto. In all instances in which the planning commission is not the final authority, as authorized in subdivision 5, the commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the board.

Sec. 35. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 5. The board may by ordinance assign additional duties and responsibilities to the planning commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land, and the authority to approve some or all categories of planned unit developments. The planning commission may be required by the board to review any comprehensive plans and official controls and any plans for public land acquisition and development sent to the county for that purpose by any local unit of government or any state or federal agency and shall report thereon in writing to the board.

Sec. 36. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.301] [CONDITIONAL USE PERMITS.] *Subdivision 1. The board may by ordinance designate certain types of developments, including planned unit developments and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved upon a showing by an applicant that standards and criteria stated in the ordinance will be satisfied. Such standards and criteria shall include both general requirements for all conditional uses and, insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. Conditional use permits shall be issued by the officer administering the official controls only upon the order of the board or the planning commission as designated by ordinance as the approval authority for one or more categories of conditional uses. The planning commission shall in all instances have an opportunity to review conditional uses prior to any final decision by the designated approval authority. Public hearings shall be held in accordance with section 394.26. In connection with ordering the issuance of a conditional use permit the designated approval authority may impose such additional restrictions or conditions as it deems necessary to protect the public interest, including but not limited to matters relating to appearance, lighting, hours of operation and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Subd. 3. A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses.

Subd. 4. A certified copy of any conditional use permit shall be filed with the register of deeds for record. The conditional use permit shall include the legal description of the property involved as provided by the person requesting the permit. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of the subdivision. Notwithstanding any other statutory requirements, such certified copy of the permit shall be eligible for recording if the property is precisely described.

Sec. 37. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.312] [RELATION TO OTHER COUNTY AUTHORITY.] *All official controls in effect on the effective date of this act shall remain in full force and effect until amended or repealed whether such controls were adopted by resolution to the board or by ordinance and whether or not comprehensive plans had been adopted before the official controls were adopted. Any official controls and any procedures for the administration of official controls which are in existence on the effective date of this act shall be brought into compliance with this act within three years from the effective date of this act.*

Sec. 38. Minnesota Statutes 1971, Section 394.32, Subdivision 2, is amended to read:

Subd. 2. The contract between the governing body of the municipality and the board may provide among other things for joint county-municipal planning activities, or it may designate (A COUNTY PLANNING AGENCY) the board as the planning agency for the municipality.

Sec. 39. Minnesota Statutes 1971, Section 394.32, Subdivision 3, is amended to read:

Subd. 3. The governing body of any municipality may request a county (PLANNING AGENCY) board to submit to such governing body a comprehensive plan for the municipality setting forth such provisions as the (PLANNING AGENCY) board deems applicable to the municipality and for its best interests, or to include the area within the municipality in a county-wide comprehensive plan, or to prepare official controls to apply to the area within the municipality. Notwithstanding the adoption of the comprehensive plan and recommendations for the municipality the plan and recommendations shall not be binding until official controls are adopted by the municipality in accor-

dance with the plan or until the county adopts official controls for the areas within the incorporated limits of the municipality when requested by the governing body of the municipality. After the county adopts official controls for areas within a municipality, the county shall enforce the controls unless the county and municipality provide otherwise by agreement. A municipality may at any time, by resolution of its governing body, take over planning functions, including adoption and enforcement of official controls, with respect to areas within its corporate limits for which a county has adopted official controls.

Sec. 40. Minnesota Statutes 1971, Section 394.33, is amended to read:

394.33 [RELATIONS WITH TOWNS.] *Subdivision 1.* The governing body of any town including any town with the powers of villages pursuant to law may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no town shall enact or enforce official controls inconsistent with or less restrictive than the standards prescribed in the official (CONTROL) controls adopted by the board. Nothing in this section shall limit any town's power to zone more restrictively than provided in the controls adopted by the county. Upon the adoption or amendment of any official controls the governing body of the town shall file a certified copy thereof with the register of deeds for record. A certified copy of any official controls of any town which are in effect on the effective date of this act shall also be filed by the governing body of the town with the register of deeds for record within one year from the effective date of this act.

Subd. 2. The board of supervisors of any town which has adopted or desires to adopt building and zoning regulations and restrictions pursuant to law shall have the authority granted the governing body of any municipality as provided in section 394.32.

Sec. 41. Minnesota Statutes 1971, Section 394.35, is amended to read:

394.35 [FILING WITH REGISTER OF DEEDS.] Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as part thereof, the county auditor shall file a certified copy thereof with the register of deeds for record. Ordinances, resolutions, maps or regulations filed with the register of deeds pursuant to sections 394.21 to 394.37 do not constitute encumbrances on real property.

Sec. 42. Minnesota Statutes 1971, Section 394.36, Subdivision 1, is amended to read:

394.36 [NONCONFORMITIES.] *Subdivision 1.* Any non-conformity including the lawful use or occupation of land or

premises existing at the time of the adoption of an official control hereunder may be continued, *except as regulated, eliminated or taken by the board as provided in subdivisions 2 or 3*, although such use or occupation does not conform to the provisions thereof, but if such (NONCONFORMING USE) *nonconformity* or occupancy is discontinued for a period of more than one year, or any *nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value*, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

Sec. 43. Minnesota Statutes 1971, Section 394.36, is amended by adding a subdivision to read:

Subd. 3. A nonconformity that is determined by the board to be detrimental to the achievement of the goals and objectives of the comprehensive plan may be taken by the board by purchase or eminent domain.

Sec. 44. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.251] [ESSENTIAL SERVICES.] *Essential services and transmission services are permitted uses in all zoning districts subject only to those restrictions or conditions specifically imposed upon such services by official controls.*

Sec. 45. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.361] [OFFICIAL MAP.] *Subdivision 1. Land that is needed for future street and highway purposes and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish.*

Subd. 2. The planning commission may develop and recommend for adoption by the board official maps and amendments thereto covering all or any portion of the unincorporated area of the county. Public hearings on proposed official maps and amendments thereto shall be held in accordance with section 394.26. The official map may be adopted and amended by ordinance by the board.

All official maps shall be prepared in sufficient detail to permit the establishment of future acquisition lines on the ground.

In unplatted areas a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by the county surveyor. Copies of official maps and amendments shall be filed in accordance with section 394.35.

Subd. 3. After an official map has been adopted and filed, the issuance of building permits by the county shall be subject to the provisions of this section. Whenever any street or highway is widened or improved or any new street is opened, or interests in lands for other public purposes are acquired by the county, it is not required in such proceedings to pay for any building or structure placed without a permit or in violation of conditions of a permit within the limits of the mapped street or highway or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes. The adoption of official maps does not give the county any right, title or interest in areas identified for public purposes thereon, but the adoption of a map does authorize the county to acquire such interests without paying compensation for buildings or structures erected in such areas without a permit or in violation of the conditions of a permit.

Subd. 4. If a permit for a building in such location is denied, the board of adjustment shall have the power, upon appeal by the owner of the land to authorize the issuance of a permit for building in such location in any case in which the board finds, upon the evidence and the arguments presented to it, (a) that the entire property of the appellant of which such area identified for public purposes forms a part cannot be put to a reasonable use by the owner unless such a permit is granted, and (b) that balancing the interest of the county in preserving the integrity of the official map and the comprehensive plan and interest of the owner of the property in the use of his property and in the benefits of ownership, the issuance of such permit is required by considerations of justice and equity. Prior to reaching a decision upon the appeal, public hearings shall be held in accordance with section 394.26. If the board of adjustment authorizes the issuance of a permit the board shall have six months from the date of the decision of the board of adjustment to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible shall issue a permit in accordance with the conditions stated in the authorization specifying the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

Sec. 46. Minnesota Statutes 1971, Section 394.37, Subdivision 1, is amended to read:

394.37 [ENFORCEMENT.] Subdivision 1. The board shall provide for the enforcement of sections 394.21 to 394.37

and of ordinances (, RESOLUTIONS,) and regulations made thereunder, and may impose enforcement duties on any officer, department, agency, or employee of the county. (IN A COUNTY IN WHICH SUBDIVISION REGULATIONS OR CONTROLS ARE IN FORCE AND HAVE BEEN FILED OR RECORDED AS PROVIDED IN SECTION 394.35, NO CONVEYANCE OF LAND TO WHICH THE REGULATIONS ARE APPLICABLE SHALL BE FILED OR RECORDED IF THE LAND IS DESCRIBED IN THE CONVEYANCE BY METES AND BOUNDS OR BY REFERENCE TO AN UNAPPROVED REGISTERED LAND SURVEY MADE AFTER JUNE 4, 1971, OR TO AN UNAPPROVED PLAT MADE AFTER SUCH REGULATIONS HAVE BECOME EFFECTIVE. THE FOREGOING PROVISION DOES NOT APPLY TO A CONVEYANCE IF THE LAND DESCRIBED:)

((1) WAS A SEPARATE PARCEL OF RECORD ON THE DATE OF ADOPTION OF SUBDIVISION REGULATIONS UNDER SECTIONS 394.12 TO 394.37, OR)

((2) WAS THE SUBJECT OF A WRITTEN AGREEMENT TO CONVEY ENTERED INTO PRIOR TO SUCH TIME, OR)

((3) WAS A SEPARATE PARCEL OF NOT LESS THAN TWO AND ONE-HALF ACRES IN AREA AN 300 FEET.)

(IN ANY CASE IN WHICH COMPLIANCE WITH THE FOREGOING RESTRICTIONS WILL CREATE AN UNNECESSARY HARDSHIP AND FAILURE TO COMPLY DOES NOT INTERFERE WITH THE PURPOSE OF THE SUBDIVISION REGULATIONS, THE BOARD MAY WAIVE SUCH COMPLIANCE BY ADOPTION OF A RESOLUTION TO THAT EFFECT AND THE CONVEYANCE MAY THEN BE FILED OR RECORDED. ANY OWNER OR AGENT OF THE OWNER OF LAND WHO CONVEYS A LOT OR PARCEL IN VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL FORFEIT AND PAY TO THE COUNTY A PENALTY OF NOT LESS THAN \$100 FOR EACH LOT OR PARCEL SO CONVEYED. A COUNTY MAY ENJOIN SUCH CONVEYANCE OR MAY RECOVER SUCH PENALTY BY A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.)

Sec. 47. Minnesota Statutes 1971, Section 375.51, Subdivision 1, is amended to read:

375.51 [ORDINANCES: ENACTMENT, PUBLICATION.] Subdivision 1. [ENACTMENT.] In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted in the manner hereinafter prescribed except as otherwise provided by law. *A public hearing on the proposed ordinance shall be held prior to enactment.*

Every county ordinance shall be enacted by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style: "The county board of County ordains:".

Sec. 48. Minnesota Statutes 1971, Section 375.51, Subdivision 2, is amended to read:

Subd. 2. [NOTICE OF INTENTION.] No ordinance of a county shall be enacted unless a notice of the intention to enact such ordinance has been published in the official newspaper of the county not less than ten days before the (MEETING) *public hearing* at which the ordinance is to be considered. *Such public hearings may be continued from time to time and additional hearings may be held.* The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Sec. 49. Minnesota Statutes 1971, Section 375.51, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances, or ordinances which include charts or maps, the ordinance need not be published in its entirety if the title of the ordinance and a summary of the ordinance is included in the publication of the proceedings of the

meeting at which the ordinance was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, regulation, ordinance or code is published in the required manner and if, prior to such publication, at least (THREE COPIES) *one copy* of the entire ordinance or of the statute, rule, regulation or code are marked as *the official (COPIES) copy* and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus incorporated in such ordinance by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 50. Minnesota Statutes 1971, Section 599.13, is amended to read:

599.13 [MUNICIPAL AND COUNTY ORDINANCES.] Copies of the ordinances, bylaws, resolutions, and regulations of any city, village, (OR) borough, *or county*, certified by the mayor or president of the council, and the clerk thereof, under its seal *or by the county auditor or chairman of the county board*, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or village, *or county board*, shall be prima facie evidence thereof and, after three years from the compilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

Sec. 51. *Minnesota Statutes 1971, Sections 394.06; 394.07; 394.08; 394.09; 394.10; 394.11; 394.12; 394.13; 394.14; 394.15; 394.16, as amended by Laws 1973, Chapter 35, Section 68; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; 396.01; 396.02; 396.03; 396.04; 396.05; 396.051; 396.06; 396.07; 396.08; 396.09; 396.10; 396.11; 396.12; 396.13; 396.14; 396.15; 396.16; 396.17; 396.18; 396.19; 396.20; and 396.21, are repealed.*"

In the title H. F. No. 2591 reads:

"A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding subdivisions; 394.25, Subdivisions 1, 2, 3, 4, 5, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivi-

sions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.”; whereas S. F. No. 2576 reads:

“A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.”.

SUSPENSION OF RULES

Sherwood moved that the rules be so far suspended that S. F. No. 2576 be substituted for H. F. No. 2591 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3064, A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

Reported the same back with the following amendments:

Page 1, line 6, strike “Except in” and all of line 7.

Page 1, line 8, strike “department of natural resources.”.

Page 1, line 13, after “border” and before the period insert “where specifically prohibited and posted by the department of natural resources”.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 498, A bill for an act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes, Sections 617.18 and 617.19.

Reported the same back with the following amendments:

Page 1, line 11, after "means" insert "potentially".

Page 1, line 12, after "the" insert "mother's".

Page 1, line 12, strike "During" and in lieu thereof insert "After".

Page 1, line 13, strike "the second half" and insert in lieu thereof "the 22nd week".

Page 1, line 14, strike "potentially".

Page 2, line 5, after "woman" insert "with the intent to cause a termination of the pregnancy and".

Page 2, line 25, strike "potentially".

Page 3, line 3, strike "the abortion is performed under circumstances which".

Page 3, lines 4 and 5, strike the language and insert in lieu thereof "and the health and future childbearing capabilities of the pregnant woman, reasonable efforts to deliver a live born child shall be required of the physician."

Page 3, line 15, strike "potentially".

Page 3, line 15, after "viable" insert ", except when included as part of a public or statistical study or report in which the names of all persons are kept anonymous".

Page 3, line 18, after "confidential." add "The regulations and reporting system shall specifically designate and describe the individual person or persons responsible for making and filing such records and reports."

Page 3, line 20, strike "within 30 days of the abortion or from any".

Page 3, line 21, strike "cause potentially".

Page 3, line 23, after "health" add the following ", by the administrator of the institution wherein she died or by the person responsible for signing the death certificate if death occurs outside of any such institution".

Page 3, line 25, before "fails" insert "wilfully".

Page 4, line 4, after "reason." insert "For the purposes of this section, a hospital or institution means any hospital or institution not owned or operated by the state or any political subdivision or agency thereof, or any combination of the same acting jointly."

Page 4, line 6, strike "potentially".

Page 4, line 9, strike "potentially".

Page 4, line 15, after "life" insert "or preserve the health".

Page 4, line 15, strike "one or both" and insert ", after the birth and within 30 days of a written notification by the proper agency to one or both parents of their parental rights, one or both of the parents of the child agrees".

Page 4, line 16, strike the line.

Page 4, line 17, strike "the birth".

Page 4, line 19, strike "potentially".

Page 5, after line 3, insert a new section as follows:

"Sec. 8. [SEVERABILITY.] If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable."

Renumber the following section accordingly.

With the recommendation that when so amended the bill do pass.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 3680, A bill for an act relating to the legislature; regulating leaving private employment by members for the purpose of serving in the legislature; providing for the restoration of their positions, and all other rights incident to employment, and providing for enforcement; amending Minnesota Statutes 1971, Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085, 3.086 and 3.087.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 2344, A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

Reported the same back with the following amendments:

Page 1, line 12, strike "provided that such" and insert "if the".

Page 1, line 13, strike "shall be" and insert "were".

Page 1, line 13, after "heard" insert "on the matter of the costs of services".

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF SENATE BILLS

S. F. Nos. 1253, 2347, 3233, 3023, 3123, 707, 3360, 2918, 3160, 2975, 2285, 3033, 3144, 2933, 2759, 3189, 3372, 3183, 3287, 3175, 2576, 3064, and 498 were read for the second time.

INTRODUCTION OF BILLS

Pieper introduced:

H. F. No. 3701, A bill for an act relating to state employees; prohibiting appointment of certain persons to positions in the unclassified service; amending Minnesota Statutes 1971, Section 43.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Carlson, L.; Growe; Hook; Knickerbocker; and Swanson introduced:

H. F. No. 3702, A bill for an act relating to the governor; creating a governor's commission on physical fitness; prescribing powers and duties.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Norton, Hanson, and Casserly introduced:

H. F. No. 3703, A bill for an act relating to residential treatment facilities; establishment; requiring notice to municipalities.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Adams, J.; Berglin; and Swanson introduced:

H. F. No. 3704, A bill for an act relating to Hennepin county; boards of review; creating an appointed board of equalization.

The bill was read for the first time and referred to the Committee on Local Government.

Pieper and McCauley introduced:

H. F. No. 3705, A bill for an act relating to the legislature; limiting occupational representation on legislative committees and commissions; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Pieper, Wenzel, Klaus, Hagedorn, and Smith introduced:

H. F. No. 3706, A bill for an act relating to the legislature; termination of terms of members upon removal from district from which elected.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Johnson, D.; Berglin; Jacobs; Lindstrom, E.; and Pavlak, R., introduced:

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Sieben, H.; Pavlak, R.; and Sieben, M., introduced:

H. F. No. 3708, A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 13.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3331, A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1795, A bill for an act relating to the Hennepin County conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

H. F. No. 2936, A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

H. F. No. 3086, A bill for an act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 892, A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3202, A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jacobs moved that the House refuse to concur in the Senate amendments to H. F. No. 3202, that the Speaker appoint a Con-

ference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3202:

Jacobs, Haugerud, and Newcome.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 978, A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Peterson moved that the House refuse to concur in the Senate amendments to H. F. No. 978, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3121, A bill for an act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 3121 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3121, A bill for an act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 115, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	Moe	Samuelson
Adams, S.	DeGroat	Johnson, R.	Munger	Savelkoul
Andersen, R.	Dieterich	Jude	Myrah	Schreiber
Anderson, D.	Dirlam	Kahn	Nelson	Schulz
Anderson, G.	Eckstein	Kelly	Newcome	Searle
Anderson, I.	Eken	Kempe	Niehaus	Sherwood
Becklin	Enebo	Knickerbocker	Norton	Sieben, H.
Belisle	Erdahl	Knoll	Ojala	Sieben, M.
Bell	Faricy	Kostohryz	Parish	Skaar
Bennett	Forsythe	Laidig	Patton	Smith
Berg	Fudro	Larson	Pavlak, R.	Stangeland
Berglin	Fugina	Lemke	Pavlak, R. L.	Stanton
Biersdorf	Graba	Lindstrom, E.	Pehler	Swanson
Braun	Graw	Lindstrom, J.	Peterson	Tomlinson
Brinkman	Growe	Lombardi	Pieper	Ulland
Carlson, A.	Hagedorn	Long	Pleasant	Vanasek
Carlson, B.	Haugerud	Mann	Prahl	Vento
Carlson, L.	Heinitz	McArthur	Quirin	Voss
Casserly	Hook	McEachern	Resner	Weaver
Cleary	Jacobs	McMillan	Rice	Wenzel
Clifford	Jaros	Menke	Ryan	Wigley
Connors	Johnson, C.	Miller, D.	St. Onge	Wolcott
Cummiskey	Johnson, D.	Miller, M.	Salchert	Mr. Speaker

Those who voted in the negative were:

Erickson	Esau	Kvam	Ohnstad
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3142, A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Grove moved that the House concur in the Senate amendments to H. F. No. 3142 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3142, A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Mueller	Savelkoul
Adams, S.	Dirlam	Kahn	Munger	Schreiber
Andersen, R.	Eckstein	Kelly	Myrah	Schulz
Anderson, D.	Eken	Kempe	Nelson	Searle
Anderson, G.	Enebo	Klaus	Newcome	Sherwood
Anderson, I.	Erdahl	Knickerbocker	Niehaus	Sieben, H.
Becklin	Erickson	Knoll	Norton	Sieben, M.
Belisle	Esau	Kostohryz	Ohnstad	Skaar
Bell	Faricy	Kvam	Ojala	Smith
Bennett	Fjoslien	Laidig	Parish	Stangeland
Berg	Forsythe	Larson	Patton	Stanton
Berglin	Fudro	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Braun	Graba	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lombardi	Peterson	Vanasek
Carlson, A.	Grove	Long	Pieper	Vento
Carlson, D.	Hagedorn	Mann	Pleasant	Voss
Carlson, L.	Haugerud	McArthur	Prahl	Weaver
Casserly	Heinitz	McCarron	Quirin	Wenzel
Cleary	Hook	McCauley	Resner	Wigley
Clifford	Jacobs	McEachern	Rice	Wohlwend
Connors	Jaros	McMillan	Ryan	Wolcott
Culhane	Johnson, C.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	Miller, D.	Salchert	
Dahl	Johnson, J.	Miller, M.	Samuelson	
DeGroat	Johnson, R.	Moe	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3009, A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or pri-

vate sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Laidig moved that the House concur in the Senate amendments to H. F. No. 3009 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3009, A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, M.	Samuelson
Adams, S.	Dieterich	Jude	Moe	Sarna
Andersen, R.	Dirlam	Kahn	Mueller	Savelkoul
Anderson, D.	Eckstein	Kelly	Munger	Schreiber
Anderson, G.	Eken	Kempe	Myrah	Schulz
Anderson, I.	Enebo	Klaus	Nelson	Searle
Becklin	Erdahl	Knickerbocker	Newcome	Sherwood
Belisle	Erickson	Knoll	Niehaus	Sieben, H.
Bell	Esau	Kostohryz	Norton	Sieben, M.
Bennett	Faricy	Kvam	Ojala	Skaar
Berg	Forsythe	Laidig	Parish	Smith
Berglin	Fudro	Larson	Patton	Stangeland
Biersdorf	Fugina	LaVoy	Pavlak, R.	Swanson
Braun	Graba	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Graw	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Growe	Lombardi	Peterson	Vanasek
Carlson, B.	Hagedorn	Long	Pieper	Vento
Carlson, D.	Haugerud	Mann	Pleasant	Voss
Carlson, L.	Heinitz	McArthur	Prahl	Weaver
Cleary	Hook	McCarron	Quirin	Wenzel
Clifford	Jacobs	McCauley	Resner	Wigley
Connors	Jaros	McEachern	Rice	Wohlwend
Culhane	Johnson, C.	McMillan	Ryan	Wolcott
Cummiskey	Johnson, D.	Menke	St. Onge	Mr. Speaker
Dahl	Johnson, J.	Miller, D.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3233, A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 3233 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3233, A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids and inheritance tax distributions; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Hook	Long	Pavlak, R. L.
Adams, S.	Cummiskey	Jacobs	Mann	Pehler
Andersen, R.	Dahl	Jaros	McArthur	Peterson
Anderson, D.	DeGroat	Johnson, C.	McCarron	Pieper
Anderson, G.	Dieterich	Johnson, D.	McCauley	Pleasant
Anderson, I.	Dirlam	Johnson, J.	McEachern	Prahl
Becklin	Eekstein	Johnson, R.	McMillan	Quirin
Belisle	Eken	Jude	Menke	Resner
Bell	Enebo	Kahn	Miller, D.	Rice
Bennett	Erdahl	Kelly	Miller, M.	Ryan
Berg	Erickson	Kempe	Moe	St. Onge
Berglin	Esau	Klaus	Munger	Salchert
Biersdorf	Faricy	Knickerbocker	Myrah	Samuelson
Braun	Forsythe	Knoll	Nelson	Sarna
Brinkman	Fudro	Kostohryz	Newcome	Savelkoul
Carlson, A.	Fugina	Kvam	Niehaus	Schreiber
Carlson, B.	Graba	Laidig	Norton	Schulz
Carlson, D.	Graw	Larson	Ohnstad	Searle
Carlson, L.	Growe	LaVoy	Ojala	Sherwood
Cleary	Hagedorn	Lemke	Parish	Sieben, H.
Clifford	Haugerud	Lindstrom, E.	Patton	Sieben, M.
Connors	Heinitz	Lombardi	Pavlak, R.	Skaar

Smith	Tomlinson	Vento	Wenzel	Wolcott
Stangeland	Ulland	Voss	Wigley	Mr. Speaker
Swanson	Vanasek	Weaver	Wohlwend	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 428 and 2635.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2832, 3008, 3059, and 3428.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1888.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 428, A bill for an act relating to income taxation; providing a deduction for certain expenses incurred for transportation of physically or mentally handicapped school children; amending Minnesota Statutes 1971, Section 290.09, Subdivision 22.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2635, A bill for an act relating to courts; allowing clerks of the district and county courts to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Sections 357.021, by adding a subdivision; and 487.31 by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2832, A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 17.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 3008, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

S. F. No. 3428, A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1.

The bill was read for the first time and referred to the Committee on City Government.

S. F. No. 1888, A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1530:

Johnson, C.; Jaros; and Knickerbocker.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Munger reported on the progress of H. F. No. 2675, now in Conference Committee.

Pursuant to Joint Rule 13, Carlson, A., reported on the progress of H. F. No. 2200, now in Conference Committee.

Pursuant to Joint Rule 13, Brinkman reported on the progress of S. F. No. 96, now in Conference Committee.

Pursuant to Joint Rule 13, Prahl reported on the progress of S. F. No. 1858, now in Conference Committee.

CONSENT CALENDAR

Anderson, I., moved that H. F. No. 3272; S. F. Nos. 3218, 3271, and 3017; H. F. No. 3462; S. F. Nos. 2995, 2840, 2973, 3176, 3239, 3162, 3417, and 2971; and H. F. No. 3307 be continued on the Consent Calendar for one day. The motion prevailed.

H. F. No. 2156, A bill for an act relating to occupations and professions; regulating the definition of the practice of professional engineering; amending Minnesota Statutes 1971, Section 326.02, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Haugerud	Lindstrom, J.	Pavlak, R.
Adams, S.	Culhane	Heinitz	Lombardi	Pavlak, R. L.
Andersen, R.	Cummiskey	Hook	Long	Pehler
Anderson, D.	Dahl	Jaros	Mann	Peterson
Anderson, G.	DeGroat	Johnson, C.	McArthur	Pieper
Anderson, I.	Dieterich	Johnson, D.	McCauley	Pleasant
Becklin	Dirlam	Johnson, J.	McEachern	Prahl
Belisle	Eckstein	Johnson, R.	McMillan	Quirin
Bell	Eken	Jude	Menke	Resner
Bennett	Enebo	Kahn	Miller, D.	Rice
Berg	Erdahl	Kelly	Miller, M.	Ryan
Berglin	Erickson	Kempe	Mueller	St. Onge
Biersdorf	Esau	Klaus	Munger	Salchert
Braun	Faricy	Knickerbocker	Myrah	Samuelson
Brinkman	Ferderer	Knoll	Nelson	Sarna
Carlson, A.	Fjoslien	Kostohryz	Newcome	Savelkoul
Carlson, B.	Forsythe	Kvam	Niehaus	Schreiber
Carlson, D.	Fugina	Laidig	Norton	Schulz
Carlson, L.	Graba	Larson	Ohnstad	Searle
Casserly	Graw	LaVoy	Ojala	Sherwood
Cleary	Growe	Lemke	Parish	Sieben, H.
Clifford	Hagedorn	Lindstrom, E.	Patton	Sieben, M.

Skaar	Swanson	Vento	Wigley	Wolcott
Smith	Tomlinson	Voss	Wohlwend	Mr. Speaker
Stangeland	Ulland	Weaver		
Stanton	Vanasek	Wenzel		

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 1835, 2974, and 3045.

H. F. No. 1835 was reported to the House.

Vento moved to amend H. F. No. 1835, the printed bill, as follows:

Page 1, line 1, after "that" insert "in the absence of regulation by a municipal body".

Page 1, line 2, after "regulated" and before "as" insert "by the public service commission".

Page 2, after line 30, insert:

"Sec. 3. [CITY REGULATORY AUTHORITY.] By resolution of its governing body any city of the first class may elect to exercise its powers under Minnesota Statutes, Section 454.041, and thereby exclude the public service commission from rate regulation with respect to service to customers within the city.

Sec. 4. Minnesota Statutes 1971, Section 454.041, is amended to read:

454.041 [RATES FOR GAS OR ELECTRIC CURRENT IN CITIES OF THE FIRST CLASS.] In addition to all other powers now conferred upon any city of the (THIRD OR FOURTH) first class (IN THE STATE, WHETHER EXISTING UNDER A GENERAL OR SPECIAL LAW OR UNDER A HOME RULE CHARTER), it is hereby authorized and empowered, through its council or like governing body, by ordinance, to prescribe, from time to time, the rates which any public service corporation supplying gas or electric current for lighting or power purposes within the city may charge for the service. Nothing in sections 454.041 to 454.043 shall be construed to impair the obligation of any contract or franchise provision now existing between the city and a public service corporation. It shall be the right and duty of the council or governing body to prescribe a rate which shall permit the corporation to make a reasonable return on the capital investment in the business, under an economical and efficient management of the same; and for the purpose of making the determination it shall be the duty of the corporation, upon request by the council or other governing body, to give to the

council or other governing body, or any authorized agent of the council or other governing body, access to the books of the corporation for the obtaining of information necessary and proper in the making of the determination. In any case where the corporation supplies gas or current for lighting or power purposes to customers outside the limits of the city, the council, fixing the rates to be charged, shall take into consideration the effect of the rates, if any, upon the rates to be charged to customers living outside the limits of the city, but the council shall not have power to fix the rates to be charged to customers supplied outside of the city limits.

Sec. 5. Minnesota Statutes 1971, Section 454.043, is amended to read:

454.043 [APPEAL; RIGHT OF APPEAL.] Any city of the (THIRD OR FOURTH) *first* class, any public service corporation, or any person aggrieved by a determination of these rates shall have the right of appeal from the determination to the district court of the county in which the city, or any part thereof, is situate, at any time within 20 days after the filing of determination with the clerk of the city. The appeal shall be made by filing with the clerk of the city a written notice of appeal specifying the determination of the council or other governing body from which the appeal is taken. Thereupon the city clerk shall make out and file with the clerk of the district court a copy of the determination of the council or other governing body from which the appeal is taken and of the notice of appeal, certified by the clerk to be true copies thereof, and shall transmit and file with the clerk of the court all papers in the case upon which the determination was made. There shall be no pleadings upon the appeal and the only question that shall be passed upon or considered shall be whether the rates prescribed by the determination of the council or other governing body of the city were fair and just to the public service corporation and the consumers and would permit the public service corporation a fair and reasonable return on the capital investment in the business under an economical and efficient management of the same. These appeals shall have precedence over all other civil cases, except tax cases, and during the pendency of the appeal and until final determination of the appeal by the courts, the rates fixed and prescribed by the council or other governing body shall be and remain in force.”.

Page 12, line 31, delete the comma at the end of the line and insert a period.

Page 12, delete lines 32 to 36.

Page 13, delete lines 1 to 3.

Page 13, line 4, delete “limitations including, but not limited to those of section 477A.01, subdivision 18.”.

Renumber the sections in order.

Further, amend the title in line 4 by deleting "Section" and inserting in lieu thereof "Sections" and after "Subdivision 1" and before the period by inserting "; 454.041; and 454.043".

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

Vento moved to amend H. F. No. 1835, the printed bill, as follows:

Page 7, line 23, delete "to construction work in progress,".

Page 7, line 25, delete everything after the period.

Page 7, delete line 26.

Page 7, line 27, delete "for funds used during construction.".

Page 7, line 28, after the word "its" delete "rate base during the period" and insert: "net investment as such investment is calculated and ascertained by reference to date assimilated from the most recent, actual, calendar historical test year.".

Page 7, delete line 29.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 13, and nays 100, as follows:

Those who voted in the affirmative were:

Bennett	Dieterich	Heinitz	Moe	Vento
Berglin	Farcy	Johnson, J.	Norton	
Cassery	Ferderer	Jude	Pavlak, R. L.	

Those who voted in the negative were:

Adams, J.	Culhane	Graw	Laidig	Mueller
Anderson, I.	Cummiskey	Growe	Larson	Myrah
Becklin	Dahl	Hagedorn	Lemke	Newcome
Belisle	DeGroat	Haugerud	Lindstrom, J.	Niehaus
Bell	Dirlam	Jacobs	Lombardi	Ohnstad
Berg	Eckstein	Johnson, D.	Long	Parish
Biersdorf	Eken	Johnson, R.	Mann	Patton
Braun	Enebo	Kahn	McArthur	Pavlak, R.
Brinkman	Erdahl	Kelly	McCarron	Peterson
Carlson, A.	Erickson	Kempe	McCauley	Pieper
Carlson, B.	Esau	Klaus	McEachern	Pleasant
Carlson, D.	Fjoslien	Knickerbocker	McMillan	Prahl
Carlson, L.	Forsythe	Knoll	Menke	Quirin
Cleary	Fudro	Kostohryz	Miller, D.	Resner
Clifford	Fugina	Kvam	Miller, M.	Rice

Ryan	Schreiber	Sieben, M.	Stanton	Weaver
St. Onge	Schulz	Skaar	Swanson	Wenzel
Salchert	Searle	Smith	Ulland	Wigley
Sarna	Sherwood	Spanish	Vanasek	Wohlwend
Savelkoul	Sieben, H.	Stangeland	Voss	Wolcott

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

McCauley was excused for the remainder of today's session.

Tomlinson moved to amend H. F. No. 1835, the printed bill, as follows:

Page 6, line 21, strike "final".

Page 6, line 23, after "commission." insert the following: "The determination referred to in the preceding sentence of this subdivision shall be the one made by the commission immediately following the filing by a public utility for a change in rates, and the period of nine months mentioned herein shall not include the time during which appeals are perfected, rehearings conducted, modifications, reversals or affirmances rendered through subsequent determinations, and reviews in district courts, the supreme court, or other state or federal appellate courts obtained and consummated."

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

Norton moved to amend H. F. No. 1835, the printed bill, as follows:

Page 6, line 3, after "commission." insert: "Municipalities shall have the right to intervene at commission hearings as an adversary representing the public interest and shall have access to information held by the commission at cost, and shall have access to consultation with commission staff."

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

Searle moved to amend H. F. No. 1835, the printed bill, as follows:

Page 16, line 20, after the word "revenue" insert the following: "not to exceed the total for the preceding two years".

Page 17, line 6, after the word "revenue" insert the following: "not to exceed the total for the preceding two years".

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

Vento moved to amend H. F. No. 1835, the printed bill, as follows:

Page 3, line 30, after the period insert: "The public service commission may permit reduced rates for the low income elderly heads of households after conducting public hearings and determining that the proposed rate reduction is in the public interest."

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

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kahn	Myrah	Schulz
Adams, S.	DeGroat	Kelly	Nelson	Searle
Andersen, R.	Dirlam	Kempe	Newcome	Sherwood
Anderson, D.	Eckstein	Klaus	Niehaus	Sieben, H.
Anderson, G.	Eken	Knickerbocker	Ohnstad	Sieben, M.
Anderson, I.	Enebo	Knoll	Ojala	Skaar
Becklin	Erdahl	Kostohryz	Parish	Smith
Belisle	Erickson	Kvam	Patton	Spanish
Bell	Esau	Laidig	Pavlak, R.	Stangeland
Berg	Forsythe	Larson	Pavliak, R. L.	Stanton
Berglin	Fudro	LaVoy	Pehler	Swanson
Biersdorf	Fugina	Lemke	Peterson	Ulland
Braun	Graba	Lindstrom, J.	Pieper	Vanasek
Brinkman	Graw	Lombardi	Pleasant	Voss
Carlson, A.	Growe	Long	Prahl	Weaver
Carlson, B.	Hagedorn	Mann	Quirin	Wenzel
Carlson, D.	Haugerud	McArthur	Resner	Wigley
Carlson, L.	Hook	McCarron	Rice	Wohlwend
Casserly	Jacobs	McEachern	St. Onge	Wolcott
Cleary	Jaros	McMillan	Salchert	Mr. Speaker
Clifford	Johnson, C.	Menke	Samuelson	
Connors	Johnson, D.	Miller, D.	Sarna	
Culhane	Johnson, R.	Miller, M.	Savelkoul	
Cummiskey	Jude	Mueller	Schreiber	

Those who voted in the negative were:

Bennett	Faricy	Johnson, J.	Norton	Tomlinson
Dieterich	Ferderer	Moe	Ryan	Vento

The bill was passed and its title agreed to.

H. F. No. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	Miller, M.	Sarna
Andersen, R.	DeGroat	Johnson, J.	Moe	Savelkoul
Anderson, D.	Dieterich	Johnson, R.	Mueller	Schreiber
Anderson, G.	Dirlam	Jude	Myrah	Schulz
Anderson, I.	Eckstein	Kelly	Nelson	Searle
Becklin	Eken	Kempe	Newcome	Sherwood
Belisle	Enebo	Klaus	Niehaus	Sieben, H.
Bell	Erdahl	Knickerbocker	Norton	Sieben, M.
Bennett	Erickson	Kostohryz	Ohnstad	Skaar
Berg	Esau	Kvam	Ojala	Smith
Berglin	Faricy	Laidig	Parish	Spanish
Biersdorf	Ferderer	Larson	Patton	Stangeland
Braun	Forsythe	LaVoy	Pavlak, R.	Stanton
Brinkman	Fudro	Lemke	Pavlak, R. L.	Swanson
Carlson, A.	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, B.	Graba	Lindstrom, J.	Pieper	Ulland
Carlson, D.	Graw	Long	Pleasant	Vanasek
Carlson, L.	Growe	Mann	Quirin	Vento
Casserly	Hagedorn	McArthur	Resner	Voss
Cleary	Haugerud	McCarron	Rice	Weaver
Clifford	Heinitz	McEachern	Ryan	Wenzel
Connors	Jacobs	McMillan	St. Onge	Wigley
Culhane	Jaros	Menke	Salchert	Wohlwend
Cummiskey	Johnson, C.	Miller, D.	Samuelson	Mr. Speaker

The bill was passed and its title agreed to.

Connors and Hook were excused for the remainder of today's session.

H. F. No. 3045, A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	Miller, D.	Schulz
Andersen, R.	Dirlam	Johnson, J.	Miller, M.	Searle
Anderson, D.	Eckstein	Johnson, R.	Moe	Sieben, H.
Anderson, G.	Eken	Jude	Mueller	Sieben, M.
Anderson, I.	Enebo	Kelly	Newcome	Skaar
Becklin	Erdahl	Kempe	Niehaus	Smith
Bell	Erickson	Klaus	Norton	Spanish
Bennett	Esau	Knoll	Ohnstad	Stangeland
Berg	Faricy	Kvam	Parish	Swanson
Biersdorf	Ferderer	Laidig	Paviak, R.	Tomlinson
Braun	Forsythe	Lemke	Pavlak, R. L.	Vento
Brinkman	Fudro	Lindstrom, E.	Pieper	Voss
Carlson, B.	Graba	Lindstrom, J.	Pleasant	Weaver
Carlson, D.	Graw	Lombardi	Quirin	Wenzel
Carlson, L.	Growe	Long	Ryan	Wigley
Cleary	Hagedorn	Mann	St. Onge	Wohlwend
Clifford	Haugerud	McArthur	Salchert	Wolcott
Culhane	Heinitz	McCarron	Samuelson	Mr. Speaker
Cummiskey	Jacobs	McEachern	Sarna	
Dahl	Jaros	McMillan	Savelkoul	
DeGroat	Johnson, C.	Menke	Schreiber	

Those who voted in the negative were:

Belisle	Fugina	LaVoy	Ojala	Sherwood
Berglin	Kahn	Munger	Patton	Stanton
Carlson, A.	Knickerbocker	Myrah	Pehler	Ulland

The bill was passed and its title agreed to.

MOTION FOR RECONSIDERATION

Pleasant moved that the vote whereby H. F. No. 2243 was not passed on Special Orders on Tuesday, March 12, 1974, be now reconsidered. The motion prevailed.

H. F. No. 2243 was reported to the House.

H. F. No. 2243, A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18; repealing Laws 1971, Chapter 739.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 75, and nays 45, as follows:

Those who voted in the affirmative were :

Adams, S.	DeGroat	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Dirlam	Kempe	Mueller	Saveikoul
Anderson, D.	Eckstein	Klaus	Myrah	Schreiber
Anderson, G.	Eken	Knickerbocker	Newcome	Schulz
Becklin	Erdahl	Kvam	Niehaus	Searle
Belisle	Erickson	Laidig	Ohnstad	Skaar
Bennett	Esau	Larson	Patton	Smith
Biersdorf	Ferderer	Lemke	Pavlak, R. L.	Stangeland
Braun	Forsythe	Lindstrom, E.	Peterson	Swanson
Brinkman	Graw	Lombardi	Pieper	Ulland
Carlson, A.	Hagedorn	Long	Pleasant	Weaver
Carlson, B.	Haugerud	Mann	Prahl	Wenzei
Cleary	Heinitz	McArthur	Quirin	Wigley
Clifford	Jacobs	McMillan	Ryan	Wohlwend
Culhane	Johnson, J.	Menke	St. Onge	Wolcott

Those who voted in the negative were :

Adams, J.	Enebo	Knoll	Nelson	Sarna
Anderson, I.	Faricy	Kostohryz	Norton	Sherwood
Berg	Fudro	LaVoy	Ojala	Sieben, H.
Berglin	Fugina	Lindstrom, J.	Parish	Sieben, M.
Carlson, D.	Grove	McCarron	Pavlak, R.	Stanton
Carlson, L.	Jaros	McEachern	Pehler	Tomlinson
Casserly	Johnson, D.	Miller, M.	Resner	Vento
Cummiskey	Jude	Moe	Rice	Voss
Dieterich	Kahn	Munger	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 978:

Peterson, Culhane and Wigley.

Casserly, Long, and Mueller were excused for the remainder of today's session. St. Onge was excused between the hours of 5:30 p.m. and 7:00 p.m.

SPECIAL ORDERS

H. F. No. 3105 was reported to the House.

Weaver moved to amend H. F. No. 3105, the printed bill, as follows:

Page 5, beginning on line 8, strike all of Section 10.

Page 5, beginning on line 14, strike all of Section 11.

Page 5, beginning on line 32, strike all of Section 12.

Renumber sections accordingly on pages 6 and 7.

Page 2, line 10, strike "15" and insert in lieu thereof "12".

Page 3, line 9, strike "sections 11 and 15" and insert in lieu thereof "section 12".

Page 3, line 26, strike "19" and insert in lieu thereof "16".

Page 3, line 32, strike "11 or 15" and insert in lieu thereof "12".

Page 4, after line 28, add a new sentence which reads as follows: "*The receiver, upon petition filed by him, may also be authorized and directed to exercise any rights under a life insurance policy or an annuity contract which the absentee could have exercised, including, but not limited to, the right to borrow against it, surrender it for its cash surrender value, or continue it in force by payment of premiums.*"

Page 6, line 21, following the semicolon, add the word "or".

Page 6, line 23, following the semicolon, add the word "or".

Page 7, line 2, strike "19" and insert in lieu thereof "16".

Page 7, line 14, strike "15" and insert in lieu thereof "12".

Page 7, line 22, strike "15" and insert in lieu thereof "12".

Page 7, line 27, strike "15" and insert in lieu thereof "12".

Page 7, line 33, strike "15" and insert in lieu thereof "12".

The motion prevailed and the amendment was adopted.

H. F. No. 3105, A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Myrah	Schreiber
Andersen, R.	Eckstein	Kempe	Nelson	Schulz
Anderson, D.	Eken	Klaus	Newcome	Searle
Anderson, G.	Enebo	Knickerbocker	Niehaus	Sherwood
Anderson, I.	Erdahl	Knoll	Norton	Sieben, H.
Becklin	Erickson	Kostohryz	Ohnstad	Sieben, M.
Belisle	Esau	Kvam	Parish	Skaar
Bell	Faricy	Laidig	Patton	Smith
Bennett	Ferderer	Larson	Pavlak, R.	Stangeland
Berg	Forsythe	Lemke	Pavlak, R. L.	Stanton
Berglin	Fudro	Lindstrom, E.	Pehler	Swanson
Braun	Graba	Lindstrom, J.	Peterson	Tomlinson
Brinkman	Grove	Lombardi	Pieper	Ulland
Carlson, A.	Hagedorn	Mann	Pleasant	Vanasek
Carlson, B.	Haugerud	McArthur	Prahl	Vento
Carlson, D.	Heinitz	McCarron	Quirin	Voss
Carlson, L.	Jacobs	McEachern	Resner	Weaver
Casserly	Johnson, C.	McMillan	Rice	Wenzel
Cleary	Johnson, D.	Menke	Ryan	Wigley
Clifford	Johnson, J.	Miller, D.	Salchert	Wohlwend
Dahl	Johnson, R.	Miller, M.	Samuelson	Wolcott
DeGroat	Jude	Moe	Sarna	Mr. Speaker
Dieterich	Kahn	Munger	Savelkoul	

Those who voted in the negative were:

Culhane Fugina Ojala

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

H. F. No. 3313 was reported to the House.

Sieben, M., moved to amend H. F. No. 3313, the printed bill, as follows:

Page 1, line 5, after "food" insert ", beverages,".

Page 1, line 5, strike "terms and provisions of" and insert "*competitive bidding procedures of Minnesota Statutes, Section 16.06, 16.07, and 16.28 but shall remain subject to all other provisions of Minnesota Statutes,*".

Page 1, line 6, after "16" insert "*. In the granting of such concessions, a contract for such 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 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. 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.”.

The motion prevailed and the amendment was adopted.

H. F. No. 3313, A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Munger	Schreiber
Anderson, G.	Enebo	Kempe	Myrah	Schulz
Anderson, I.	Erdahl	Klaus	Nelson	Searle
Becklin	Erickson	Knickerbocker	Newcome	Sherwood
Belisle	Esau	Knoll	Niehaus	Sieben, H.
Bell	Faricy	Kostohryz	Norton	Sieben, M.
Bennett	Ferderer	Kvam	Ohnstad	Skaar
Berg	Forsythe	Laidig	Ojala	Smith
Berglin	Fudro	Larson	Parish	Spanish
Biersdorf	Fugina	LaVoy	Patton	Stangeland
Braun	Graba	Lemke	Pavliak, R.	Swanson
Brinkman	Grove	Lindstrom, E.	Pavliak, R. L.	Tomlinson
Carlson, A.	Hagedorn	Lindstrom, J.	Pehler	Ulland
Carlson B.	Haugerud	Lombardi	Peterson	Vento
Carlson, L.	Heinitz	Mann	Pieper	Voss
Casserly	Jacobs	McArthur	Pleasant	Weaver
Clifford	Jaros	McCarron	Quirin	Wenzel
Culhane	Johnson, C.	McEachern	Rice	Wigley
Dahl	Johnson, D.	McMillan	Ryan	Wohlwend
DeGroat	Johnson, J.	Menke	Salchert	Wolcott
Dieterich	Johnson, R.	Miller, D.	Samuelson	Mr. Speaker

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

S. F. No. 3163 was reported to the House.

There being no objection, S. F. No. 3163 was continued for one day.

H. F. No. 3035 was reported to the House.

Tomlinson moved to amend H. F. No. 3035, the printed bill, as follows:

Page 1, line 3, at the end of the line, strike “uni-”.

Page 1, line 4, at the beginning of the line, strike “form”. Further in the line, after the word “ride” strike all the language

remaining in the line and insert in lieu thereof: "*or not more than \$.55 for express bus service.*".

Page 1, line 5, at the beginning of the line, strike "*fer.*".

Page 2, line 1, strike "*2.89*" and insert in lieu thereof "*2.72*".

Voss requested a division of the amendment.

The first portion of the amendment reads as follows:

Page 1, line 3, strike "*uni-*".

Page 1, line 4, strike "*form*". Continuing in line 4, after "*ride*" strike all the language remaining in the line.

Page 1, line 5, strike "*fer*".

Page 2, line 1, strike "*2.89*" and insert in lieu thereof "*2.72*".

The question was taken on the first portion of the amendment. The motion prevailed and the first portion of the amendment was adopted.

The second portion of the amendment reads as follows:

Further in the line, after the word "*ride*" insert "*or not more than \$.55 for express bus service.*".

A roll call was requested and properly seconded.

The question was taken on the second portion of the amendment and the roll being called, there were yeas 44, and nays 61, as follows:

Those who voted in the affirmative were:

Adams, J.	Ferderer	Lemke	Resner	Smith
Bennett	Fudro	Lombardi	Rice	Stanton
Berg	Fugina	McMillan	Ryan	Tomlinson
Carlson, A.	Jaros	Miller, D.	Salchert	Ulland
Carlson, B.	Johnson, D.	Moe	Sarna	Vanasek
Carlson, D.	Kahn	Nelson	Savelkoul	Vento
Cummiskey	Kelly	Norton	Schulz	Wolcott
Enebo	Knoll	Ojala	Sherwood	Mr. Speaker
Faricy	LaVoy	Parish	Skaar	

Those who voted in the negative were:

Andersen, R.	Brinkman	Dieterich	Hagedorn	Knickerbocker
Anderson, D.	Carlson, L.	Dirlam	Heinitz	Kostohryz
Anderson, G.	Cleary	Eckstein	Jacobs	Laidig
Anderson, I.	Clifford	Eken	Johnson, J.	Larson
Becklin	Culhane	Forsythe	Jude	Lindstrom, E.
Belisle	Dahl	Graw	Kempe	Lindstrom, J.
Biersdorf	DeGroat	Growe	Klaus	McArthur

McCarron	Niehaus	Pieper	Sieben, M.	Wigley
McEachern	Ohnstad	Pleasant	Stangeland	Wohlwend
Miller, M.	Patton	Quirin	Swanson	
Munger	Pavlak, R.	Schreiber	Voss	
Myrah	Pehler	Searle	Weaver	
Newcome	Peterson	Sieben, H.	Wenzel	

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

Weaver was excused for the remainder of today's session.

H. F. No. 3035, A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 45, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kelly	Munger	Schreiber
Andersen, R.	Enebo	Kempe'	Nelson	Schulz
Anderson, I.	Faricy	Knickerbocker	Newcome	Sherwood
Belisle	Ferderer	Knoll	Norton	Sieben, H.
Bell	Forsythe	Kostohryz	Ojala	Sieben, M.
Bennett	Fudro	Laidig	Parish	Stangeland
Berg	Fugina	LaVoy	Pavlak, R.	Swanson
Berglin	Graba	Lombardi	Pavlak, R. L.	Tomlinson
Carlson, A.	Grove	McArthur	Pleasant	Ulland
Carlson, L.	Haugerud	McCarron	Quirin	Vanasek
Cleary	Jacobs	McEachern	Resner	Vento
Clifford	Jaros	McMillan	Rice	Voss
Cummiskey	Johnson, D.	Menke	Ryan	Wolcott
Dahl	Johnson, R.	Miller, D.	Salchert	Mr. Speaker
Dieterich	Kahn	Moe	Sarna	

Those who voted in the negative were:

Anderson, D.	DeGroat	Johnson, J.	Miller, M.	Samuelson
Anderson, G.	Dirlam	Jude	Myrah	Savelkoul
Becklin	Eckstein	Klaus	Niehaus	Searle
Biersdorf	Erdahl	Kvam	Ohnstad	Skaar
Braun	Erickson	Larson	Patton	Smith
Brinkman	Fjoslien	Lemke	Pehler	Spanish
Carlson, B.	Graw	Lindstrom, E.	Peterson	Wenzel
Carlson, D.	Hagedorn	Lindstrom, J.	Pieper	Wigley
Culhane	Heinitz	Mann	Prahl	Wohlwend

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

Ferderer and Lombardi were excused between the hours of 6:00 p.m. and 7:30 p.m.

H. F. No. 1834 was reported to the House.

Sieben, H., moved to amend H. F. No. 1834, the printed bill, as follows:

Page 15, delete lines 35 and 36.

Page 16, delete lines 1 through 7.

The motion prevailed and the amendment was adopted.

Sieben, H., moved to amend H. F. No. 1834, the printed bill, as follows:

Page 20, delete lines 22 through 36.

Page 21, delete lines 1 through 5.

Renumber the remaining sections.

The motion prevailed and the amendment was adopted.

H. F. No. 1834, A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 98, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kahn	Munger	Schreiber
Andersen, R.	Dieterich	Kelly	Myrah	Schulz
Anderson, D.	Dirlam	Kempe	Nelson	Searle
Anderson, G.	Eckstein	Knickerbocker	Newcome	Sherwood
Anderson, I.	Eken	Knoll	Niehaus	Sieben, H.
Becklin	Enebo	Kostohryz	Norton	Sieben, M.
Belisle	Erdahl	Kvam	Parish	Smith
Bell	Erickson	Laidig	Patton	Spanish
Bennett	Faricy	LaVoy	Pavlak, R.	Stangeland
Berg	Forsythe	Lemke	Pavlak, R. L.	Stanton
Berglin	Fudro	Lindstrom, E.	Pehler	Swanson
Biersdorf	Growe	Mann	Peterson	Tomlinson
Braun	Haugerud	McArthur	Pleasant	Vento
Brinkman	Heinitz	McCarron	Quirin	Wenzel
Carlson, A.	Jacobs	McEachern	Rice	Wigley
Carlson, B.	Jaros	McMillan	Ryan	Wohlwend
Carlson, L.	Johnson, D.	Menke	Salchert	Wolcott
Casserly	Johnson, J.	Miller, D.	Samuelson	Mr. Speaker
Clifford	Johnson, R.	Miller, M.	Sarna	
Culhane	Jude	Moe	Savelkoul	

Those who voted in the negative were:

Carlson, D.	Fugina	Larson	Pieper	Ulland
DeGroat	Graw	Ohnstad	Prahl	
Fjoslien	Klaus	Ojala	Skaar	

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

Adams, S.; Newcome; and Salchert were excused for the remainder of today's session.

H. F. No. 2644 was reported to the House.

Kahn, Klaus, Kelly, Knickerbocker and Knoll moved to amend H. F. No. 2644, the printed bill, as follows:

Page 1, strike lines 13 through 15.

Page 2, line 1, strike "If it shall appear to the court to be proper, it" and insert "The court".

Page 2, line 2, after "application" strike "and" and insert "unless it finds that there is intent to defraud. The court shall".

Page 2, strike lines 12 through 36.

Page 2, after line 11, add a new section to read as follows:

"Section 3. Minnesota Statutes 1971, Chapter 517, is amended by adding a section to read:

[517.071] [NO PRESUMPTION OF CHANGE OF NAME.]
The names of the parties after the marriage shall be indicated on the application for a license. There shall be no presumption based upon sex that one party shall take the name of the other party".

Page 3, strike lines 21 through 29.

Renumber the remaining section accordingly.

The motion prevailed and the amendment was adopted.

Kahn moved to amend H. F. No. 2644, the printed bill, as follows:

Page 3, strike lines 1, 2, and 3.

The motion prevailed and the amendment was adopted.

Lindstrom, J., moved to amend H. F. No. 2644, the printed bill, as amended, as follows:

Page 2, line 1, reinsert the old language "If it shall appear to the court to be proper, it" and strike "The court".

The motion prevailed and the amendment was adopted.

Niehaus moved that H. F. No. 2644 be re-referred to the Committee on Agriculture.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 5, and nays 79, as follows:

Those who voted in the affirmative were:

Belisle	Esau	Fudro	Niehaus	Wigley
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Those who voted in the negative were:

Adams, J.	Dahl	Kempe	Munger	Searle
Andersen, R.	Dieterich	Knickerbocker	Nelson	Sherwood
Anderson, G.	Eken	Knoll	Ojala	Sieben, H.
Anderson, I.	Enebo	Kostohryz	Patton	Sieben, M.
Becklin	Faricy	Laidig	Pavlak, R.	Stangeland
Bell	Forsythe	Larson	Paviak, R. L.	Stanton
Bennett	Fugina	LaVoy	Pehler	Swanson
Berg	Growe	Lemke	Peterson	Tomlinson
Berglin	Heinitz	Lindstrom, E.	Pieper	Ulland
Biersdorf	Jacobs	Mann	Pleasant	Vanasek
Brinkman	Jaros	McCarron	Quirin	Vento
Carlson, A.	Johnson, D.	McEachern	Resner	Voss
Carlson, L.	Johnson, J.	McMillan	Rice	Wenzel
Cleary	Jude	Menke	Ryan	Wohlwend
Clifford	Kahn	Miller, M.	Sarna	Mr. Speaker
Cummiskey	Kelly	Moe	Savelkoul	

The motion did not prevail.

H. F. No. 2644, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1971, Sections 259.10; 259.11; 517.08, Subdivision 3; and 518.27; and Chapter 259, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 48, and nays 65, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Cummiskey	Fugina	Johnson, D.
Bell	Carlson, L.	Dieterich	Growe	Jude
Berg	Cleary	Enebo	Haugerud	Kahn
Berglin	Culhane	Faricy	Jaros	Kelly

Klaus	McMillan	Ojala	Sarna	Tomlinson
Knickerbocker	Menke	Pavlak, R.	Savelkoul	Ulland
Knoll	Moe	Quirin	Sieben, H.	Voss
Kostohryz	Munger	Resner	Sieben, M.	Mr. Speaker
LaVoy	Nelson	Rice	Stanton	
McCarron	Norton	Ryan	Swanson	

Those who voted in the negative were:

Andersen, R.	Dirlam	Johnson, J.	Miller, M.	Schulz
Anderson, D.	Eckstein	Johnson, R.	Myrah	Searle
Anderson, G.	Eken	Kempe	Niehaus	Sherwood
Anderson, I.	Erdahl	Kvam	Ohnstad	Skaar
Becklin	Erickson	Laidig	Patton	Smith
Belisle	Esau	Larson	Pavlak, R. L.	Spanish
Bennett	Fjoslien	Lemke	Pehler	Stangeland
Biersdorf	Forsythe	Lindstrom, E.	Peterson	Vanasek
Braun	Graba	Lindstrom, J.	Pieper	Vento
Brinkman	Graw	Mann	Pleasant	Wenzel
Carlson, D.	Hagedorn	McArthur	Prahl	Wigley
Clifford	Heinitz	McEachern	Samuelson	Wohlwend
DeGroat	Johnson, C.	Miller, D.	Schreiber	Wolcott

The bill was not passed, as amended.

McArthur was excused for the remainder of today's session.

H. F. No. 3383, A bill for an act relating to veterans' preference rights for employment by the city of Duluth; repealing Laws 1957, Chapter 741.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 49, and nays 57, as follows:

Those who voted in the affirmative were:

Anderson, I.	Faricy	Jude	McMillan	Sherwood
Berg	Forsythe	Kahn	Moe	Sieben, M.
Berglin	Graba	Kelly	Myrah	Stanton
Carlson, A.	Graw	Knickerbocker	Nelson	Tomlinson
Carlson, L.	Haugerud	Knoll	Norton	Ulland
Cleary	Heinitz	Kostohryz	Ojala	Vanasek
Clifford	Jaros	Laidig	Pleasant	Vento
Cummiskey	Johnson, D.	LaVoy	Quirin	Voss
Dieterich	Johnson, J.	Lindstrom, E.	Resner	Mr. Speaker
Dirlam	Johnson, R.	McCarron	Rice	

Those who voted in the negative were:

Adams, J.	Carlson, D.	Fjoslien	Larson	Patton
Andersen, R.	Culhane	Fudro	Lemke	Pavlak, R.
Anderson, D.	DeGroat	Fugina	Mann	Pavlak, R. L.
Anderson, G.	Eckstein	Grove	McEachern	Pehler
Becklin	Eken	Hagedorn	Miller, D.	Peterson
Belisle	Enebo	Johnson, C.	Miller, M.	Pieper
Bennett	Erdahl	Kempe	Munger	Prahl
Biersdorf	Erickson	Klaus	Niehaus	Ryan
Brinkman	Esau	Kvam	Ohnstad	Samuelson

Savelkoul
Schreiber
Sieben, H.

Skaar
Smith
Spanish

Stangeland
Swanson
Wenzel

Wigley
Wohlwend

Wolcott

The bill was not passed.

H. F. No. 3347 was reported to the House.

Fugina moved to amend H. F. No. 3347, the printed bill, as follows:

Page 2, line 7, after "to the" strike "commission" and insert in lieu thereof "committees".

The motion prevailed and the amendment was adopted.

Pleasant moved to amend H. F. No. 3347, the printed bill, as follows:

Page 2, after line 7, add a new subdivision 3 to read as follows:

"Subd. 3. Each respective licensing, examining or certifying board or commission for the professions listed in section 1 shall submit to the higher education coordinating commission for inclusion in the biennium report the following information:

(a) The total number of applicants seeking licenses, registration or certification each year;

(b) The number of women, men, and racial minorities as a percentage of those seeking licenses, registration or certification each year;

(c) The total number of applicants successful in receiving licenses, registration or certification each year; and

(d) The number of women, men and racial minorities as a percentage of those successful in receiving licenses, registration or certification each year."

The motion prevailed and the amendment was adopted.

Swanson moved to amend H. F. No. 3347, the printed bill, as amended, as follows:

Page 2, line 6, strike "executive director of the".

Page 2, line 7, after "commission" strike the comma and insert a period and strike "and presented to the committees by him."

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 3347, the printed bill, as amended, as follows:

Page 2, line 12, after "inequities" and before the period insert " or an explanation as to why such inequities exist".

The motion prevailed and the amendment was adopted.

Fugina moved that H. F. No. 3347 be continued one day, as amended. The motion prevailed.

Voss was excused between the hours of 7:45 p.m. and 8:30 p.m.

H. F. No. 3276 was reported to the House.

Laidig moved to amend H. F. No. 3276, the printed bill, as follows:

Page 1, line 4, after "which" and before "is", strike "he" and insert in lieu thereof "*the applicant*".

The motion prevailed and the amendment was adopted.

H. F. No. 3276, A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Ferderer	Johnson, R.	Lindstrom, J.
Andersen, R.	Cleary	Fjoslien	Jude	Lombardi
Anderson, D.	Clifford	Forsythe	Kahn	Mann
Anderson, G.	Culhane	Fudro	Kelly	McCarron
Anderson, I.	Dahl	Fugina	Kempe	McEachern
Becklin	DeGroat	Graba	Klaus	McMillan
Belisle	Dieterich	Graw	Knickerbocker	Menke
Bennett	Dirlam	Growe	Knoll	Miller, D.
Berg	Eckstein	Hagedorn	Kostohryz	Miller, M.
Berglin	Eken	Haugerud	Kvam	Moe
Braun	Enebo	Jacobs	Laidig	Munger
Brinkman	Erdahl	Jaros	Larson	Myrah
Carlson, A.	Erickson	Johnson, C.	LaVoy	Nelson
Carlson, B.	Esau	Johnson, D.	Lemke	Niehaus
Carlson, D.	Faricy	Johnson, J.	Lindstrom, E.	Norton

Ohnstad	Pieper	Samuelson	Smith	Vento
Ojala	Pleasant	Sarna	Spanish	Wenzel
Parish	Prahl	Savelkoul	Stangeland	Wigley
Patton	Quirin	Schreiber	Stanton	Wohwend
Pavlak, R.	Resner	Sherwood	Swanson	Mr. Speaker
Pavlak, R. L.	Rice	Sieben, H.	Tomlinson	
Pehler	Ryan	Sieben, M.	Ulland	
Peterson	St. Onge	Skaar	Vanasek	

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

H. F. No. 3279, A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Myrah	Schulz
Andersen, R.	Eckstein	Kahn	Nelson	Searle
Anderson, D.	Eken	Kelly	Niehaus	Sherwood
Anderson, G.	Enebo	Kempe	Norton	Sieben, H.
Anderson, I.	Erdahl	Klaus	Ohnstad	Sieben, M.
Becklin	Erickson	Knickerbocker	Ojala	Skaar
Belisle	Esau	Knoll	Parish	Smith
Bell	Faricy	Kostohryz	Patton	Spanish
Bennett	Ferderer	Kvam	Pavlak, R.	Stangeland
Berg	Fjoslien	Laidig	Pavlak, R. L.	Stanton
Berglin	Forsythe	Larson	Pehler	Swanson
Biersdorf	Fudro	LaVoy	Peterson	Tomlinson
Braun	Fugina	Lemke	Pieper	Ulland
Brinkman	Graba	Lindstrom, E.	Pleasant	Vanasek
Carlson, A.	Graw	Lindstrom, J.	Prahl	Vento
Carlson, B.	Grove	Mann	Quirin	Wenzel
Carlson, D.	Hagedorn	McCarron	Resner	Wigley
Carlson, L.	Haugerud	McEachern	Rice	Wohlwend
Cleary	Jacobs	McMillan	Ryan	Wolcott
Clifford	Jaros	Menke	St. Onge	Mr. Speaker
Culhane	Johnson, C.	Miller, D.	Samuelson	
Dahl	Johnson, D.	Miller, M.	Sarna	
DeGroat	Johnson, J.	Moe	Savelkoul	
Dieterich	Johnson, R.	Munger	Schreiber	

The bill was passed and its title agreed to.

H. F. No. 3321, A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Munger	Savelkoul
Andersen, R.	Eken	Kelly	Myrah	Schreiber
Anderson, D.	Enebo	Kempe	Neilson	Searle
Anderson, G.	Erdahl	Klaus	Niehaus	Sherwood
Anderson, I.	Erickson	Knickerbocker	Norton	Sieben, H.
Becklin	Esau	Knoll	Ohnstad	Sieben, M.
Belisle	Faricy	Kostohryz	Ojala	Skaar
Bennett	Ferderer	Kvam	Parish	Smith
Berg	Fjoslien	Laidig	Patton	Stangeland
Berglin	Forsythe	Larson	Pavlak, R.	Stanton
Biersdorf	Fudro	LaVoy	Pavlak, R. L.	Swanson
Braun	Fugina	Lemke	Pehler	Tomlinson
Brinkman	Graba	Lindstrom, E.	Peterson	Ulland
Carlson, A.	Graw	Lindstrom, J.	Pieper	Vento
Carlson, B.	Growe	Lombardi	Pleasant	Wenzel
Carlson, D.	Hagedorn	Mann	Prahl	Wigley
Carlson, L.	Haugerud	McCarron	Quirin	Wohlwend
Cleary	Jacobs	McEachern	Resner	Wolcott
Clifford	Jaros	McMillan	Rice	Mr. Speaker
Dahl	Johnson, C.	Menke	Ryan	
DeGroat	Johnson, D.	Miller, D.	St. Onge	
Dieterich	Johnson, J.	Miller, M.	Samuelson	
Dirlam	Johnson, R.	Moe	Sarna	

Those who voted in the negative were:

Culhane Schulz Vanasek

The bill was passed and its title agreed to.

H. F. No. 3557 was reported to the House.

There being no objection, H. F. No. 3557 was continued for one day.

H. F. No. 3571 was reported to the House.

Anderson, I., moved to amend H. F. No. 3571, the printed bill, as follows:

Line 8, strike "rule" and insert "act".

The motion prevailed and the amendment was adopted.

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Savelkoul
Andersen, R.	Eken	Kahn	Munger	Schreiber
Anderson, D.	Enebo	Kelly	Myrah	Searle
Anderson, G.	Erdahl	Kempe	Nelson	Sherwood
Anderson, I.	Erickson	Klaus	Niehaus	Sieben, H.
Becklin	Esau	Knickerbocker	Norton	Sieben, M.
Belisle	Faricy	Knoll	Ohnstad	Skaar
Bennett	Ferderer	Kostohryz	Ojala	Smith
Berg	Fjoslien	Kvam	Parish	Spanish
Berglin	Forsythe	Laidig	Patton	Stangeland
Biersdorf	Fudro	Larson	Pavlak, R.	Stanton
Braun	Fugina	LaVoy	Pavlak, R. L.	Swanson
Brinkman	Graba	Lemke	Pehler	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Peterson	Ulland
Carlson, B.	Growe	Lindstrom, J.	Pieper	Vanasek
Carlson, D.	Hagedorn	Lombardi	Pleasant	Vento
Carlson, L.	Haugerud	Mann	Prahl	Wenzel
Cleary	Jacobs	McCarron	Quirin	Wigley
Clifford	Jaros	McEachern	Resner	Wohlwend
Culhane	Johnson, C.	McMillan	Rice	Wolcott
Dahl	Johnson, D.	Menke	Ryan	Mr. Speaker
DeGroat	Johnson, J.	Miller, D.	St. Onge	
Dirlam	Johnson, R.	Miller, M.	Samuelson	

Those who voted in the negative were:

Dieterich

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

H. F. No. 1951 was reported to the House.

There being no objection, H. F. No. 1951 was continued for one day.

H. F. No. 3433, A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Munger	Savelkoul
Andersen, R.	Eckstein	Jude	Myrah	Schreiber
Anderson, D.	Eken	Kelly	Nelson	Schulz
Anderson, G.	Enebo	Kempe	Niehaus	Searle
Anderson, I.	Erdahl	Klaus	Norton	Sherwood
Becklin	Erickson	Knickerbocker	Ohnstad	Sieben, H.
Belisle	Esau	Kostohryz	Ojala	Sieben, M.
Bennett	Faricy	Kvam	Parish	Skaar
Berg	Ferderer	Laidig	Patton	Smith
Berglin	Fjoslien	Larson	Pavlak, R.	Spanish
Biersdorf	Forsythe	LaVoy	Pavlak, R. L.	Stangeland
Braun	Fudro	Lemke	Pehler	Stanton
Brinkman	Fugina	Lindstrom, E.	Peterson	Swanson
Carlson, A.	Graba	Lindstrom, J.	Pieper	Tomlinson
Carlson, B.	Graw	Lombardi	Pleasant	Ulland
Carlson, D.	Growe	Mann	Prahl	Vanasek
Carlson, L.	Hagedorn	McCarron	Quirin	Vento
Cleary	Haugerud	McEachern	Resner	Voss
Clifford	Jacobs	McMillan	Rice	Wenzel
Culhane	Jaros	Menke	Ryan	Wigley
Dahl	Johnson, C.	Miller, D.	St. Onge	Wohlwend
DeGroat	Johnson, D.	Miller, M.	Samuelson	Wolcott
Dieterich	Johnson, J.	Moe	Sarna	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1827 was reported to the House.

There being no objection, H. F. No. 1827 was continued until Friday, March 15, 1974.

H. F. No. 1710 was reported to the House.

Nelson moved that S. F. No. 3247 be recalled from the Committee on Crime Prevention and Corrections and together with H. F. No. 1710, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

H. F. No. 3455 was reported to the House.

Anderson, G., moved that H. F. No. 3455 be continued until Monday, March 18, 1974. The motion prevailed.

H. F. No. 3151, A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll being called, there were yeas 108, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Miller, D.	Schulz
Andersen, R.	Eckstein	Jude	Miller, M.	Searle
Anderson, D.	Eken	Kahn	Moe	Sherwood
Anderson, G.	Enebo	Kelly	Munger	Sieben, H.
Anderson, I.	Erdahl	Kempe	Myrah	Sieben, M.
Becklin	Erickson	Klaus	Nelson	Skaar
Belisle	Esau	Knickerbocker	Niehaus	Smith
Bennett	Farcy	Knoll	Norton	Spanish
Berg	Ferderer	Kostohryz	Parish	Stangeland
Berglin	Fjoslien	Kvam	Patton	Stanton
Biersdorf	Forsythe	Laidig	Pavlak, R.	Swanson
Braun	Fudro	Larson	Pehler	Ulland
Brinkman	Fugina	LaVoy	Peterson	Vanasek
Carlson, A.	Graba	Lemke	Pieper	Vento
Carlson, B.	Graw	Lindstrom, E.	Pleasant	Voss
Carlson, D.	Growe	Lindstrom, J.	Quirin	Wenzel
Cleary	Hagedorn	Lombardi	Rice	Wigley
Clifford	Hagerud	Mann	Ryan	Wohlwend
Culhane	Jacobs	McCarron	St. Onge	Wolcott
Dahl	Jaros	McEachern	Samuelson	Mr. Speaker
DeGroat	Johnson, D.	McMillan	Sarna	
Dieterich	Johnson, J.	Menke	Schreiber	

Those who voted in the negative were:

Ohnstad Ojala Pavlak, R. L. Prah

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Thursday, March 14, 1974, immediately following the Consent Calendar. The motion prevailed.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 14, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 14, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Jude	Moe	Sarna
Adams, S.	Dieterich	Kahn	Mueller	Savelkoul
Andersen, R.	Dirlam	Kelly	Munger	Schreiber
Anderson, D.	Eckstein	Kempe	Myrah	Schulz
Anderson, G.	Eken	Klaus	Nelson	Searle
Anderson, I.	Enebo	Knickerbocker	Newcome	Sherwood
Becklin	Erdahl	Knoll	Niehaus	Sieben, H.
Belisle	Erickson	Kostohryz	Norton	Sieben, M.
Bell	Esau	Kvam	Ohnstad	Skaar
Bennett	Faricy	Laidig	Ojala	Smith
Berg	Ferderer	Larson	Parish	Spanish
Berglin	Fjoslien	LaVoy	Patton	Stangeland
Biersdorf	Forsythe	Lemke	Pavlak, R.	Stanton
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Brinkman	Fugina	Lindstrom, J.	Pehler	Tomlinson
Carlson, A.	Graba	Lombardi	Peterson	Ulland
Carlson, B.	Graw	Long	Pieper	Vanasek
Carlson, D.	Growe	Mann	Pleasant	Vento
Carlson, L.	Hagedorn	McArthur	Prahl	Voss
Casserly	Heinitz	McCarron	Quirin	Weaver
Cleary	Jacobs	McCauley	Resner	Wenzel
Clifford	Jaros	McEachern	Rice	Wigley
Connors	Johnson, C.	McFarlin	Ryan	Wohlwend
Culhane	Johnson, D.	McMillan	St. Onge	Wolcott
Cummiskey	Johnson, J.	Miller, D.	Salchert	Mr. Speaker
Dahl	Johnson, R.	Miller, M.	Samuelson	

A quorum was present.

Hanson, Hook, and Jopp were excused. Haugerud was excused until 4:30 p.m. Menke was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1069, 2992, 1834, 3276, 3347, 2243, 3035, 3105, 3313, and 3571 and S. F. Nos. 428, 2635, 2832, 3008, 3059, and 3428 have been placed in the members' files.

S. F. No. 2477 and H. F. No. 2505, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, I., moved that S. F. No. 2477 be substituted for H. F. No. 2505 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2850 and H. F. No. 3111, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2850, page 1, line 13, reads: "issue not more than (FIVE ADDITIONAL) *ten* seasonal on-sale"; whereas, H. F. No. 3111, page 1, line 14, reads: "issue not more than (FIVE) *ten* additional seasonal on-sale".

Further, the title of S. F. No. 2850 reads:

"A bill for an act relating to St. Louis county; authorizing issuance of seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.";

whereas, the title of H. F. No. 3111 reads:

"A bill for an act relating to St. Louis county; authorizing issuance of additional seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.".

SUSPENSION OF RULES

Fugina moved that the rules be so far suspended that S. F. No. 2850 be substituted for H. F. No. 3111 and that the House File be indefinitely postponed. The motion prevailed.

UNANIMOUS CONSENT

Quirin requested unanimous consent to offer a motion. The request was granted.

Quirin moved that S. F. No. 498 be unofficially engrossed and be reprinted for the House. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3159, A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

Reported the same back with the following amendments:

Page 2, line 26, following "act." add the following: "Notwithstanding any law to the contrary this appropriation shall remain in effect until June 30, 1975."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3239, A bill for an act relating to aeronautics; appropriating and transferring certain funds.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3267, A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [PURPOSE.] The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 8, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the area comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Metropolitan council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Park district" means a park district created under Minnesota Statutes, Chapter 398.

Subd. 5. "Regional recreation open space" means the land and water areas determined by the metropolitan council to be of regional significance in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks, and large recreation parks.

Subd. 6. "System plan" means a plan generally describing the extent, type and location of regional recreation open space needed for the metropolitan area and the timing of its acquisition and development.

Subd. 7. "Master plan" means a plan describing the boundaries of specific parks or other regional recreation open space and the nature of their development and use.

Subd. 8. "Municipality" means any city or town exercising municipal powers located in the metropolitan area, except where there exists in a city of the first class an elected park and recreation board having control of parks, parkways, playgrounds, and trees, for the purpose of this act, that board shall be considered a municipality.

Sec. 3. [REGIONAL RECREATION OPEN SPACE SYSTEM.] The metropolitan council, after consultation with municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt

not later than January 1, 1975, and shall review and revise periodically, a system plan for regional recreation open space consistent with the council's metropolitan development guide. The system plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, will reasonably meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. The system plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development.

Sec. 4. [MASTER PLAN.] Subdivision 1. [ADOPTION.] Each park district located wholly or partially within the metropolitan area, and each county in the metropolitan area not wholly within a park district, shall prepare, after consultation with all affected municipalities, and submit to the metropolitan council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's system plan.

Subd. 2. [COUNCIL REVIEW.] The metropolitan council shall review each master plan to determine whether it is consistent with the council's system plan. If it is not consistent, the council shall return the plan with its comments to the municipalities, park district or county for revision and resubmittal.

Sec. 5. [GRANTS.] The metropolitan council may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the system plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to Minnesota Statutes, 1973 Supplement, Sections 117.50 to 117.56. No more than 80 percent of the funds available under this act shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.

Sec. 6. [SALES OF BONDS.] Subdivision 1. The metropolitan council may by resolution authorize the issuance of general obligation bonds of the council such that the amount outstanding and undischarged at any time shall not exceed \$40,000,000, for which its full faith and credit and taxing powers shall be pledged, for the acquisition and betterment of regional recreation open space in accordance with this act. The metropolitan council may also issue general obligation bonds for the

purpose of refunding outstanding obligations issued hereunder. The amount of refunding bonds that may be issued from time to time shall not be subject to the dollar limitation contained in this subdivision nor shall such refunding bonds be included in computing the amount of bonds that may be issued within such dollar limitation.

Subd. 2. The metropolitan council shall sell and issue such bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that law, except that the approval of a majority of the electors shall not be required and the net debt limitations therein shall not apply. The terms of each series of such bonds shall be fixed so that the amount of principal and interest on all outstanding and undischarged bonds, together with the bonds proposed to be issued, due in any year shall not exceed .5 mills times the assessed value of all taxable property in the metropolitan area as last finally equalized prior to a proposed issue. The bonds shall be secured in accordance with Minnesota Statutes, Section 475.61, Subdivision 1, and any taxes required for their payment shall be levied by the council, shall not affect the amount or rate of taxes which may be levied by the council for other purposes, shall be spread against all taxable property in the metropolitan area and shall not be subject to limitation as to rate or amount. Any taxes certified by the council to the county auditors for collection shall be reduced by the amount received by the council from the state auditor or the federal government for the purpose of paying the principal and interest on bonds to which the levy relates. The council shall certify the fact and amount of all money so received to the county auditors, and the auditors shall reduce the levies thereto for made for such bonds in the manner and to the extent provided in Minnesota Statutes, Section 475.61, Subdivision 3.

Subd. 3. [IMMEDIATE LOANS.] The metropolitan council shall have the power, after the authorization of bonds pursuant to this section, to provide funds immediately required for the purposes of this act, by effecting temporary loans upon such terms as it shall by resolution determine, evidenced by notes due in not exceeding 24 months from the date thereof, payable to the order of the lender or to the bearer, to be repaid with interest from the proceeds of such bonds when issued and delivered to the purchaser thereof. Such temporary loans may be made without public advertisement.

Subd. 4. In the event that the full faith and credit pledge of the metropolitan council for the payment of principal and interest on the bonds issued under this section is superseded and replaced by the full faith and credit pledge of the state of Minnesota, by binding and irrevocable legislation, such action shall extinguish the full faith and credit pledge theretofore made for all bonds and the interest thereon issued pursuant to this section.

Subd. 5. [INTERIM APPROPRIATION.] Of the funds appropriated by Laws 1973, Chapter 720, Section 43, Subdivision 2, Paragraph h, which could be used for grants in aid for recreational and natural areas located within the jurisdiction of the council not committed for such purposes on April 1, 1974, the amount needed, but not to exceed \$2,000,000.00, is hereby reappropriated to the council for the fiscal year commencing July 1, 1974, to pay principal and interest coming due in such fiscal year on bonds issued pursuant to this section.

Sec. 7. [LOCAL ACQUISITION.] Any park district or municipality wholly or partially within the metropolitan area, and any county in the metropolitan area not wholly within a park district, may acquire, develop and manage any land or water area, or any interests, easements or other rights therein, comprising regional recreation open space in the same manner as it is authorized to do for other park and recreation purposes, and such area or other rights shall constitute a part of the park and recreation system of the acquiring agency.

Sec. 8. [COUNCIL ACQUISITION.] The metropolitan council may acquire by gift or purchase any land or water area, or any interests, easements or other rights therein, which are included in the system plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified. Before proceeding with the acquisition of any such area or other rights, the council shall by resolution offer a grant covering the full cost of acquisition to the park district, municipality or county in which the area or other rights are situated. If the acquisition process has not been initiated within 60 days or other rights have not been acquired within one year after the adoption of the resolution, the council may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or the area or other rights have not been acquired within six months after the adoption of the resolution, the council may proceed with acquisition. The council may, in its discretion, contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The council shall manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The council shall convey such areas to a municipality, park district or county for development and operation consistent with an approved recreation open space master plan.

Sec. 9. [TAX EQUIVALENTS.] In each of the four years after the metropolitan council or park district, county or municipality acquires fee simple title to any real property included in the regional recreation open space system, the metropolitan council shall pay to the municipality or township in which the property is situated an amount equal to the total amount of the taxes

levied thereon for municipal or township purposes for collection in the year in which title passed, diminished by 20 percent for each subsequent year to and including the year of payment; provided that for any year in which taxes on the property, or on the privilege or using or possessing it, are paid this tax equivalent shall not be paid. All amounts paid pursuant to this section are costs of acquisition of the property with respect to which they are paid.”.

Further amend the title as follows:

Page 1, line 4, after “system;” strike “establishing a”.

Page 1, strike lines 5 and 6.

Page 1, line 7, strike “bonds and the levy of taxes” and insert the following: “authorizing the metropolitan council to issue bonds therefor and levy taxes”.

Page 1, line 10, after “system;” insert “authorizing a tax levy therefor”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 2661, A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; reappropriating money from the site determination study to the authority; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2015, A bill for an act relating to snowmobiles; operation and regulation; contests; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1a.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2295, A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 16, strike "45" and insert "120".

Page 1, line 20, strike "1974 and".

Page 2, line 1, after "*Duluth*" and before the period insert the following: "*; provided further that in the portion of the state lying northerly and easterly of the line previously described that beaver may be taken in the calendar year 1976 and following, in the manner and subject to regulations described above, but only for a period, or periods, not exceeding a total of 45 days between November 1 and May 31 following*".

Further amend the title as follows:

Page 1, line 4, after "area;" insert "changing the length of seasons;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3212, A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3406, A bill for an act relating to historic sites; designating additional historical sites and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 3677, A bill for an act relating to employment services; unemployment compensation; defining unemployment; amending Minnesota Statutes 1971, Section 268.04, Subdivision 23.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2252, A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2350, A bill for an act relating to the county of Ramsey; providing for the retirement of employees thereof; providing certain benefits therefor; and authorizing the levy of certain taxes; amending Laws 1963, Chapter 852, Section 3, as amended.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2739, A bill for an act relating to hazardous and sub-standard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3129, A bill for an act relating to the state arts council; providing the lieutenant governor shall be an ex-officio member of the governing board in lieu of the governor; amending Minnesota Statutes 1971, Section 139.02.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3311, A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3352, A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 423, A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; amending Minnesota Statutes 1971, Section 393.01, Subdivision 5.

Reported the same back with the following amendments:

Page 2, line 10, strike "1974" and insert "1975".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 2177, A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; providing for notice to affected municipalities and political subdivisions; amending Minnesota Statutes 1971, Section 257.101, by adding subdivisions.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 2715, A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into a single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

S. F. No. 3325, A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORT
WAS RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 3401, A bill for an act relating to the Minnesota state art council; establishing the office of poet laureate in Minnesota.

Reported the same back with the following amendments:

Page 1, line 24, strike "shall" and insert "may".

Page 1, line 26, after "employees" insert "by the state arts council".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3159, 3239, and 3267 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2477, 2850, 1759, 2661, 2015, 2295, 3212, 3406, 2252, 2350, 2739, 3129, 3311, 3352, 423, 2177, 2715, and 3325 were read for the second time.

INTRODUCTION OF BILLS

Fugina; Ojala; Spanish; Johnson, D.; and PrahI introduced:

H. F. No. 3709, A bill for an act appropriating moneys to the regents of the university of Minnesota for the mineral resource research center.

The bill was read for the first time and referred to the Committee on Appropriations.

Munger; Anderson, I.; Sabo; Ulland; and Enebo introduced:

H. F. No. 3710, A bill for an act creating a legislative commission to study taxation of nonreturnable containers of all kinds.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Salchert and Johnson, R., introduced:

H. F. No. 3711, A bill for an act relating to taxation; sales and use tax; imposition; retail sales through coin-operated vending machines; amending Minnesota Statutes 1971, Section 297A.02.

The bill was read for the first time and referred to the Committee on Taxes.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 3712, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

The bill was read for the first time and laid over one day.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1952, A bill for an act relating to the construction, maintenance and repair of county ditches in Ramsey county; repealing Laws 1957, Chapter 682.

H. F. No. 1966, A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

H. F. No. 1967, A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

H. F. No. 2144, A bill for an act relating to wild animals; affording protection to the wolverine; providing a penalty; amending Minnesota Statutes 1971, Section 97.55, Subdivision 8; and 100.27, Subdivision 1.

H. F. No. 2595, A bill for an act relating to the Minnehaha 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.

H. F. No. 2833, A bill for an act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 978, A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

The Senate has appointed as such committee Messrs. Wegener; Keefe, J.; and Humphrey.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3202, A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

The Senate has appointed as such committee Messrs. Thorup, Anderson and Frederick.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2728, A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

The Senate has appointed as such committee Messrs. Borden, Pillsbury and Kleinbaum.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3533, A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

The Senate has appointed as such committee Messrs. Willet, Schrom and Brown.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1866, A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

The Senate has appointed as such committee Messrs. Moe, Tennesen and Kirchner.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1292, A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

The Senate has appointed as such committee Messrs. Nelson, Milton and Spear.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1136, A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

The Senate has appointed as such committee Messrs. Perpich, A. J.; Arnold; and Kowalczyk.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 951, A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

The Senate has appointed as such committee Messrs. Keefe, S.; Ashbach; and Tennesen.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2926, A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 2926 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2926, A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Mueller	Savelkoul
Adams, S.	Dirlam	Kelly	Munger	Schreiber
Andersen, R.	Eckstein	Kempe	Myrah	Schulz
Anderson, D.	Eken	Klaus	Nelson	Searle
Anderson, G.	Enebo	Knickerbocker	Newcome	Sherwood
Anderson, I.	Erdahl	Knoll	Niehaus	Sieben, H.
Becklin	Erickson	Kostohryz	Norton	Sieben, M.
Belisle	Esau	Kvam	Ohnstad	Skaar
Bell	Faricy	Laidig	Ojala	Smith
Bennett	Ferderer	Larson	Parish	Spanish
Berg	Fjoslien	LaVoy	Patton	Stangeland
Berglin	Forsythe	Lemke	Pavlak, R.	Stanton
Biersdorf	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Braun	Fugina	Lindstrom, J.	Pehler	Tomlinson
Brinkman	Graba	Lombardi	Peterson	Ulland
Carlson, A.	Graw	Long	Pieper	Vanasek
Carlson, D.	Grove	Mann	Pleasant	Voss
Carlson, L.	Hagedorn	McArthur	Prahl	Weaver
Casserly	Heinitz	McCarron	Quirin	Wenzel
Cleary	Jacobs	McCauley	Resner	Wigley
Clifford	Jaros	McEachern	Rice	Wohlwend
Connors	Johnson, C.	McFarlin	Ryan	Wolcott
Culhane	Johnson, D.	McMillan	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	Miller, D.	Salchert	
Dahl	Johnson, R.	Miller, M.	Samuelson	
DeGroat	Jude	Moe	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3002, A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

PATRICK E. FLAHAVEN, Secretary of the Senate

Andersen, R., moved that the House refuse to concur in the Senate amendments to H. F. No. 3002, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 1810, A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Cummiskey moved that the House refuse to concur in the Senate amendments to H. F. No. 1810, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2003, 2110, 2161, 2315, 2386, 2580, and 3434.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2669, 2670, 2748, 2964, 3194, and 3407.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3422 and 3210.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3477.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1769, 1879, 1963, 1999, 2731, 3181, 3198, and 3257.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2003, A bill for an act relating to education; approval of plans for school buildings; amending Minnesota Statutes 1971, Section 121.15.

The bill was read for the first time and referred to the Committee on Education.

S. F. No. 2110, A bill for an act relating to metropolitan government; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; providing for adoption of ordinances therefor.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2161, A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2315, A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

S. F. No. 2386, A bill for an act relating to enforcement of child support orders; amending Minnesota Statutes, 1973 Supplement, Section 393.07, Subdivision 9.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 2580, A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 3434, A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Section 201.061, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 2669, A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 2670, A bill for an act relating to economic development; restrictions upon public relations expenditures by the department of economic development; amending Laws 1973, Chapter 720, Section 31, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 2748, A bill for an act relating to public health in the towns of Moose Lake in Carlton county and Windemere in Pine county; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 3194, A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

The bill was read for the first time.

Eken moved that S. F. No. 3194 and H. F. No. 3168, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3407, A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1971, Section 18.022, Subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture.

S. F. No. 3422, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

The bill was read for the first time.

Tomlinson moved that S. F. No. 3422 and H. F. No. 3557, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3210, A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 3477, 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 duplicitious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1769, A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

The bill was read for the first time.

Vento moved that S. F. No. 1769 and H. F. No. 1842, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1879, A bill for an act relating to insurance; licensing and regulation of insurance premium finance companies; granting rule-making authority; and providing penalties.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1963, A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

The bill was read for the first time.

Adams, J., moved that S. F. No. 1963 and H. F. No. 1827, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1999, A bill for an act relating to tax levies for county road and bridge purposes in St. Louis county.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2731, A bill for an act relating to employment services; unemployment compensation; benefits; excluding from the term "employment" services performed by certain employees and appointees of political subdivisions; amending Minnesota Statutes, 1973 Supplement, Section 268.04, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

S. F. No. 3181, A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 3198, A bill for an act relating to tax forfeited lands; providing conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

S. F. No. 3257, A bill for an act relating to highway traffic regulations; requiring certain motor vehicles to be equipped with safety belts; requiring operators and certain passengers of such motor vehicles to use safety belts with certain exceptions; prescribing penalties; suspending Minnesota Statutes 1971, Section 169.685, Subdivisions 1, 2 and 3 for a specified period of time.

The bill was read for the first time and referred to the Committee on Transportation.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders for today, March 14, 1974, to be acted upon immediately following the Special Orders continued from Wednesday, March 13, 1974: S. F. Nos. 919, 2627, 2576, 306, 1679, 2447, 2977, 2004, 3024, 3068, 2740, 3060, 2687, 2857, 2918, 3160, 735, 3175, 3287, 2367, 2759, 2332, 3023, 3159, 3105, 2817, 2984, 3033, 2504, 3075, and 498.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1489

March 12, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1489, report that we have agreed upon the items in dispute and recommend as follows:

Page 1, lines 11 and 12, delete “, as provided in this act”.

Page 2, lines 3 and 4, delete “by the commissioner of education” and insert in lieu thereof “pursuant to Minnesota Statutes, Section 122.03”.

Page 2, line 21, delete “between” and insert in lieu thereof “among”.

Page 3, line 6, delete “Saturday”.

Page 4, line 4, after “the” and before “board” insert “center”.

Page 4, line 4, after “to” delete “the” and insert in lieu thereof “such”.

Page 4, line 11, after “district” delete the comma.

Page 5, line 11, after “subdivision 5” insert “, clause” and after “subdivision 4” insert “, clauses”.

Page 6, line 14, after “by” and before “majority” delete “the”.

Page 7, lines 7 and 8, delete "may upon application to the commissioner of education become" and insert in lieu thereof "shall be".

Page 7, line 9, after "subdivision 1." insert the following: "Any changes in center agreements necessary to comply with this act shall be completed within twelve months after the effective date of this act and filed with the state board by the administrator of each center."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JACK H. LAVOY, CARL M. JOHNSON, and WENDELL O. ERICKSON.

Senate Conferees: SAM G. SOLON, DOUGLAS H. SILLERS, and B. ROBERT LEWIS.

LaVoy moved that the report of the Conference Committee on H. F. No. 1489 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1489, A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Graw	LaVoy	Norton
Adams, S.	Connors	Growe	Lemke	Ohnstad
Andersen, R.	Culhane	Hagedorn	Lindstrom, E.	Ojala
Anderson, D.	Cummiskey	Heinitz	Lindstrom, J.	Parish
Anderson, G.	Dahl	Jacobs	Long	Patton
Anderson, L.	DeGroat	Jaros	Mann	Pavlak, R.
Becklin	Dieterich	Johnson, C.	McArthur	Pavlak, R. L.
Belisle	Dirlam	Johnson, D.	McCarron	Pehler
Bell	Eckstein	Johnson, J.	McCauley	Peterson
Bennett	Eken	Johnson, R.	McEachern	Pieper
Berg	Enebo	Jude	McFarlin	Prahl
Berglin	Erdahl	Kahn	McMillan	Quirin
Biersdorf	Erickson	Kelly	Miller, D.	Resner
Braun	Esau	Kempe	Miller, M.	Rice
Brinkman	Faricy	Klaus	Moe	Ryan
Carlson, A.	Ferderer	Knickerbocker	Mueller	St. Onge
Carlson, B.	Fjoslien	Knoll	Munger	Samuelson
Carlson, D.	Forsythe	Kostohryz	Myrah	Schreiber
Carlson, L.	Fudro	Kvam	Nelson	Schulz
Cassery	Fugina	Laidig	Newcome	Searle
Cleary	Graba	Larson	Niehaus	Sherwood

Sieben, H.	Spanish	Tomlinson	Voss	Wohlwend
Sieben, M.	Stangeland	Ulland	Weaver	Wolcott
Skaar	Stanton	Vanasek	Wenzel	Mr. Speaker
Smith	Swanson	Vento	Wigley	

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

S. F. No. 3183, A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; permitting mortgage liens on the property of the authority; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Section 7, Subdivisions 1 and 3; and by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 21, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kelly	Myrah	Savelkoul
Andersen, R.	DeGroat	Kempe	Nelson	Schulz
Anderson, G.	Dieterich	Knickerbocker	Newcome	Sieben, H.
Anderson, I.	Dirlam	Knoll	Niehaus	Sieben, M.
Bell	Eckstein	Kostohryz	Norton	Smith
Bennett	Eken	LaVoy	Ohnstad	Spanish
Berg	Enebo	Lemke	Ojala	Stangeland
Berglin	Ferderer	Lindstrom, E.	Parish	Stanton
Biersdorf	Fjoslien	Lindstrom, J.	Patton	Swanson
Braun	Forsythe	Lombardi	Pavlak, R.	Tomlinson
Brinkman	Fudro	Mann	Pavlak, R. L.	Ulland
Carlson, A.	Fugina	McArthur	Pehler	Vanasek
Carlson, B.	Graba	McCarron	Peterson	Vento
Carlson, D.	Graw	McCauley	Prahl	Wenzel
Carlson, L.	Growe	McEachern	Quirin	Wigley
Casserly	Heinitz	McFarlin	Resner	Wohlwend
Cleary	Jacobs	McMillan	Rice	Wolcott
Clifford	Jaros	Miller, D.	Ryan	Mr. Speaker
Connors	Johnson, C.	Miller, M.	Salchert	
Culhane	Jude	Moe	Samuelson	
Cummiskey	Kahn	Mueller	Sarna	

Those who voted in the negative were:

Anderson, D.	Esau	Klaus	Pieper	Weaver
Becklin	Faricy	Kvam	St. Onge	
Belisle	Hagedorn	Laidig	Searle	
Erdahl	Johnson, D.	Larson	Sherwood	
Erickson	Johnson, J.	Long	Skaar	

The bill was passed and its title agreed to.

S. F. No. 3218, A bill for an act relating to municipality, local improvements, special assessments; amending Minnesota Statutes, 1973 Supplement, Sections 429.011, Subdivision 2b; and 429.021, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, M.	Samuelson
Adams, S.	Dieterich	Kahn	Moe	Savelkoul
Andersen, R.	Dirlam	Kelly	Mueller	Schulz
Anderson, D.	Eckstein	Kempe	Munger	Searle
Anderson, G.	Eken	Klaus	Myrah	Sherwood
Anderson, I.	Enebo	Knickerbocker	Nelson	Sieben, H.
Becklin	Erdahl	Knoll	Newcome	Sieben, M.
Belisle	Erickson	Kostohryz	Niehaus	Skaar
Bell	Esau	Kvam	Norton	Smith
Bennett	Faricy	Laidig	Ohnstad	Spanish
Berg	Ferderer	Larson	Ojala	Stangeland
Berglin	Fjoslien	LaVoy	Parish	Stanton
Biersdorf	Forsythe	Lemke	Patton	Swanson
Braun	Fudro	Lindstrom, E.	Pavlak, R.	Tomlinson
Brinkman	Fugina	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, A.	Graba	Lombardi	Pehler	Vanasek
Carlson, B.	Graw	Long	Peterson	Vento
Carlson, D.	Grove	Mann	Pieper	Voss
Carlson, L.	Hagedorn	McArthur	Pleasant	Weaver
Casserly	Heinitz	McCarron	Prahl	Wenzel
Cleary	Jacobs	McCauley	Quirin	Wigley
Clifford	Jaros	McEachern	Resner	Wohlwend
Connors	Johnson, C.	McFarlin	Rice	Wolcott
Culhane	Johnson, D.	McMillan	Ryan	Mr. Speaker
Cummiskey	Johnson, J.	Menke	St. Onge	
Dahl	Johnson, R.	Miller, D.	Salchert	

The bill was passed and its title agreed to.

S. F. No. 3271, A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, D.	Becklin	Bennett	Biersdorf
Adams, S.	Anderson, G.	Belisle	Berg	Braun
Andersen, R.	Anderson, I.	Bell	Berglin	Brinkman

Carlson, A.	Forsythe	Laidig	Newcome	Schreiber
Carlson, B.	Fudro	Larson	Niehaus	Schulz
Carlson, D.	Fugina	LaVoy	Norton	Searle
Carlson, L.	Graba	Lemke	Ohnstad	Sherwood
Cassery	Graw	Lindstrom, E.	Ojala	Sieben, H.
Cleary	Grove	Lindstrom, J.	Parish	Sieben, M.
Clifford	Hagedorn	Lombardi	Patton	Skaar
Connors	Heinitz	Long	Pavlak, R.	Smith
Culhane	Jacobs	Mann	Pavlak, R. L.	Spanish
Cummiskey	Jaros	McArthur	Pehler	Stangeland
Dahl	Johnson, C.	McCarron	Peterson	Stanton
DeGroat	Johnson, D.	McCauley	Pieper	Swanson
Dieterich	Johnson, J.	McEachern	Pleasant	Tomlinson
Dirlam	Johnson, R.	McFarlin	Prahl	Ulland
Eckstein	Jude	McMillan	Quirin	Vanasek
Eken	Kahn	Menke	Resner	Vento
Enebo	Kelly	Miller, D.	Rice	Voss
Erdahl	Kempe	Miller, M.	Ryan	Weaver
Erickson	Klaus	Moe	St. Onge	Wenzel
Esau	Knickerbocker	Mueller	Salchert	Wigley
Faricy	Knoll	Munger	Samuelson	Wohlwend
Ferderer	Kostohryz	Myrah	Sarna	Wolcott
Fjoslien	Kvam	Nelson	Savelkoul	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3017, A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Moe	Savelkoul
Adams, S.	Dieterich	Kahn	Munger	Schreiber
Andersen, R.	Dirlam	Kelly	Myrah	Schulz
Anderson, D.	Eckstein	Kempe	Nelson	Searle
Anderson, G.	Eken	Klaus	Newcome	Sherwood
Anderson, I.	Enebo	Knickerbocker	Niehaus	Sieben, H.
Becklin	Erdahl	Kostohryz	Norton	Sieben, M.
Belisle	Erickson	Kvam	Ohnstad	Skaar
Bell	Esau	Laidig	Ojala	Smith
Bennett	Faricy	Larson	Parish	Spanish
Berg	Ferderer	LaVoy	Patton	Stangeland
Berglin	Fjoslien	Lemke	Pavlak, R.	Stanton
Biersdorf	Forsythe	Lindstrom, E.	Pavlak, R. L.	Swanson
Braun	Fudro	Lindstrom, J.	Pehler	Tomlinson
Brinkman	Fugina	Lombardi	Peterson	Ulland
Carlson, A.	Graba	Long	Pieper	Vanasek
Carlson, B.	Graw	Mann	Pleasant	Vento
Carlson, D.	Grove	McArthur	Prahl	Voss
Carlson, L.	Hagedorn	McCarron	Quirin	Weaver
Cassery	Heinitz	McCauley	Resner	Wenzel
Cleary	Jacobs	McEachern	Rice	Wigley
Clifford	Jaros	McFarlin	Ryan	Wohlwend
Connors	Johnson, C.	McMillan	St. Onge	Wolcott
Culhane	Johnson, D.	Menke	Salchert	Mr. Speaker
Cummiskey	Johnson, J.	Miller, D.	Samuelson	
Dahl	Johnson, R.	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 2285, A bill for an act relating to the city of Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, M.	Samuelson
Adams, S.	Dieterich	Kahn	Moe	Sarna
Andersen, R.	Dirlam	Kelly	Mueller	Savelkoul
Anderson, D.	Eckstein	Kempe	Munger	Schreiber
Anderson, G.	Eken	Klaus	Myrah	Schulz
Anderson, I.	Enebo	Knickerbocker	Nelson	Searle
Becklin	Erdahl	Knoll	Newcome	Sherwood
Belisle	Erickson	Kostohryz	Niehaus	Sieben, H.
Bell	Esau	Kvam	Norton	Sieben, M.
Bennett	Faricy	Laidig	Ohnstad	Skaar
Berg	Ferderer	Larson	Ojala	Smith
Berglin	Fjoslien	LaVoy	Parish	Spanish
Biersdorf	Forsythe	Lemke	Patton	Stangeland
Braun	Fudro	Lindstrom, E.	Pavlak, R.	Stanton
Brinkman	Fugina	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, A.	Graba	Lombardi	Pehler	Tomlinson
Carlson, B.	Graw	Long	Peterson	Ulland
Carlson, D.	Growe	Mann	Pieper	Vanasek
Carlson, L.	Hagedorn	McArthur	Pleasant	Vento
Casserly	Heinitz	McCarron	Prahl	Voss
Cleary	Jacobs	McCauley	Quirin	Weaver
Clifford	Jaros	McEachern	Resner	Wenzel
Connors	Johnson, C.	McFarlin	Rice	Wigley
Culhane	Johnson, D.	McMillan	Ryan	Wohlwend
Cummiskey	Johnson, J.	Menke	St. Onge	Wolcott
Dahl	Johnson, R.	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2995 was reported to the House.

Objection having been made by ten members, S. F. No. 2995 was returned to General Orders.

S. F. No. 2840, A bill for an act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Moe	Sarna
Adams, S.	Dieterich	Kahn	Mueller	Savelkoul
Andersen, R.	Dirlam	Kelly	Munger	Schreiber
Anderson, D.	Eckstein	Kempe	Myrah	Schulz
Anderson, G.	Eken	Klaus	Nelson	Searle
Anderson, I.	Enebo	Knickerbocker	Newcome	Sherwood
Becklin	Erdahl	Knoll	Niehaus	Sieben, H.
Belisle	Erickson	Kostohryz	Norton	Sieben, M.
Bell	Esau	Kvam	Ohnstad	Skaar
Bennett	Faricy	Laidig	Ojala	Smith
Berg	Ferderer	Larson	Parish	Spanish
Berglin	Fjoslien	LaVoy	Patton	Stangeland
Biersdorf	Forsythe	Lemke	Pavlak, R.	Stanton
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Brinkman	Fugina	Lombardi	Pehler	Tomlinson
Carlson, A.	Graba	Long	Peterson	Ulland
Carlson, B.	Graw	Mann	Pieper	Vanasek
Carlson, D.	Growe	McArthur	Pleasant	Vento
Carlson, L.	Hagedorn	McCarron	Prahl	Voss
Casserly	Heinitz	McCauley	Quirin	Weaver
Cleary	Jacobs	McEachern	Resner	Wenzel
Clifford	Jaros	McFarlin	Rice	Wigley
Connors	Johnson, C.	McMillan	Ryan	Wohlwend
Culhane	Johnson, D.	Menke	St. Onge	Wolcott
Cummiskey	Johnson, J.	Miller, D.	Salchert	Mr. Speaker
Dahl	Johnson, R.	Miller, M.	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 2973 was reported to the House.

There being no objection, S. F. No. 2973 was continued on the Consent Calendar until Monday, March 18, 1974.

S. F. No. 3176 was reported to the House.

Sieben, H., moved to amend S. F. No. 3176, as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Notwithstanding provisions of Minnesota Statutes, Section 394.30, Subdivision 1, to the contrary, the Dakota county board of commissioners may, if it wishes to avail itself of the authority granted by Minnesota Statutes, Sections 394.21 to 394.37, create a planning advisory commission composed of two appointees from each Dakota county commissioner district. Such appointments shall be annual.

Sec. 2. This act takes effect when approved by a majority of the board of county commissioners of Dakota county, and upon compliance with Minnesota Statutes, Section 645.021."

The motion prevailed and the amendment was adopted.

S. F. No. 3176, A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Moe	Sarna
Adams, S.	Diriam	Kelly	Mueller	Savelkoul
Andersen, R.	Eckstein	Kempe	Munger	Schreiber
Anderson, D.	Eken	Klaus	Myrah	Schulz
Anderson, G.	Enebo	Knickerbocker	Nelson	Searle
Anderson, I.	Erdahl	Knoll	Newcome	Sherwood
Becklin	Erickson	Kostohryz	Niehaus	Sieben, H.
Belisle	Esau	Kvam	Norton	Sieben, M.
Bell	Faricy	Laidig	Ohnstad	Skaar
Bennett	Ferderer	LaVoy	Ojala	Smith
Berg	Fjoslien	Lemke	Parish	Spanish
Berglin	Forsythe	Lindstrom, E.	Patton	Stangeland
Biersdorf	Fudro	Lindstrom, J.	Pavlak, R.	Stanton
Braun	Fugina	Lombardi	Pavlak, R. L.	Swanson
Brinkman	Graba	Long	Pehler	Tomlinson
Carlson, D.	Graw	Mann	Peterson	Ulland
Carlson, L.	Growe	McArthur	Pieper	Vanasek
Casserly	Hagedorn	McCarron	Pleasant	Voss
Cleary	Heinitz	McCauley	Prahl	Weaver
Clifford	Jaros	McEachern	Quirin	Wenzel
Connors	Johnson, C.	McFarlin	Resner	Wigley
Culhane	Johnson, D.	McMillan	Rice	Wohlwend
Cummiskey	Johnson, J.	Menke	Ryan	Mr. Speaker
Dahl	Johnson, R.	Miller, D.	St. Onge	
DeGroat	Jude	Miller, M.	Samuelson	

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

S. F. No. 3239, A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 108, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kelly	Miller, M.	Schreiber
Adams, S.	DeGroat	Kempe	Moe	Schulz
Andersen, R.	Dieterich	Klaus	Munger	Searle
Anderson, D.	Dirlam	Knoll	Myrah	Sherwood
Anderson, G.	Eckstein	Kostohryz	Nelson	Sieben, H.
Anderson, I.	Erdahl	Kvam	Newcome	Sieben, M.
Becklin	Esau	Laidig	Norton	Smith
Bell	Faricy	Larson	Ojala	Spanish
Bennett	Ferderer	LaVoy	Parish	Stangeland
Berg	Fudro	Lemke	Patton	Stanton
Berglin	Fugina	Lindstrom, E.	Pavlak, R.	Swanson
Biersdorf	Graba	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Braun	Growe	Long	Pehler	Ulland
Brinkman	Hagedorn	Mann	Peterson	Vento
Carlson, A.	Jacobs	McArthur	Pleasant	Voss
Carlson, B.	Jaros	McCarron	Prahl	Weaver
Carlson, D.	Johnson, C.	McCauley	Quirin	Wenzel
Carlson, L.	Johnson, D.	McEachern	Rice	Wigley
Casserly	Johnson, J.	McFarlin	Ryan	Wohlwend
Connors	Johnson, R.	McMillan	St. Onge	Mr. Speaker
Culhane	Jude	Menke	Sarna	
Cummiskey	Kahn	Miller, D.	Savelkoul	

Those who voted in the negative were:

Belisle	Eken	Fjoslien	Niehaus	Skaar
Cleary	Enebo	Heinitz	Ohnstad	
Clifford	Erickson	Knickerbocker	Pieper	

The bill was passed and its title agreed to.

S. F. No. 3162, A bill for an act relating to the city of Minneapolis; survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 23, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Erdahl	Johnson, D.	Lombardi
Adams, S.	Carlson, D.	Erickson	Johnson, J.	Long
Andersen, R.	Carlson, L.	Esau	Johnson, R.	Mann
Anderson, D.	Casserly	Faricy	Kahn	McArthur
Anderson, G.	Cleary	Ferderer	Kelly	McEachern
Anderson, I.	Clifford	Fjoslien	Kempe	McEachern
Becklin	Connors	Fudro	Klaus	McFarlin
Belisle	Culhane	Fugina	Knickerbocker	McMillan
Bell	Cummiskey	Graba	Knickerbocker	Menke
Bennett	Dahl	Graw	Kostohryz	Miller, D.
Berg	DeGroat	Growe	Laidig	Miller, M.
Berglin	Dieterich	Hagedorn	Larson	Moe
Biersdorf	Dirlam	Heinitz	LaVoy	Mueller
Braun	Eckstein	Jacobs	Lemke	Munger
Brinkman	Eken	Jaros	Lindstrom, E.	Myrah
Carlson, A.	Enebo	Johnson, C.	Lindstrom, J.	Nelson

Newcome	Pehler	Sarna	Smith	Weaver
Niehaus	Peterson	Savelkoul	Spanish	Wenzel
Norton	Pieper	Schreiber	Stangeland	Wigley
Ohnstad	Pleasant	Schulz	Stanton	Wohlwend
Ojala	Prahl	Searle	Swanson	Wolcott
Parish	Quirin	Sherwood	Tomlinson	Mr. Speaker
Patton	Rice	Sieben, H.	Ulland	
Pavlak, R.	Ryan	Sieben, M.	Vento	
Pavlak, R. L.	St. Onge	Skaar	Voss	

Those who voted in the negative were:

Kvam

The bill was passed and its title agreed to.

S. F. No. 3417, A bill for an act relating to state lands; directing conveyance of a portion of the Gillette Children's Hospital property to the city of St. Paul.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jude	Nelson	Searle
Adams, S.	DeGroat	Kahn	Newcome	Sherwood
Andersen, R.	Dirlam	Kelly	Niehaus	Sieben, H.
Anderson, G.	Eckstein	Knickerbocker	Norton	Sieben, M.
Anderson, I.	Eken	Knoll	Ohnstad	Skaar
Becklin	Enebo	Kostohryz	Ojala	Smith
Belisle	Erdahl	Kvam	Parish	Spanish
Bell	Erickson	Laidig	Patton	Stangeland
Bennett	Esau	Larson	Pavlak, R.	Stanton
Berg	Ferderer	LaVoy	Pavlak, R. L.	Swanson
Berglin	Fjoslien	Lemke	Pehler	Tomlinson
Biersdorf	Fudro	Lindstrom, E.	Peterson	Ulland
Braun	Fugina	Lombardi	Pieper	Vanasek
Brinkman	Graba	Long	Prahl	Vento
Carlson, A.	Graw	Mann	Quirin	Voss
Carlson, B.	Grove	McCarron	Resner	Weaver
Carlson, D.	Hagedorn	McCauley	Rice	Wenzel
Carlson, L.	Heinitz	McFarlin	Ryan	Wigley
Cassery	Jacobs	McMillan	St. Onge	Wohlwend
Cleary	Jaros	Miller, D.	Samuelson	Wolcott
Clifford	Johnson, C.	Miller, M.	Sarna	Mr. Speaker
Connors	Johnson, D.	Moe	Savelkoul	
Culhane	Johnson, J.	Munger	Schreiber	
Cummiskey	Johnson, R.	Myrah	Schulz	

Those who voted in the negative were:

Anderson, D.	Dieterich	Faricy	Kempe	Pleasant
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The bill was passed and its title agreed to.

S. F. No. 2971 was reported to the House.

Swanson moved to amend S. F. No. 2971, as follows:

Page 2, line 8, delete "state".

Page 2, line 8, delete "of health".

Page 2, line 15, delete "state".

Page 2, line 15, delete "of health".

Page 2, line 18, delete "state".

Page 2, line 19, delete "of health".

Page 5, line 5, after "non-elective" delete the comma.

Page 5, line 6, after "emergency" delete the comma and insert "or".

Page 5, line 6, after "referral" delete the comma.

Page 5, line 16, after "enrollees" insert a semicolon.

Page 5, line 19, after "received" delete the comma and insert a semicolon.

Page 5, line 19, after the second "or" insert a comma.

Page 5, line 20, after "with" insert "prior".

Page 5, line 20, after "approval" insert a comma.

Page 5, line 21, after "hospital" insert a comma.

The motion prevailed and the amendment was adopted.

S. F. No. 2971, A bill for an act relating to health maintenance organizations; regulating the details of operation; amending Minnesota Statutes, 1973 Supplement, Sections 62D.02, Subdivision 7; 62D.06, Subdivision 1; 62D.08, Subdivision 2; 62D.10, Subdivisions 2 and 4; 62D.11, Subdivision 1; 62D.12, Subdivisions 4 and 9; 62D.22, Subdivision 8; and 62D.28, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kempe	Mueller	Savelkoul
Adams, S.	Dieterich	Klaus	Munger	Schreiber
Andersen, R.	Dirlam	Knickerbocker	Myrah	Schulz
Anderson, D.	Eckstein	Knoll	Nelson	Searle
Anderson, G.	Eken	Kostohryz	Newcome	Sherwood
Anderson, I.	Enebo	Kvam	Niehaus	Sieben, H.
Becklin	Erdahl	Laidig	Norton	Sieben, M.
Belisle	Erickson	Larson	Ohnstad	Skaar
Bell	Esau	LaVoy	Ojala	Smith
Bennett	Ferderer	Lemke	Parish	Spanish
Berg	Fjoslien	Lindstrom, E.	Patton	Stangeland
Berglin	Fudro	Lindstrom, J.	Pavlak, R.	Stanton
Biersdorf	Fugina	Lombardi	Pavlak, R. L.	Swanson
Braun	Graba	Long	Pehler	Tomlinson
Brinkman	Graw	Mann	Peterson	Ulland
Carlson, A.	Growe	McArthur	Pieper	Vanasek
Carlson, B.	Hagedorn	McCarron	Pleasant	Vento
Carlson, D.	Jacobs	McCauley	Prahl	Voss
Carlson, L.	Jaros	McEachern	Quirin	Weaver
Cassery	Johnson, C.	McFarlin	Resner	Wenzel
Cleary	Johnson, D.	McMillan	Rice	Wohlwend
Connors	Johnson, J.	Menke	Ryan	Wolcott
Culhane	Jude	Miller, D.	St. Onge	Mr. Speaker
Cummiskey	Kahn	Miller, M.	Samuelson	
Dahl	Kelly	Moe	Sarna	

Those who voted in the negative were:

Clifford Faricy Heinitz

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

S. F. No. 3144, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the Association of Minnesota Counties in membership in the public employees retirement association; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Chapter 353, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.03, Subdivision 1; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.31, Subdivision 1; 353.32, Subdivision 1; 353.651, Subdivision 2; 353.657, Subdivision 3; and 353.71, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kahn	Moe	Savelkoul
Adams, S.	Dieterich	Kelly	Mueller	Schreiber
Andersen R.	Dirlam	Kempe	Munger	Schulz
Anderson, D.	Eckstein	Klaus	Myrah	Searle
Anderson, G.	Eken	Knickerbocker	Nelson	Sherwood
Anderson, I.	Enebo	Knoll	Newcome	Sieben, H.
Becklin	Erdahl	Kostohryz	Niehaus	Sieben, M.
Belisle	Erickson	Kvam	Norton	Skaar
Bell	Esau	Laidig	Ohnstad	Smith
Bennett	Faricy	Larson	Ojala	Spanish
Berg	Ferderer	LaVoy	Parish	Stangeland
Berglin	Fjoslien	Lemke	Patton	Stanton
Biersdorf	Fudro	Lindstrom, E.	Pavlak, R.	Swanson
Braun	Fugina	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lombardi	Pehler	Ulland
Carlson, A.	Graw	Long	Peterson	Vanasek
Carlson, B.	Grove	Mann	Pieper	Vento
Carlson, D.	Hagedorn	McArthur	Pleasant	Voss
Carlson, L.	Heinitz	McCarron	Prahl	Weaver
Casserly	Jacobs	McCauley	Quirin	Wenzel
Cleary	Jaros	McEachern	Resner	Wohlwend
Clifford	Johnson, C.	McFarlin	Rice	Wolcott
Connors	Johnson, D.	McMillan	Ryan	Mr. Speaker
Culhane	Johnson, J.	Menke	St. Onge	
Cummiskey	Johnson, R.	Miller, D.	Samuelson	
Dahl	Jude	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 526 was reported to the House.

Savelkoul moved to amend S. F. No. 526, the printed bill, as follows:

Page 2, line 15, strike section 2.

The motion prevailed and the amendment was adopted.

Savelkoul moved to amend S. F. No. 526, the printed bill, as amended, as follows:

Page 2, line 6, strike "1974" and insert "1975".

The motion prevailed and the amendment was adopted.

S. F. No. 526, A bill for an act relating to wild animals; providing authority for the commissioner of natural resources to charge a fee for permits for the destruction of harmful or unde-

sirable aquatic vegetation; amending Minnesota Statutes 1971, Section 98.48, Subdivision 9.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kempe	Moe	Samuelson
Adams, S.	Eckstein	Klaus	Munger	Sarna
Andersen, R.	Eken	Knickerbocker	Myrah	Savelkoul
Anderson, G.	Enebo	Knoll	Nelson	Schulz
Anderson, I.	Erdahl	Kostohryz	Newcome	Searle
Belisle	Faricy	Laidig	Norton	Sherwood
Bell	Ferderer	Larson	Ojala	Sieben, H.
Bennett	Fudro	LaVoy	Parish	Sieben, M.
Berg	Fugina	Lemke	Patton	Smith
Berglin	Graba	Lindstrom, E.	Pavlak, R.	Spanish
Biersdorf	Graw	Lindstrom, J.	Pavlak, R. L.	Stanton
Braun	Grove	Lombardi	Pehler	Swanson
Brinkman	Hagedorn	Mann	Peterson	Tomlinson
Carlson, A.	Jacobs	McArthur	Pieper	Ulland
Carlson, B.	Jaros	McCarron	Pleasant	Vanasek
Carlson, L.	Johnson, C.	McEachern	Prahl	Vento
Cassery	Johnson, D.	McFarlin	Quirin	Voss
Cleary	Johnson, J.	McMillan	Resner	Weaver
Connors	Jude	Menke	Rice	Wohlwend
Cummiskey	Kahn	Miller, D.	Ryan	Wolcott
Dahl	Kelly	Miller, M.	St. Onge	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Culhane	Esau	Long	Skaar
Becklin	DeGroat	Heinitz	Niehaus	Stangeland
Carlson, D.	Dirlam	Johnson, R.	Ohnstad	Wenzel
Clifford	Erickson	Kvam	Schreiber	

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

S. F. No. 2264, A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 90, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Moe	St. Onge
Andersen, R.	Dieterich	Kahn	Mueller	Samuelson
Anderson, D.	Dirlam	Kelly	Munger	Sarna
Anderson, I.	Enebo	Kempe	Myrah	Savelkoul
Becklin	Faricy	Knickerbocker	Nelson	Schreiber
Belisle	Ferderer	Knoll	Norton	Schulz
Bell	Forsythe	Kostohryz	Ojala	Searle
Bennett	Fudro	Laidig	Parish	Sherwood
Berg	Fugina	LaVoy	Patton	Sieben, H.
Berglin	Graba	Lindstrom, E.	Pavlak, R.	Skaar
Biersdorf	Graw	Lindstrom, J.	Pavlak, R. L.	Smith
Carlson, A.	Grove	McArthur	Pehler	Stanton
Carlson, L.	Heinitz	McCarron	Peterson	Swanson
Cassery	Jacobs	McFarlin	Pleasant	Tomlinson
Cleary	Johnson, C.	McMillan	Quirin	Ulland
Connors	Johnson, D.	Menke	Resner	Weaver
Culhane	Johnson, J.	Miller, D.	Rice	Wohlwend
Cummiskey	Johnson, R.	Miller, M.	Ryan	Mr. Speaker

Those who voted in the negative were:

Anderson, G.	Erickson	Larson	Niehaus	Voss
Carlson, D.	Fjoslien	Lombardi	Ohnstad	Wenzel
Clifford	Hagedorn	Long	Pieper	Wigley
Eken	Jaros	Mann	Prahl	
Erdahl	Klaus	McCauley	Stangeland	

The bill was passed and its title agreed to.

S. F. No. 2457, A bill for an act relating to pollution control; regulating the display and distribution of certain lists setting forth the phosphorous content of certain products; amending Minnesota Statutes 1971, Section 116.28, Subdivisions 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 89, and nays 30, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Menke	Savelkoul
Adams, S.	Eckstein	Jude	Miller, M.	Schreiber
Andersen, R.	Eken	Kelly	Munger	Schulz
Anderson, D.	Enebo	Klaus	Myrah	Searle
Anderson, G.	Erdahl	Knickerbocker	Newcome	Sherwood
Becklin	Erickson	Kvam	Niehaus	Skaar
Belisle	Esau	Laidig	Norton	Spanish
Bell	Ferderer	Larson	Ohnstad	Stangeland
Bennett	Fjoslien	Lindstrom, E.	Parish	Stanton
Biersdorf	Forsythe	Lindstrom, J.	Patton	Swanson
Braun	Fudro	Lombardi	Pavlak, R.	Tomlinson
Carlson, A.	Graba	Long	Pavlak, R. L.	Vanasek
Carlson, D.	Graw	Mann	Peterson	Voss
Cleary	Grove	McArthur	Pleasant	Weaver
Clifford	Hagedorn	McCarron	Prahl	Wigley
Culhane	Heinitz	McCauley	Rice	Wohlwend
Cummiskey	Johnson, C.	McFarlin	Ryan	Mr. Speaker
DeGroat	Johnson, J.	McMillan	St. Onge	

Those who voted in the negative were:

Anderson, I.	Dieterich	Kempe	Nelson	Samuelson
Berg	Faricy	Knoll	Ojala	Sarna
Berglin	Fugina	Kostohryz	Pehler	Sieben, H.
Carlson, L.	Jaros	LaVoy	Pieper	Sieben, M.
Casserly	Johnson, D.	McEachern	Quirin	Ulland
Connors	Kahn	Moe	Resner	Wenzel

The bill was passed and its title agreed to.

S. F. No. 2501 was reported to the House.

There being no objection, S. F. No. 2501 was continued on the Consent Calendar for one day.

S. F. No. 2822, A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Sections 378.31, Subdivision 2; and 378.32, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Menke	St. Onge
Adams, S.	Dieterich	Jude	Miller, D.	Samuelson
Andersen, R.	Dirlam	Kahn	Miller, M.	Sarna
Anderson, D.	Eckstein	Kelly	Moe	Savelkoul
Anderson, G.	Eken	Kempe	Mueller	Schreiber
Anderson, I.	Enebo	Klaus	Munger	Schulz
Becklin	Erdahl	Knickerbocker	Myrah	Searle
Belisle	Erickson	Knoll	Nelson	Sherwood
Bell	Esau	Kostohryz	Newcome	Sieben, H.
Bennett	Faricy	Kvam	Niehaus	Sieben, M.
Berg	Ferderer	Laidig	Norton	Skaar
Berglin	Fjoslien	Larson	Ohnstad	Smith
Biersdorf	Forsythe	LaVoy	Ojala	Spanish
Braun	Fudro	Lemke	Parish	Stangeland
Brinkman	Fugina	Lindstrom, E.	Patton	Stanton
Carlson, A.	Graba	Lindstrom, J.	Pavlak, R.	Swanson
Carlson, D.	Graw	Lombardi	Pavlak, R. L.	Tomlinson
Carlson, L.	Growe	Long	Pehler	Ulland
Casserly	Hagedorn	Mann	Peterson	Vanasek
Cleary	Heinitz	McArthur	Pieper	Voss
Clifford	Jacobs	McCarron	Pleasant	Weaver
Connors	Jaros	McCauley	Prahl	Wenzel
Culhane	Johnson, C.	McEachern	Quirin	Wigley
Cummiskey	Johnson, D.	McFarlin	Resner	Wohlwend
Dahl	Johnson, J.	McMillan	Ryan	Mr. Speaker

Those who voted in the negative were:

Rice

The bill was passed and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1810:

Cummiskey; Pavlak, R.; Berglin; Pleasant; and Savelkoul.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3002:

Andersen, R.; Carlson, B.; and Hagedorn.

SPECIAL ORDERS

S. F. No. 3360, A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system for a large election of the school board; amending Laws 1969, Chapter 193, Section 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Moe	Savelkoul
Adams, S.	Dieterich	Kahn	Mueller	Schreiber
Andersen, R.	Dirlam	Kelly	Munger	Schulz
Anderson, D.	Eckstein	Kempe	Myrah	Sherwood
Anderson, G.	Eken	Klaus	Nelson	Sieben, H.
Anderson, I.	Enebo	Knickerbocker	Newcome	Sieben, M.
Becklin	Erdahl	Knoll	Niehaus	Skaar
Belisle	Erickson	Kostohryz	Ohnstad	Smith
Bell	Esau	Kvam	Ojala	Spanish
Bennett	Faricy	Laidig	Parish	Stangeland
Berg	Ferderer	Larson	Patton	Stanton
Berglin	Fjoslien	LaVoy	Pavlak, R.	Swanson
Biersdorf	Forsythe	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fudro	Lindstrom, E.	Pehler	Ulland
Brinkman	Fugina	Lombardi	Peterson	Vanasek
Carlson, A.	Graw	Long	Pieper	Voss
Carlson, D.	Grove	Mann	Pleasant	Weaver
Carlson, L.	Hagedorn	McArthur	Prahl	Wenzel
Casserly	Heinitz	McCarron	Quirin	Wigley
Cleary	Jacobs	McCauley	Resner	Wohlwend
Clifford	Jaros	McEachern	Rice	Mr. Speaker
Connors	Johnson, C.	McFarlin	Ryan	
Culhane	Johnson, D.	Menke	St. Onge	
Cummiskey	Johnson, J.	Miller, D.	Samuelson	
Dahl	Johnson, R.	Miller, M.	Sarna	

The bill was passed and its title agreed to.

CALL OF THE HOUSE

On the motion of Anderson, I., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Adams, J.	Dirlam	Jude	Miller, M.	Savelkoul
Adams, S.	Eckstein	Kahn	Moe	Schreiber
Andersen, R.	Eken	Kelly	Mueller	Schulz
Anderson, D.	Enebo	Kempe	Munger	Sieben, H.
Anderson, G.	Erdahl	Klaus	Myrah	Sieben, M.
Anderson, I.	Ericksen	Knickerbocker	Nelson	Skaar
Becklin	Esau	Knoll	Niehaus	Smith
Belisle	Fariy	Kostohryz	Ohnstad	Spanish
Bell	Ferderer	Kvam	Ojala	Stangeland
Bennett	Fjoslien	Laidig	Parish	Stanton
Berglin	Forsythe	Larson	Patton	Swanson
Biersdorf	Fudro	LaVoy	Pavlak, R.	Tomlinson
Braun	Fugina	Lemke	Pavlak, R. L.	Ulland
Brinkman	Graw	Lindstrom, E.	Pehler	Vanasek
Carlson, L.	Growe	Lindstrom, J.	Peterson	Voss
Casserly	Hagedorn	Long	Pieper	Weaver
Cleary	Heinitz	Mann	Pleasant	Wenzel
Connors	Jacobs	McArthur	Prahl	Wigley
Culhane	Jaros	McCarron	Quirin	Wohlwend
Cummiskey	Johnson, C.	McCauley	Resner	Mr. Speaker
Dahl	Johnson, D.	McEachern	Ryan	
DeGroat	Johnson, J.	McFarlin	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Sarna	

Anderson, I., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

S. F. No. 2933 was reported to the House.

Pehler moved to amend S. F. No. 2933, the printed bill, as follows:

Page 1, line 18, after the word "basis" insert the following: "*excluding elective induced abortion procedures by any method.*"

Page 1, line 27, after the word "basis" insert the following: "*excluding elective induced abortion procedures by any method.*"

Page 2, line 2, after the word "surgery" insert the following: "*excluding elective induced abortion procedures by any method.*"

Page 2, after line 10, add the following: "*(4) If such facility is used to perform elective induced abortions by any method such facility shall be licensed by the board as an Abortion Facility as defined by the board of health.*"

Page 2, line 20, after the word "*surgery*" insert the following: "*, excluding elective induced abortion procedures by any method.*"

The motion prevailed and the amendment was adopted.

Quirin moved to amend S. F. No. 2933 as follows:

Page 2, line 11, strike Section 4 in its entirety and re-number Section 5 as Section 4.

The motion prevailed and the amendment was adopted.

Ojala moved to amend S. F. No. 2933, the printed bill, as amended, as follows:

Page 1, line 18, strike "*induced abortion*" and insert in lieu thereof "*surgical*".

Page 1, line 27, strike "*induced abortion*" and insert in lieu thereof "*surgical*".

Page 2, line 2, strike "*induced abortion*" and insert in lieu thereof "*surgical*".

Page 2, line 20, strike "*induced abortion*" and insert in lieu thereof "*surgical*".

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

S. F. No. 2933, A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 94, and nays 24, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Cleary	Erickson	Haugerud
Adams, S.	Berg	Connors	Esau	Jacobs
Andersen, R.	Biersdorf	Culhane	Farcy	Jaros
Anderson, D.	Braun	Cummiskey	Ferderer	Johnson, C.
Anderson, G.	Brinkman	Dahl	Fjoslien	Johnson, R.
Anderson, I.	Carlson, A.	Dirlam	Forsythe	Jude
Becklin	Carlson, B.	Eckstein	Fugina	Kempe
Belisle	Casserly	Erdahl	Graba	Klaus

Knoll	McCarron	Norton	Resner	Spanish
Kostohryz	McCauley	Ohnstad	Rice	Stanton
Kvam	McEachern	Parish	St. Onge	Swanson
Laidig	McFarlin	Patton	Samuelson	Tomlinson
LaVoy	Miller, D.	Pavlak, R.	Sarna	Vanasek
Lemke	Miller, M.	Pavlak, R. L.	Schreiber	Vento
Lindstrom, J.	Mueller	Pehler	Sherwood	Voss
Lombardi	Myrah	Peterson	Sieben, H.	Wenzel
Long	Nelson	Pieper	Sieben, M.	Wigley
Mann	Newcome	Prahl	Skaar	Wohlwend
McArthur	Niehaus	Quirin	Smith	

Those who voted in the negative were:

Bell	Dieterich	Johnson, D.	Moe	Stangeland
Berglin	Eken	Johnson, J.	Munger	Ulland
Carlson, D.	Enebo	Kahn	Ojala	Weaver
Clifford	Hagedorn	Lindstrom, E.	Savelkoul	Mr. Speaker
DeGroat	Heinitz	McMillan	Searle	

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

S. F. No. 3233, A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Moe	Savelkoul
Andersen, R.	Dieterich	Kahn	Mueller	Schreiber
Anderson, D.	Dirlam	Kelly	Munger	Schulz
Anderson, G.	Eckstein	Kempe	Myrah	Searle
Anderson, I.	Eken	Klaus	Nelson	Sherwood
Becklin	Erdahl	Knoll	Niehaus	Sieben, H.
Belisle	Erickson	Kvam	Norton	Sieben, M.
Bell	Esau	Laidig	Ohnstad	Skaar
Bennett	Faricy	Larson	Ojala	Smith
Berg	Ferderer	LaVoy	Parish	Stangeland
Berglin	Fjoslien	Lemke	Patton	Stanton
Biersdorf	Forsythe	Lindstrom, E.	Pavlak, R.	Swanson
Braun	Fudro	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Brinkman	Fugina	Lombardi	Pehler	Ulland
Carlson, A.	Graba	Long	Peterson	Vanasek
Carlson, D.	Graw	Mann	Pieper	Voss
Carlson, L.	Growe	McArthur	Pleasant	Weaver
Casserly	Hagedorn	McCarron	Prahl	Wenzel
Cleary	Heinitz	McCauley	Quirin	Wigley
Clifford	Jacobs	McEachern	Resner	Wohlwend
Connors	Jaros	McFarlin	Rice	Mr. Speaker
Culhane	Johnson, D.	McMillan	Ryan	
Cummiskey	Johnson, J.	Miller, D.	St. Onge	
Dahl	Johnson, R.	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 3163 was reported to the House.

There being no objection, S. F. No. 3163 was continued on Special Orders for one day.

H. F. No. 3347 was reported to the House.

Carlson, D., moved to amend H. F. No. 3347, the printed bill, as follows:

Page 1, line 3, after "dentistry," insert "education,".

The motion prevailed and the amendment was adopted.

Fugina moved to amend H. F. No. 3347, the printed bill, as follows:

Page 1, line 6, strike "Beginning" and insert "Notwithstanding the provisions of Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 5, clause (3), or any law to the contrary, beginning".

Page 1, line 10, strike "post".

The motion prevailed and the amendment was adopted.

H. F. No. 3347, A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 69, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Norton	Samuelson
Anderson, I.	Enebo	Kempe	Ohnstad	Sarna
Bell	Faricy	Knoll	Ojala	Sherwood
Berg	Ferderer	Kostohryz	Parish	Sieben, H.
Berglin	Fudro	LaVoy	Patton	Sieben, M.
Braun	Fugina	Lemke	Pavlak, R.	Spanish
Brinkman	Graba	Lindstrom, J.	Pehler	Stanton
Carlson, A.	Grove	Mann	Pleasant	Tomlinson
Carlson, B.	Haugerud	McArthur	Prahl	Ulland
Carlson, D.	Jacobs	McMillan	Quirin	Vanasek
Carlson, L.	Jaros	Menke	Resner	Vento
Casserly	Johnson, C.	Moe	Rice	Voss
Cleary	Johnson, D.	Munger	Ryan	Mr. Speaker
Dahl	Kahn	Nelson	St. Onge	

Those who voted in the negative were:

Adams, S.	Dirlam	Johnson, R.	McFarlin	Searle
Andersen, R.	Eckstein	Jude	Miller, M.	Skaar
Anderson, D.	Eken	Klaus	Mueller	Smith
Anderson, G.	Erdahl	Kvam	Myrah	Stangeland
Becklin	Erickson	Laidig	Newcome	Swanson
Belisle	Esau	Larson	Niehaus	Weaver
Bennett	Fjoslien	Lindstrom, E.	Pavlak, R. L.	Wenzel
Biersdorf	Forsythe	Lombardi	Peterson	Wigley
Clifford	Graw	Long	Pieper	Wohlwend
Connors	Hagedorn	McCarron	Saveikoul	
Culhane	Heinitz	McCauley	Schreiber	
DeGroat	Johnson, J.	McEachern	Schulz	

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

Searle was excused for the remainder of today's session.

H. F. No. 1951 was reported to the House.

Pavlak, R., moved to amend H. F. No. 1951, the printed bill, as follows:

Page 3, lines 22 through 36, strike section 7.

Page 4, lines 1 through 9, strike section 8.

Further, amend the title, line 3, after "revenues" strike: "; amending Minnesota Statutes 1971, Section 287.05, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Section 287.12".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 83, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, S.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, D.	Eken	Kelly	Mueller	Saveikoul
Anderson, G.	Erdahl	Kempe	Munger	Schreiber
Anderson, I.	Erickson	Klaus	Myrah	Schulz
Becklin	Esau	Kvam	Newcome	Sieben, H.
Belisle	Ferderer	Laidig	Niehaus	Skaar
Bennett	Fjoslien	Larson	Ohnstad	Smith
Biersdorf	Forsythe	Lemke	Parish	Spanish
Braun	Graba	Lindstrom, E.	Patton	Stangeland
Brinkman	Graw	Lindstrom, J.	Pavlak, R.	Swanson
Carlson, D.	Hagedorn	Lombardi	Pavlak, R. L.	Vanasek
Cleary	Heinitz	Long	Pehler	Weaver
Clifford	Jacobs	Mann	Peterson	Wenzel
Connors	Johnson, C.	McCarron	Pieper	Wigley
Culhane	Johnson, D.	McCauley	Pleasant	Wohlwend
DeGroat	Johnson, J.	McFarlin	Prahl	
Dirlam	Johnson, R.	McMillan	St. Ouge	

Those who voted in the negative were:

Adams, J.	Dahl	Jaros	Nelson	Sarna
Andersen, R.	Dieterich	Kahn	Norton	Sherwood
Berg	Enebo	Knoll	Ojala	Stanton
Berglin	Faricy	Kostohryz	Quirin	Tomlinson
Carlson, A.	Fudro	LaVoy	Resner	Vento
Carlson, L.	Fugina	McArthur	Rice	Voss
Casserly	Growe	Moe	Ryan	Mr. Speaker

The motion prevailed and the amendment was adopted.

H. F. No. 1951, A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues; amending Minnesota Statutes 1971, Section 287.05, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Section 287.12.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 98, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	Miller, D.	Savekoul
Andersen, R.	DeGroat	Johnson, D.	Miller, M.	Schreiber
Anderson, D.	Dieterich	Johnson, J.	Moe	Sherwood
Anderson, G.	Dirlam	Jude	Mueller	Sieben, H.
Anderson, I.	Eckstein	Kahn	Munger	Sieben, M.
Belisle	Eken	Kelly	Nelson	Skaar
Bell	Enebo	Knoll	Newcome	Spanish
Bennett	Erdahl	Kostohryz	Norton	Stanton
Berg	Erickson	Laidig	Ojala	Swanson
Berglin	Faricy	LaVoy	Patton	Tomlinson
Biersdorf	Ferderer	Lemke	Pehler	Ulland
Braun	Forsythe	Lindstrom, J.	Peterson	Vento
Brinkman	Fudro	Lombardi	Pleasant	Voss
Carlson, A.	Fugina	Long	Quirin	Weaver
Carlson, L.	Graba	Mann	Resner	Wenzel
Casserly	Graw	McArthur	Rice	Wigley
Clifford	Growe	McCarron	Ryan	Wohlwend
Connors	Heintz	McCauley	St. Onge	Mr. Speaker
Culhane	Jacobs	McEachern	Samuelson	
Cummiskey	Jaros	McMillan	Sarna	

Those who voted in the negative were:

Adams, S.	Esau	Kvam	Ohnstad	Smith
Becklin	Fjoslien	Larson	Pavlak, R.	Stangeland
Carlson, B.	Hagedorn	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, D.	Kempe	McFarlin	Pieper	
Cleary	Klaus	Niehaus	Prahl	

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

S. F. No. 919 was reported to the House.

Lindstrom, J., moved to amend S. F. No. 919, as amended by the House and as printed in the House Journal for March 4, 1974, as follows:

Journal, page 5346, before Section 1, insert:

"Sec. 1. Minnesota Statutes 1971, Section 340.07, Subdivision 13, is amended to read:

Subd. 13. "Exclusive liquor store" is an on-sale or off-sale, or combination on-sale and off-sale, establishment used exclusively for the sale of intoxicating liquor at retail and under the control of an individual owner or manager and as an incident thereof may also sell cigars, cigarettes, ice, all forms of tobacco, non-intoxicating malt beverages, and soft drinks at retail. An exclusive liquor store includes an on-sale or combination on-sale and off-sale establishment operating a restaurant or selling food for consumption on the premises when authorized by the municipality issuing the license *or owning or operating the exclusive liquor store, as the case may be.*"

"Sec. . Minnesota Statutes 1971, Section 340.353, Subdivision 1, is amended to read:

340.353 [MUNICIPAL LIQUOR STORES; ESTABLISHMENT; OPERATION.] Subdivision 1. [ESTABLISHMENT.] In any city, village, or borough having a population of not more than 10,000, according to the most recent federal decennial census, the governing body may establish, own, and operate liquor stores for the dispensing of intoxicating liquor either "on-sale" or "off-sale" or both. Such liquor stores may also sell cigars, cigarettes, ice, all forms of tobacco, non-intoxicating malt beverages, and soft drinks at retail, *and may offer recorded or live entertainment.* The authority conferred by this subdivision is limited to the type of municipality named herein."

Journal, page 5347, Sec. 3. at the end of Clause 1, after the word "*both*" and before the period, insert: "*, or may resume operation of any municipal on-sale or off-sale store previously discontinued*".

Renumber the sections in sequence.

Journal, page 5347, Sec. 4, line 1, after "in" and before "this", insert "*sections 1 and 3 of*".

Journal, page 5347, the title amendment to lines 3 and 4, before "providing" insert "*exclusive liquor stores; entertainment;*"

Journal, page 5347, the title amendment to line 6, after "Sections" insert "340.07, Subdivision 13;"

The Senate bill, page 1, line 6, strike "Subdivision" and insert in lieu thereof "Subdivisions 1 and".

The motion prevailed and the amendment was adopted.

S. F. No. 919, A bill for an act relating to intoxicating liquor; issuance of licenses to private persons in municipalities operating municipal stores; amending Minnesota Statutes 1971, Section 340.353, Subdivision 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 91, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Kelly	Niehaus	Sherwood
Adams, S.	Dahl	Knoll	Norton	Sieben, H.
Andersen, R.	Dieterich	Kostohryz	Ohnstad	Sieben, M.
Anderson, G.	Eckstein	LaVoy	Ojala	Smith
Anderson, I.	Eken	Lemke	Patton	Spanish
Becklin	Enebo	Lindstrom, J.	Pavlak, R.	Stangeland
Belisle	Faricy	McArthur	Pavlak, R. L.	Stanton
Bell	Ferderer	McCarron	Pehler	Tomlinson
Bennett	Fudro	McCauley	Peterson	Vanasek
Berg	Fugina	McEachern	Pieper	Vento
Berglin	Graba	McMillan	Pleasant	Voss
Biersdorf	Growe	Menke	Prahl	Wenzel
Braun	Hagedorn	Miller, D.	Quirin	Wigley
Carlson, A.	Heinitz	Miller, M.	Resner	Wohlwend
Carlson, D.	Jacobs	Moe	Rice	Mr. Speaker
Carlson, L.	Jaros	Mueller	Ryan	
Casserly	Johnson, D.	Munger	St. Onge	
Clifford	Jude	Nelson	Salchert	
Connors	Kahn	Newcome	Schreiber	

Those who voted in the negative were:

Anderson, D.	Erdahl	Johnson, J.	Lindstrom, E.	Schulz
Brinkman	Erickson	Johnson, R.	Long	Swanson
Cleary	Esau	Kempe	Mann	Ulland
Culhane	Fjoslien	Kvam	McFarlin	Weaver
DeGroat	Forsythe	Laidig	Samuelson	
Dirlam	Graw	Larson	Savelkoul	

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

S. F. No. 2627, A bill for an act relating to education; authorizing school districts to adopt a flexible school year program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 126.12; Chapter 120, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Mueller	Savelkoul
Adams, S.	Dieterich	Johnson, R.	Munger	Schreiber
Andersen, R.	Dirlam	Jude	Myrah	Schulz
Anderson, D.	Eckstein	Kelly	Nelson	Sherwood
Anderson, G.	Eken	Kempe	Newcome	Sieben, H.
Anderson, I.	Enebo	Klaus	Niehaus	Sieben, M.
Becklin	Erdahl	Kostohryz	Norton	Skaar
Belisle	Erickson	Kvam	Ohnstad	Smith
Bell	Esau	Laidig	Ojala	Spanish
Bennett	Faricy	Larson	Parish	Stangeland
Berg	Ferderer	LaVoy	Patton	Stanton
Berglin	Fjoslien	Lemke	Pavlak, R.	Swanson
Biersdorf	Forsythe	Lindstrom, E.	Pehler	Tomlinson
Braun	Fudro	Long	Peterson	Ulland
Brinkman	Fugina	Mann	Pieper	Vanasek
Carlson, A.	Graba	McArthur	Pleasant	Vento
Carlson, B.	Graw	McCarron	Prahl	Voss
Carlson, D.	Growe	McCauley	Quirin	Weaver
Carlson, L.	Hagedorn	McEachern	Resner	Wenzel
Casserly	Haugerud	McFarlin	Rice	Wigley
Cleary	Heinitz	McMillan	Ryan	Wohlwend
Connors	Jacobs	Menke	St. Onge	Wolcott
Culhane	Jaros	Miller, D.	Salchert	Mr. Speaker
Cummiskey	Johnson, C.	Miller, M.	Samuelson	
Dahl	Johnson, D.	Moe	Sarna	

The bill was passed and its title agreed to.

Norton was excused for the remainder of today's session.

S. F. No. 2576 was reported to the House.

Sherwood moved to amend S. F. No. 2576, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, is amended to read:

Subd. 6. "Official control" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a municipality or a county or any part thereof or any detail thereof, and are the means of translating into (REGULATIONS AND) ordinances all or any part of the general objectives of the comprehensive plan. Such official controls may include but are not

limited to ordinances establishing zoning, subdivision (CONTROL, PLATTING) controls, site plan regulations, sanitary codes, building codes, housing codes, and (THE ADOPTION OF DETAILED) official maps.

Sec. 2. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 7. "Conditional use" means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that (1) certain conditions as detailed in the zoning ordinance exist, and (2) the use or development conforms to the comprehensive land use plan of the county and to the declaration of state environmental policy and standards set forth in Laws 1973, Chapter 412, and (3) is compatible with the existing neighborhood.

Sec. 3. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 8. "Nonconformity" means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Sec. 4. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 9. "Comprehensive plan" means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Sec. 5. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 10. "Variance" means any modification or variation of land development standards contained in official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause unnecessary hardship.

Sec. 6. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. "Town" means any town, including those with the powers of villages pursuant to law.

Sec. 7. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 12. "Official map" means a map adopted in accordance with section 51 of this act which may show existing county roads and county state aid highways, proposed future county roads and highways and the area needed for widening existing county roads and highways. An official map may also show the location of existing and future public land and other public facilities owned or planned by the county. When requested in accordance with section 394.32, subdivision 3, an official map may include existing and planned public land uses within incorporated areas.

Sec. 8. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 13. "Subdivision" means any division of an existing lot, parcel or tract of land into two or more parcels for any purpose whether by platting, metes and bounds conveyance, contract for deed, easement, leasing, or by any other plans, terms and conditions.

Sec. 9. Minnesota Statutes 1971, Section 394.23, is amended to read:

394.23 [COMPREHENSIVE PLAN.] The board shall have the power and authority to prepare *and adopt by ordinance*, a comprehensive plan (FOR THE ORDERLY FUTURE PHYSICAL DEVELOPMENT OF THE AREA OF THE COUNTY OR PARTS THEREOF OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. THE PLAN, WHICH MAY INCLUDE TEXT AND MAPS, SHALL BE APPROVED AND CERTIFIED BY THE BOARD AND WHEN SO CERTIFIED SHALL BE REFERRED TO AS THE COMPREHENSIVE PLAN. THE PLAN MAY THEREAFTER BE AMENDED OR ADDED TO BY THE BOARD). *A comprehensive plan or plans when adopted by ordinance shall be the basis for official controls adopted under the provisions of sections 394.21 to 394.37.*

Sec. 10. Minnesota Statutes 1971, Section 394.24, Subdivision 1, is amended to read:

394.24 [OFFICIAL CONTROLS.] Subdivision 1. Official controls which shall further the purpose and objectives of the comprehensive plan and parts thereof shall be adopted by (RESOLUTION BY THE BOARD) *ordinance.*

Sec. 11. Minnesota Statutes 1971, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board (SHALL) *may* apply to and be binding upon (ONLY THAT AREA OR) *the*

county or any parts thereof (OUTSIDE) including areas within the incorporated limits of a (CITY, VILLAGE, OR BOROUGH) municipality, when requested by the municipality under section 394.32.

Sec. 12. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 3. For the area within which official controls adopted by the board are effective, such controls shall apply to the use of land for both private and public purposes, provided that the need for adequate, timely and convenient public and semi-public services and facilities must receive due consideration in the formulation, administration and enforcement of all official controls and no land owned or leased by the federal or state government shall be subject to official controls of the county.

Sec. 13. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 4. Nothing in sections 394.21 to 394.37 authorizes any county to adopt official controls that constitute a taking of real or personal property or unequal protection of the laws in violation of the constitution of this state or of the United States.

Sec. 14. Minnesota Statutes 1971, Section 394.25, Subdivision 1, is amended to read:

394.25 [FORMS OF CONTROL.] Subdivision 1. Official controls shall be adopted by ordinance and may include but are not limited to the features set forth in this section.

Sec. 15. Minnesota Statutes 1971, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. (THE ESTABLISHMENT OF) Zoning ordinances establishing districts within which (DISTRICTS) the use of land and the surface of water pursuant to Laws 1973, Chapter 702, for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, surface water drainage and removal, conservation of shorelands, as defined in section 105.485, and additional uses of land and the surface of water, pursuant to Laws 1973, Chapter 702, may be by official controls encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan. With the assistance and consultation of the commissioner of natural resources, official controls may be applied to wetlands preservation, open space, parks, sewage disposal, protection of ground water, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers as defined in section 104.33, protection of slope, soils, unconsolidated materials or bedrock from potentially damaging

development, preservation of forests, woodlands and essential wildlife habitat, reclamation of non-metallic mining lands; and with the assistance and consultation of the county extension service, preservation of agricultural lands.

Sec. 16. Minnesota Statutes 1971, Section 394.25, Subdivision 3, is amended to read:

Subd. 3. (FOR EACH SUCH DISTRICT A) Zoning ordinances may provide for regulations (ORDINANCE OR MAP OR REGULATIONS OR PROVISIONS MAY ALSO BE ADOPTED) designating or limiting the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may (HEREAFTER) be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; setback from existing roads and highways and roads and highways designated on an official map; (SANITARY, SAFETY, AND) protective measures necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke (THAT SHALL BE REQUIRED FOR SUCH DWELLINGS, BUILDINGS, AND STRUCTURES); the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building or type of development throughout each district, but the provisions in one district may differ from those in other districts.

Sec. 17. Minnesota Statutes 1971, Section 394.25, Subdivision 4, is amended to read:

Subd. 4. (MAPS FOR) Official maps establishing the location and other pertinent features of existing and proposed highways, roadways, parkways, roads, and streets (SHOWING THE EXACT ALIGNMENT, GRADIENTS, DIMENSIONS, AND OTHER PERTINENT FEATURES, AND INCLUDING SPECIFIC CONTROLS FOR SET BACKS FROM THE RIGHT OF WAY AGAINST ENCROACHMENT BY BUILDINGS OR OTHER PHYSICAL STRUCTURES OR FACILITIES).

Sec. 18. Minnesota Statutes 1971, Section 394.25, Subdivision 5, is amended to read:

Subd. 5. (MAPS FOR) Other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities (SHOWING EXACT LOCATION, SIZE, BOUNDARIES, AND OTHER RELATED FEATURES) including appropriate regulations protecting such future sites against encroachment by buildings and other physical structures or facilities.

Sec. 19. Minnesota Statutes 1971, Section 394.25, Subdivision 7, is amended to read:

Subd. 7. Specific (REGULATIONS AND) controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation *and dedication* of streets and land for other public purposes (REQUIRING FUTURE DEDICATION OR ACQUISITION) and *the* general design of physical improvement.

Sec. 20. Minnesota Statutes 1971, Section 394.25, Subdivision 8, is amended to read:

Subd. 8. Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code, *adopted by ordinance as part of the official control*. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. (ALL REQUIREMENTS OF STATUTES FOR THE PUBLICATION OR POSTING OF RESOLUTIONS SHALL BE SATISFIED IN SUCH CASE IF THE RESOLUTION INCORPORATING THE STATUTE, REGULATION, ORDINANCE OR CODE IS PUBLISHED OR POSTED IN THE REQUIRED MANNER AND IF,) Prior to (SUCH POSTING OR PUBLICATION,) *adoption* at least (THREE COPIES) *one copy* of the statute, rule, regulation, ordinance or code (ARE) *shall be* marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such (RESOLUTION) *ordinance* by reference shall be as much a part of the (RESOLUTION) *ordinance* as if they had been set out in full therein.

Sec. 21. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 9. Erosion and sediment controls with regard to clearing, grading, excavation, transporting and filling of lands. Erosion and sediment controls may include, but need not be limited to requiring the development of plans before any land is disturbed. Plans for disturbing land may be submitted to the appropriate soil and water conservation district for comment and review.

Sec. 22. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 10. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission. Any amendment instigated by an affected property owner which would result in a reclassification of a parcel or parcels of property under the provisions of a zoning ordinance may be made subject by the board to such additional restrictions, conditions, or limitations as may be deemed appropriate to preserve, improve, or protect the general character and design of the lands and improvements being rezoned, or of other lands and improvements in the vicinity of the subject parcel or parcels. Such restrictions, conditions, or limitations may include but are not restricted to matters relating to appearance, lighting, hours of operation, and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Sec. 23. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. All official controls and any variance therefrom shall be consistent with the declaration of state environmental policy and standards set forth in Laws 1973, Chapter 412.

Sec. 24. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 1a. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.

Sec. 25. Minnesota Statutes 1971, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all

official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the county. Written notice of public hearings regarding the application of official controls to specific properties, including conditional uses, variances and subdivisions, shall be sent to all property owners of record within 500 feet of the concerned property, in incorporated areas, and one-half mile in unincorporated areas the relevant board of town supervisors, and the municipal council of any municipality within two miles of the concerned property. The notice shall contain, in addition to a legal description, a description of the location of the specific properties which shall be designed to be understandable to residents of the county without reference to legal documents or descriptions.

Sec. 26. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 3a. The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in Minnesota Statutes, Section 375.51.

Sec. 27. Minnesota Statutes 1971, Section 394.27, Subdivision 1, is amended to read:

394.27 [CREATION AND DUTIES OF A BOARD OF ADJUSTMENT.] Subdivision 1. Whenever a board of county commissioners shall have adopted official controls it shall at the same time as the adoption of such controls create a board of adjustment (, PROVIDED THAT ANY COUNTY WHICH PRIOR TO THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559, HAS ADOPTED A ZONING ORDINANCE OR OFFICIAL CONTROLS SHALL CREATE A BOARD OF ADJUSTMENT WITHIN 90 DAYS OF THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559) *by ordinance.*

Sec. 28. Minnesota Statutes 1971, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of at least three but not more than seven members whose appointment, term of office, or removal from the board shall be as provided in the (RESOLUTION) ordinance creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. In an ordinance creating a three member board of adjustment, provision may be made for one alternate member. The alternate board member shall, when directed by the chairman, attend all meetings of the board and participate fully in its activities but shall not vote on any issue unless authorized to do so by the chair-

man. The chairman shall authorize the alternate board member to vote on an issue when a regular member is absent, physically incapacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting thereon shall be decided by majority vote of all regular board members except the member who is being challenged. In the ordinance establishing the board of adjustment provision may be made for removal of any member for nonperformance of duty or misconduct in office and for the filling of vacancies for any unexpired term. The regular and alternate members of such board of adjustment (SHALL SERVE WITHOUT COMPENSATION BUT) may be paid compensation in an amount specified by the ordinance establishing the board of adjustment and may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.

Sec. 29. Minnesota Statutes 1971, Section 394.27, Subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall (ACT UPON ALL QUESTIONS AS THEY MAY ARISE IN THE ADMINISTRATION OF ANY ORDINANCE OR OFFICIAL CONTROL, INCLUDING THE INTERPRETATION OF ZONING MAPS, AND IT SHALL) *have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by (AN) any administrative official charged with enforcing any ordinance adopted pursuant to the provisions of sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state.*

Sec. 30. Minnesota Statutes 1971, Section 394.27, Subdivision 6, is amended to read:

Subd. 6. (SUCH APPEAL) *Appeals to any order, requirement, decision, or determination of any administrative official shall be taken in such time as shall be prescribed by the ordinance creating the board of adjustment (BY GENERAL RULE,) by filing with the board of adjustment a notice of appeal specifying the grounds thereof. The board of adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within a reasonable time which shall be defined in the ordinance establishing the board of adjustment. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after notice of appeal has been filed that by reason of the facts stated in the*

certificate a stay would cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or the district court. The board of adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from (AS IN ITS OPINION OUGHT TO BE MADE IN THE PREMISES) and to that end shall have all the powers of the officer from whom the appeal was taken and may (ISSUE OR) direct the issuance of a permit. The reasons for the board's decision shall be stated. The decision of such board shall not be final and any person having an interest affected by such (ORDINANCE) order shall have the right to appeal to the district court in the county in which the land is located on questions of law and fact.

Sec. 31. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 7. The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there is particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the comprehensive plan. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.

Sec. 32. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 8. A certified copy of any order issued by the board of adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, including all special restrictions and conditions, shall be filed with the register of deeds for record. The order issued by the board of adjustment shall include the legal description of the property involved, as provided by the person requesting the variance. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of this subdivision. Notwithstanding any other stat-

utory requirements, such certified copy of the order shall be eligible for recording if the property is precisely described.

Sec. 33. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 9. All decisions by the board of adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any person or persons, or any taxpayer, or any officer, department, board or commission of the state or its political subdivisions shall have the right to appeal within 30 days to the district court in the county in which the land is located on questions of law and fact.

Sec. 34. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding any provision herein to the contrary, any person, as defined in section 116B.02, may appeal any order, requirement, decision, or determination made by any county administrative official concerning any ordinance adopted pursuant to the provisions of sections 394.21 to 394.27 which is required to be adopted by a county pursuant to standards, criteria, model ordinances, management plans or orders promulgated by any state agency or official. The order of the board of adjustment acting upon such an appeal or a request for a variance from such an ordinance may be appealed to the state agency or official which promulgated such standard, criteria, model ordinance, management plan or order. An appeal to such state agency or official shall be taken by the filing of a notice of appeal within the time allowed for an appeal to district court of a decision of the board of adjustment. Thereafter, the state agency or official may, within 60 days of the filing of the notice of appeal, modify, affirm or reverse the decision of the board of adjustment provided that if no action is taken by the state agency or official within that period of time, the appeal shall lapse. The filing of a notice of appeal with a state agency or official under this section shall suspend the running of the time for appeal to district court until a final decision is issued by the state agency or official, or for 60 days, whichever is later. If the state agency or official issues its order within 60 days, that order may be appealed to district court in the manner provided by law.

Sec. 35. Minnesota Statutes 1971, Section 394.29, is amended to read:

394.29 [MAY EMPLOY DIRECTOR AND STAFF.] To carry out the purposes of sections 394.21 to 394.37 the board may employ a planning director (AND INSPECTOR OR EITHER OF THEM) and such staff as it deems necessary (;) to assist the planning director in carrying out his assigned responsibilities.

ties, including but not limited to a zoning administrator, sanitary inspector and a building official. If no planning director is appointed, the board shall designate a chief administrative officer who shall administer the official controls. (OR) The board may employ or contract with a planning (AGENCY,) authority (,) or commission, any agency of the state or federal government, a regional development commission or with planning consultants, or with other specialists for such services as it requires.

Sec. 36. Minnesota Statutes 1971, Section 394.30, Subdivision 1, is amended to read:

394.30 [PLANNING COMMISSION.] Subdivision 1. (THE) Any board of county commissioners (WHICH HAS ADOPTED A RESOLUTION INDICATING ITS INTENT TO AVAIL ITSELF OF THE AUTHORITY GRANTED BY SECTIONS 394.21 TO 394.37) may (AT THAT TIME OR ANY SUBSEQUENT TIME) by ordinance appoint a planning (ADVISORY) commission composed of not less than five nor more than eleven members appointed by the chairman of the board. (FOUR MEMBERS OF SUCH COMMISSION SHALL BE CHOSEN FROM THE ELECTORS OF THE COUNTY PROVIDED THAT NOT LESS THAN THREE SHALL BE RESIDENTS OF THE PORTION OF THE COUNTY LYING OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. ONE MEMBER OF SUCH COMMISSION SHALL BE A MEMBER OF THE BOARD.) *The manner of appointment and terms of office of the members shall be as provided in the ordinance. No regular member may be an elected officer of the county except that one member of the board may serve on the commission. No more than one regular member of the commission shall have received, during the two years prior to appointment, any substantial portion of his income, directly or indirectly, from business operations involving the development of land for urban and urban related purposes.* (IN ADDITION) *In the ordinance establishing the planning commission the board may designate any county officer or employee or any employee of the state or federal government as an ex officio non-voting member of such commission. The term of office and removal of any member for non-performance of duty or misconduct in office as well as filling vacancies on the board shall be as provided in the (RESOLUTION) ordinance creating the commission.*

Sec. 37. Minnesota Statutes 1971, Section 394.30, Subdivision 3, is amended to read:

Subd. 3. The members of (SUCH) *the commission (SHALL SERVE WITHOUT) may be paid a fixed annual compensation (BUT) in an amount specified in the ordinance establishing the commission and may be paid their necessary expenses in attending meetings of the commission and in the conduct of the business of the commission.*

Sec. 38. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 4. The planning commission shall elect a chairman and secretary from among its members and cooperate with the planning director and other employees of the county in preparing and recommending to the board for adoption a comprehensive plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto. In all instances in which the planning commission is not the final authority, as authorized in subdivision 5, the commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the board.

Sec. 39. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 5. The board may by ordinance assign additional duties and responsibilities to the planning commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land, and the authority to approve some or all categories of planned unit developments. The planning commission may be required by the board to review any comprehensive plans and official controls and any plans for public land acquisition and development sent to the county for that purpose by any local unit of government or any state or federal agency and shall report thereon in writing to the board.

Sec. 40. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.301] [CONDITIONAL USE PERMITS.] *Subdivision 1. The board may by ordinance designate certain types of developments, including planned unit developments and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved upon a showing by an applicant that standards and criteria stated in the ordinance will be satisfied. Such standards and criteria shall include both general requirements for all conditional uses and, insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. Conditional use permits shall be issued by the officer administering the official controls only upon the order of the board or the planning commission as designated by ordinance as the approval authority for one or more categories of conditional uses. The planning commission shall in all instances have an opportunity to review conditional uses prior to any final decision by the designated approval authority. Public hearings shall be held in accordance with section 394.26. In connection with ordering the issuance of a conditional use permit the designated

approval authority may impose such additional restrictions or conditions as it deems necessary to protect the public interest, including but not limited to matters relating to appearance, lighting, hours of operation and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Subd. 3. A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses.

Subd. 4. A certified copy of any conditional use permit shall be filed with the register of deeds for record. The conditional use permit shall include the legal description of the property involved as provided by the person requesting the permit. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of the subdivision. Notwithstanding any other statutory requirements, such certified copy of the permits shall be eligible for recording if the property is precisely described.

Sec. 41. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.312] [RELATION TO OTHER COUNTY AUTHORITY.] *All official controls in effect on the effective date of this act shall remain in full force and effect until amended or repealed whether such controls were adopted by resolution of the board or by ordinance and whether or not comprehensive plans had been adopted before the official controls were adopted. Any official controls and any procedures for the administration of official controls which are in existence on the effective date of this act shall be brought into compliance with this act within three years from the effective date of this act.*

Sec. 42. Minnesota Statutes 1971, Section 394.32, Subdivision 2, is amended to read:

Subd. 2. The contract between the governing body of the municipality and the board may provide among other things for joint county-municipal planning activities, or it may designate (A COUNTY PLANNING AGENCY) the board as the planning agency for the municipality.

Sec. 43. Minnesota Statutes 1971, Section 394.32, Subdivision 3, is amended to read:

Subd. 3. The governing body of any municipality may request a county (PLANNING AGENCY) board to submit to such governing body a comprehensive plan for the municipality setting

forth such provisions as the (PLANNING AGENCY) board deems applicable to the municipality and for its best interests, or to include the area within the municipality in a county-wide comprehensive plan, or to prepare official controls to apply to the area within the municipality. Notwithstanding the adoption of the comprehensive plan and recommendations for the municipality the plan and recommendations shall not be binding until official controls are adopted by the municipality in accordance with the plan or until the county adopts official controls for the areas within the incorporated limits of the municipality when requested by the governing body of the municipality.

Sec. 44. Minnesota Statutes 1971, Section 394.33, is amended to read:

394.33 [RELATIONS WITH TOWNS.] *Subdivision 1.* The governing body of any town including any town with the powers of villages pursuant to law may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no town shall enact or enforce official controls inconsistent with or less restrictive than the standards prescribed in the official (CONTROL) controls adopted by the board. (NOTHING IN THIS SECTION SHALL LIMIT ANY TOWN'S POWER TO ZONE MORE RESTRICTIVELY THAN PROVIDED IN THE CONTROLS ADOPTED BY THE COUNTY.) Upon the adoption or amendment of any official controls the governing body of the town shall file a certified copy thereof with the register of deeds for record. A certified copy of any official controls of any town which are in effect on the effective date of this act shall also be filed by the governing body of the town with the register of deeds for record within one year from the effective date of this act.

Subd. 2. The board of supervisors of any town which has adopted or desires to adopt building and zoning regulations and restrictions pursuant to law shall have the authority granted the governing body of any municipality as provided in section 394.32.

Sec. 45. Minnesota Statutes 1971, Section 394.35, is amended to read:

394.35 [FILING WITH REGISTER OF DEEDS.] Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as part thereof, the county auditor shall file a certified copy thereof with the register of deeds for record. Ordinances, resolutions, maps or regulations filed with the register of deeds pursuant to sections 394.21 to 394.37 do not constitute encumbrances on real property.

Sec. 46. Minnesota Statutes 1971, Section 394.36, Subdivision 1, is amended to read:

394.36 [NONCONFORMITIES.] Subdivision 1. *Any nonconformity including the lawful use or occupation of land or premises existing at the time of the adoption of an official control hereunder may be continued, except as regulated, eliminated or taken by the board as provided in subdivisions 2 or 3, although such use or occupation does not conform to the provisions thereof, but if such (NONCONFORMING USE) nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.*

Sec. 47. Minnesota Statutes 1971, Section 394.36, Subdivision 2, is amended to read:

Subd. 2. The board may by (RESOLUTION AS HEREIN PROVIDED PRESCRIBE) *ordinance adopt such regulations not contrary to law as it deems desirable or necessary to classify, regulate and control, (OR) reduce the number or extent of (OR) and provide for the gradual elimination of (NONCONFORMING USES) nonconformities and occupancies, including requiring nonconformities to conform with the official controls of the county or terminate within a reasonable time as specified in the official controls. The board may by ordinance impose upon nonconformities additional regulations relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke.*

Sec. 48. Minnesota Statutes 1971, Section 394.36, is amended by adding a subdivision to read:

Subd. 3. *A nonconformity that is determined by the board to be detrimental to the achievement of the goals and objectives of the comprehensive plan may be acquired by the board by purchase.*

Sec. 49. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.361] [OFFICIAL MAP.] Subdivision 1. *Land that is needed for future street and highway purposes and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish.*

Subd. 2. *The planning commission may develop and recommend for adoption by the board official maps and amendments thereto covering all or any portion of the unincorporated area of the county. Public hearings on proposed official maps and amendments thereto shall be held in accordance with section 394.26. The official map may be adopted and amended by ordinance by the board.*

All official maps shall be prepared in sufficient detail to permit the establishment of future acquisition lines on the ground. In unplatted areas a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by the county surveyor. Copies of official maps and amendments shall be filed in accordance with section 394.35.

Subd. 3. *After an official map has been adopted and filed, the issuance of building permits by the county shall be subject to the provisions of this section. Whenever any street or highway is widened or improved or any new street is opened, or interests in lands for other public purposes are acquired by the county, it is not required in such proceedings to pay for any building or structure placed without a permit or in violation of conditions of a permit within the limits of the mapped street or highway or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes. The adoption of official maps does not give the county any right, title or interest in areas identified for public purposes thereon, but the adoption of a map does authorize the county to acquire such interests without paying compensation for buildings or structures erected in such areas without a permit or in violation of the conditions of a permit.*

Subd. 4. *If a permit for a building in such location is denied, the board of adjustment shall have the power, upon appeal by the owner of the land to authorize the issuance of a permit for building in such location in any case in which the board finds, upon the evidence and the arguments presented to it, (a) that the entire property of the appellant of which such area identified for public purposes forms a part cannot be put to a reasonable use by the owner unless such a permit is granted, and (b) that balancing the interest of the county in preserving the integrity of the official map and the comprehensive plan and interest of the owner of the property in the use of his property and in the benefits of ownership, the issuance of such permit is required by considerations of justice and equity. Prior to reaching a decision upon the appeal, public hearings shall be held in accordance with section 394.26. If the board of adjustment authorizes the issuance of a permit the board shall have six months from the date of the decision of the board of adjustment to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible shall issue a permit in accordance with the conditions stated in*

the authorization specifying the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

Sec. 50, Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.362] *The proponent of any variance, conditional use, or non-conformity which may result in an adverse effect on the environment may be required by the board to demonstrate the nature and extent of such effect.*

Sec. 51. Minnesota Statutes 1971, Section 394.37, Subdivision 1, is amended to read:

394.37 [ENFORCEMENT.] Subdivision 1. The board shall provide for the enforcement of sections 394.21 to 394.37 and of ordinances (, RESOLUTIONS,) and regulations made thereunder, and may impose enforcement duties on any officer, department, agency, or employee of the county. (IN A COUNTY IN WHICH SUBDIVISION REGULATIONS OR CONTROLS ARE IN FORCE AND HAVE BEEN FILED OR RECORDED AS PROVIDED IN SECTION 394.35, NO CONVEYANCE OF LAND TO WHICH THE REGULATIONS ARE APPLICABLE SHALL BE FILED OR RECORDED IF THE LAND IS DESCRIBED IN THE CONVEYANCE BY METES AND BOUNDS OR BY REFERENCE TO AN UNAPPROVED REGISTERED LAND SURVEY MADE AFTER JUNE 4, 1971, OR TO AN UNAPPROVED PLAT MADE AFTER SUCH REGULATIONS HAVE BECOME EFFECTIVE. THE FOREGOING PROVISION DOES NOT APPLY TO A CONVEYANCE IF THE LAND DESCRIBED:)

((1) WAS A SEPARATE PARCEL OF RECORD ON THE DATE OF ADOPTION OF SUBDIVISION REGULATIONS UNDER SECTIONS 394.12 TO 394.37, OR)

((2) WAS THE SUBJECT OF A WRITTEN AGREEMENT TO CONVEY ENTERED INTO PRIOR TO SUCH TIME, OR)

((3) WAS A SEPARATE PARCEL OF NOT LESS THAN TWO AND ONE-HALF ACRES IN AREA IN 300 FEET.)

(IN ANY CASE IN WHICH COMPLIANCE WITH THE FOREGOING RESTRICTIONS WILL CREATE AN UNNECESSARY HARDSHIP AND FAILURE TO COMPLY DOES NOT INTERFERE WITH THE PURPOSE OF THE SUBDIVISION REGULATIONS, THE BOARD MAY WAIVE SUCH COMPLIANCE BY ADOPTION OF A RESOLUTION TO THAT EFFECT AND THE CONVEYANCE MAY THEN BE FILED OR RECORDED. ANY OWNER OR AGENT OF THE

OWNER OF LAND WHO CONVEYS A LOT OR PARCEL IN VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL FORFEIT AND PAY TO THE COUNTY A PENALTY OF NOT LESS THAN \$100 FOR EACH LOT OR PARCEL SO CONVEYED. A COUNTY MAY ENJOIN SUCH CONVEYANCE OR MAY RECOVER SUCH PENALTY BY A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.)

Sec. 52. Minnesota Statutes 1971, Section 375.51, Subdivision 1, is amended to read:

375.51 [ORDINANCES; ENACTMENT, PUBLICATION.] Subdivision 1. [ENACTMENT.] In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted *or amended* in the manner hereinafter prescribed except as otherwise provided by law. A *public hearing on the proposed ordinance or amendment shall be held prior to enactment or amendment*. Every county ordinance shall be enacted *or amended* by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance *or amendments* shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance *or amendments* in the office of the county auditor. Every ordinance *and amendments thereto* shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances *or amendments* shall be suitably entitled and shall be substantially in the style: "The county board of County ordains:".

Sec. 53. Minnesota Statutes 1971, Section 375.51, Subdivision 2, is amended to read:

Subd. 2. [NOTICE OF INTENTION.] No ordinance of a county *or amendment* shall be enacted unless a notice of the intention to enact such ordinance *or amendment* has been published in the official newspaper of the county not less than ten days before the (MEETING) *public hearing* at which the ordinance *or amendment* is to be considered. *Such public hearings may be continued from time to time and additional hearings may be held*. The notice shall state the subject matter and the general purpose of the proposed ordinance *or amendment*. Proof of the publication of the notice shall be attached to and filed with the ordinance *or amendment*, if enacted, in the office of the county auditor.

Sec. 54. Minnesota Statutes 1971, Section 375.51, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] Every ordinance *or amendment* enacted by a county board shall be published at least once as part

of the proceedings of the meeting at which the ordinance or amendment was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance or amendment may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance or amendment by reference any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances or amendments, or ordinances or amendments which include charts or maps, the ordinance or amendment need not be published in its entirety if the title of the ordinance or amendment and a summary of the ordinance or amendment is included in the publication of the proceedings of the meeting at which the ordinance or amendment was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances or amendments shall be satisfied if the summary of the ordinance or amendment or the ordinance or amendment incorporating the statute, regulation, ordinance or amendment or code is published in the required manner and if, prior to such publication, at least (THREE COPIES) one copy of the entire ordinance or of the statute, rule, regulation or code are marked as the official (COPIES) copy and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus incorporated in such ordinance or amendment by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 55. Minnesota Statutes 1971, Section 599.13, is amended to read:

599.13 [MUNICIPAL AND COUNTY ORDINANCES.] Copies of the ordinances, bylaws, resolutions, and regulations of any city, village, (OR) borough, or county, certified by the mayor or president of the council, and the clerk thereof, under its seal or by the county auditor or chairman of the county board, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or village, or county board, shall be prima facie evidence thereof and, after three years from the com-

pilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

Sec. 56. Minnesota Statutes 1971, Sections 394.06; 394.07; 394.08; 394.09; 394.10; 394.11; 394.12; 394.13; 394.14; 394.15; 394.16, as amended by Laws 1973, Chapter 35, Section 68; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; 396.01; 396.02; 396.03; 396.04; 396.05; 396.051; 396.06; 396.07; 396.08; 396.09; 396.10; 396.11; 396.12; 396.13; 396.14; 396.15; 396.16; 396.17; 396.18; 396.19; 396.20; and 396.21, are repealed."

Further, delete the title in its entirety and insert in lieu thereof:

"A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding subdivisions; 394.25, Subdivisions 1, 2, 3, 4, 5, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21."

The motion prevailed and the amendment was adopted.

Erickson moved to amend S. F. No. 2576, as amended, as follows:

In the Sherwood amendment.

Page 17, strike lines 22 through 28.

Page 18, strike lines 1 through 23.

Renumber the subsequent sections accordingly.

The motion prevailed and the amendment was adopted.

Stangeland moved that S. F. No. 2576 be re-referred to the Committee on Local Government.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 27, and nays 73, as follows:

Those who voted in the affirmative were:

Adams, S.	Eckstein	Kvam	McEachern	Skaar
Belisle	Graw	Larson	Miller, D.	Stangeland
Biersdorf	Hagedorn	Lemke	Niehaus	Wigley
Carlson, D.	Johnson, J.	Lindstrom, E.	Ohnstad	
DeGroat	Johnson, R.	Long	Pieper	
Dirlam	Klaus	McCauley	Schulz	

Those who voted in the negative were:

Adams, J.	Culhane	Jude	Mueller	Sieben, H.
Andersen, R.	Cummiskey	Kahn	Munger	Sieben, M.
Anderson, I.	Dahl	Kelly	Myrah	Smith
Bell	Dieterich	Kempe	Nelson	Stanton
Bennett	Eken	Knoll	Ojala	Tomlinson
Berg	Enebo	Kostohryz	Pavliak, R. L.	Vanasek
Berglin	Faricy	Laidig	Pehler	Vento
Brinkman	Ferderer	LaVoy	Prahl	Voss
Carlson, A.	Forsythe	Mann	Quirin	Weaver
Carlson, B.	Fudro	McArthur	Resner	Wenzel
Carlson, L.	Fugina	McFarlin	Ryan	Wohlwend
Casserly	Graba	McMillan	St. Onge	Wolcott
Cleary	Grove	Menke	Sarna	Mr. Speaker
Clifford	Haugerud	Miller, M.	Savelkoul	
Connors	Jacobs	Moe	Sherwood	

The motion did not prevail.

Sherwood moved that S. F. No. 2576, as amended, be continued on Special Orders until Monday, March 18, 1974. The motion prevailed.

S. F. No. 306 was reported to the House.

There being no objection, S. F. No. 306 was continued on Special Orders until Wednesday, March 20, 1974.

MOTION FOR RECONSIDERATION

Myrah moved that the vote whereby S. F. No. 2264 was passed on the Consent Calendar for today be now reconsidered. The motion prevailed.

Myrah moved that the action whereby S. F. No. 2264 was given a third reading be now reconsidered. The motion prevailed.

S. F. No. 2264 was reported to the House.

Myrah and Haugerud moved to amend S. F. No. 2264, the printed bill, as follows:

Page 5, strike lines 3 through 28.

Page 6, strike lines 1 through 5.

The motion prevailed and the amendment was adopted.

S. F. No. 2264, A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

The bill was read for the third time, as amended, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 96, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kahn	Newcome	Sieben, H. *
Andersen, R.	DeGroat	Kelly	Niehaus	Sieben, M. :
Anderson, D.	Dieterich	Kempe	Ohnstad	Skaar
Anderson, I.	Dirlam	Knoll	Ojala	Smith
Becklin	Eken	Kostohryz	Patton	Stanton
Belisle	Enebo	Kvam	Pavlak, R.	Swanson
Bell	Esau	Laidig	Pavlak, R. L.	Tomlinson
Bennett	Faricy	LaVoy	Pehler	Ulland
Berg	Ferderer	Lindstrom, E.	Peterson	Vento
Berglin	Forsythe	Lindstrom, J.	Pieper	Voss
Biersdorf	Fudro	McArthur	Pleasant	Weaver
Braun	Fugina	McFarlin	Quirin	Wenzel
Brinkman	Growe	McMillan	Resner	Wigley
Carlson, A.	Haugerud	Menke	Ryan	Wohlwend
Carlson, L.	Jacobs	Miller, D.	St. Onge	Wolcott
Casserly	Jaros	Miller, M.	Samuelson	Mr. Speaker
Cleary	Johnson, D.	Moe	Sarna	
Connors	Johnson, J.	Mueller	Savelkoul	
Culhane	Johnson, R.	Myrah	Schreiber	
Cummiskey	Jude	Nelson	Sherwood	

Those who voted in the negative were:

Erickson	Hagedorn	Long	Prahl	Stangeland
Graw	Klaus	McCauley		

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

SPECIAL ORDERS, Continued

Graba was excused for the remainder of today's session.

S. F. No. 1679, A bill for an act relating to the city of St. Cloud; contributions and benefits of members of the firemen's relief association.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, C.	Miller, D.	Savelkoul
Adams, S.	Dahl	Johnson, D.	Miller, M.	Schreiber
Andersen, R.	Dieterich	Johnson, J.	Mueller	Schulz
Anderson, D.	Dirlam	Jude	Munger	Sherwood
Anderson, G.	Eckstein	Kahn	Myrah	Sieben, H.
Anderson, I.	Eken	Kelly	Nelson	Sieben, M.
Becklin	Enebo	Kempe	Newcome	Skaar
Belisle	Erdahl	Klaus	Niehaus	Smith
Bell	Erickson	Knoll	Ohnstad	Stangeland
Berg	Esau	Kostohryz	Ojala	Stanton
Berglin	Faricy	Kvam	Patton	Swanson
Biersdorf	Ferderer	Laidig	Pavlak, R.	Tomlinson
Braun	Fjoslien	LaVoy	Pehler	Ulland
Brinkman	Forsythe	Lemke	Peterson	Vanasek
Carlson, A.	Fudro	Lindstrom, E.	Pieper	Vento
Carlson, B.	Fugina	Lindstrom, J.	Pleasant	Voss
Carlson, D.	Graw	Long	Prahl	Weaver
Carlson, L.	Growe	McArthur	Quirin	Wenzel
Casserly	Hagedorn	McCauley	Resner	Wolcott
Cleary	Haugerud	McEachern	Ryan	Mr. Speaker
Clifford	Heinitz	McFarlin	St. Onge	
Connors	Jacobs	McMillan	Samuelson	
Culhane	Jaros	Menke	Sarna	

Those who voted in the negative were:

Bennett Pavlak, R. L.

The bill was passed and its title agreed to.

S. F. No. 2447 was reported to the House.

There being no objection, S. F. No. 2447 was continued on Special Orders for one day.

S. F. No. 2977, A bill for an act relating to the city of Minneapolis; authorizing housing rehabilitation loan and grant program; providing for the issuance of limited general obligation bonds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Berg	Brinkman	Casserly
Andersen, R.	Belisle	Berglin	Carlson, A.	Cleary
Anderson, D.	Bell	Biersdorf	Carlson, B.	Clifford
Anderson, G.	Bennett	Braun	Carlson, L.	Connors

Culhane	Jacobs	Long	Patton	Sieben, M.
Cummiskey	Jaros	Mann	Pavlak, R.	Skaar
Dahl	Johnson, C.	McArthur	Pavlak, R. L.	Smith
Dieterich	Johnson, D.	McCauley	Pehler	Stanton
Dirlam	Johnson, J.	McEachern	Peterson	Swanson
Eken	Jude	McFarlin	Pieper	Tomlinson
Enebo	Kahn	McMillan	Pleasant	Ulland
Erdahl	Kelly	Menke	Prahl	Vanasek
Erickson	Kempe	Miller, D.	Quirin	Vento
Faricy	Knoll	Miller, M.	Resner	Voss
Ferderer	Kostohryz	Moe	Ryan	Wenzel
Fjoslien	Kvam	Mueller	St. Onge	Wigley
Forsythe	Laidig	Munger	Samuelson	Wolcott
Fudro	Larson	Myrah	Sarna	Mr. Speaker
Fugina	LaVoy	Nelson	Schreiber	
Graw	Lemke	Newcome	Schulz	
Grove	Lindstrom, E.	Ojala	Sherwood	
Heinitz	Lindstrom, J.	Parish	Sieben, H.	

Those who voted in the negative were:

Niehaus Ohnstad

The bill was passed and its title agreed to.

S. F. No. 2004, A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of highway patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	Miller, D.	Sarna
Andersen, R.	Dieterich	Johnson, R.	Miller, M.	Savelkoul
Anderson, D.	Dirlam	Jude	Moe	Schreiber
Anderson, G.	Eckstein	Kahn	Munger	Schulz
Anderson, I.	Eken	Kelly	Myrah	Sherwood
Becklin	Enebo	Kempe	Nelson	Sieben, H.
Belisle	Erdahl	Klaus	Newcome	Sieben, M.
Bell	Erickson	Knoll	Niehaus	Skaar
Bennett	Esau	Kostohryz	Ohnstad	Smith
Berg	Faricy	Kvam	Ojala	Stangeland
Berglin	Ferderer	Laidig	Parish	Stanton
Biersdorf	Fjoslien	Larson	Patton	Swanson
Braun	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Brinkman	Fudro	Lemke	Pavlak, R. L.	Ulland
Carlson, A.	Fugina	Lindstrom, E.	Pehler	Vanasek
Carlson, B.	Graw	Lindstrom, J.	Peterson	Vento
Carlson, D.	Grove	Long	Pieper	Voss
Carlson, L.	Hagedorn	Mann	Pleasant	Wenzel
Casserly	Haugerud	McArthur	Prahl	Wigley
Cleary	Heinitz	McCauley	Quirin	Wolcott
Clifford	Jacobs	McEachern	Resner	Mr. Speaker
Connors	Jaros	McFarlin	Ryan	
Culhane	Johnson, C.	McMillan	St. Onge	
Cummiskey	Johnson, D.	Menke	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 3024, A bill for an act relating to special assessments; amending Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1; and Minnesota Statutes 1971, Section 429.101, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Schreiber
Anderson, D.	Eken	Kelly	Munger	Schulz
Anderson, G.	Enebo	Kempe	Myrah	Sherwood
Anderson, I.	Erdahl	Klaus	Nelson	Sieben, H.
Becklin	Erickson	Knoll	Newcome	Sieben, M.
Belisle	Esau	Kostohryz	Niehaus	Skaar
Bell	Faricy	Kvam	Ohnstad	Smith
Bennett	Ferderer	Laidig	Ojala	Spanish
Berg	Fjoshien	Larson	Parish	Stangeland
Berglin	Forsythe	LaVoy	Patton	Stanton
Biersdorf	Fudro	Lemke	Pavlak, R.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, B.	Growe	Long	Peterson	Vanasek
Carlson, L.	Hagedorn	Mann	Pieper	Vento
Casserly	Heinitz	McArthur	Pleasant	Voss
Cleary	Jacobs	McCauley	Prahl	Wenzel
Clifford	Jaros	McEachern	Quirin	Wigley
Connors	Johnson, C.	McFarlin	Resner	Wolcott
Cummiskey	Johnson, D.	McMillan	Ryan	Mr. Speaker
Dahl	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Samuelson	

Those who voted in the negative were:

Braun Carlson, D. Culhane

The bill was passed and its title agreed to.

Andersen, R., and Jude were excused for the remainder of today's sessions.

S. F. No. 3068, A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, J.	Miller, D.	Savelkoul
Anderson, D.	Dahl	Johnson, R.	Miller, M.	Schreiber
Anderson, G.	Dieterich	Kahn	Moe	Schulz
Anderson, I.	Dirlam	Kelly	Mueller	Sherwood
Becklin	Eckstein	Knoll	Munger	Sieben, H.
Belisle	Eken	Kostohryz	Nelson	Sieben, M.
Bell	Enebo	Kvam	Newcome	Smith
Bennett	Erdahl	Laidig	Ojala	Stangeland
Berg	Erickson	Larson	Parish	Stanton
Berglin	Faricy	LaVoy	Patton	Swanson
Biersdorf	Ferderer	Lemke	Pavliak, R.	Tomlinson
Brinkman	Fjoslien	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Forsythe	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Fudro	Long	Pieper	Vento
Carlson, D.	Fugina	Mann	Pleasant	Voss
Carlson, L.	Grove	McArthur	Prahl	Wenzel
Cassery	Hagedorn	McCauley	Quirin	Wigley
Cleary	Heinitz	McEachern	Resner	Wolcott
Clifford	Jacobs	McFarlin	Ryan	Mr. Speaker
Connors	Jaros	McMillan	St. Onge	
Culhane	Johnson, D.	Menke	Sarna	

Those who voted in the negative were:

Braun	Klaus	Niehaus	Ohnstad	Pavliak, R. L.
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The bill was passed and its title agreed to.

S. F. No. 2740, A bill for an act relating to county courts; terms of judges in certain counties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cassery	Ferderer	Klaus	McMillan
Anderson, D.	Cleary	Fjoslien	Knoll	Menke
Anderson, I.	Clifford	Forsythe	Kostohryz	Miller, D.
Becklin	Connors	Fugina	Kvam	Miller, M.
Belisle	Culhane	Grove	Laidig	Moe
Bell	Cummiskey	Hagedorn	Larson	Mueller
Bennett	Dahl	Heinitz	LaVoy	Munger
Berg	Dieterich	Jacobs	Lemke	Nelson
Berglin	Dirlam	Jaros	Lindstrom, E.	Newcome
Biersdorf	Eckstein	Johnson, C.	Lindstrom, J.	Niehaus
Braun	Eken	Johnson, D.	Long	Ohnstad
Brinkman	Enebo	Johnson, J.	Mann	Ojala
Carlson, A.	Erdahl	Johnson, R.	McArthur	Parish
Carlson, B.	Erickson	Jude	McCauley	Patton
Carlson, D.	Esau	Kahn	McEachern	Pavliak, R.
Carlson, L.	Faricy	Kelly	McFarlin	Pavliak, R. L.

Pehler	Resner	Schreiber	Smith	Vanasek
Peterson	Ryan	Schulz	Stangeland	Vento
Pieper	St. Onge	Sherwood	Stanton	Wenzel
Pleasant	Samuelson	Sieben, H.	Swanson	Wigley
Prahl	Sarna	Sieben, M.	Tomlinson	Wolcott
Quirin	Savelkoul	Skaar	Ulland	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3060 was reported to the House.

Bell moved to amend S. F. No. 3060 as follows:

Page 1, line 12, after "building" insert "*or remove or correct any hazardous condition of real estate*".

Page 1, line 25, after "building" insert "*or parcel of real estate*".

Page 2, line 6, after the comma, delete "and".

Page 2, line 7, after the comma, insert "*or vacant or undeveloped real estate*".

Page 2, line 14, delete "and" and insert a comma.

Page 2, line 15, after "located" insert "*, or vacant or undeveloped real estate*".

Page 2, line 21, after "removed" insert "*or the hazardous condition to be removed or corrected*".

Page 2, line 23, after "building" insert "*or hazardous condition*".

Page 2, line 26, after "located" insert "*or the hazardous condition exists*".

Further amend the title in line 2 after "buildings" by inserting "or conditions" and in line 3 after "correction" by deleting "of hazardous buildings".

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 3060, as amended, was continued on Special Orders for one day.

S. F. No. 2687, A bill for an act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971,

Sections 146.02; 146.03; 146.04; 146.05; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Sarna
Anderson, D.	Dirlam	Jude	Moe	Savelkoul
Anderson, G.	Eckstein	Kahn	Mueller	Schreiber
Anderson, I.	Eken	Kelly	Munger	Schulz
Becklin	Enebo	Kempe	Myrah	Sherwood
Belisle	Erdahl	Klaus	Nelson	Sieben, H.
Bell	Erickson	Knoll	Newcome	Sieben, M.
Bennett	Esau	Kostohryz	Niehaus	Skaar
Berg	Faricy	Kvam	Ohnstad	Stangeland
Berglin	Ferderer	Laidig	Ojala	Stanton
Biersdorf	Fjoslien	Larson	Parish	Swanson
Braun	Forsythe	LaVoy	Patton	Tomlinson
Brinkman	Fudro	Lemke	Pavlak, R.	Ulland
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, B.	Graw	Lindstrom, J.	Pehler	Vento
Carlson, D.	Growe	Long	Peterson	Voss
Carlson, L.	Hagedorn	Mann	Pieper	Wenzel
Casserly	Haugerud	McArthur	Pleasant	Wigley
Cleary	Heinitz	McCauley	Prahl	Wolcott
Clifford	Jacobs	McEachern	Quirin	Mr. Speaker
Connors	Jaros	McFarlin	Resner	
Culhane	Johnson, C.	McMillan	Ryan	
Cummiskey	Johnson, D.	Menke	St. Onge	
Dahl	Johnson, J.	Miller, D.	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 2857, A bill for an act relating to wild animals; clarifying certain provisions concerning fishing license exemptions and free fishing licenses; amending Minnesota Statutes 1971, Section 98.45, Subdivision 2; and Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivisions 1 and 8.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Braun	Carlson, L.	Culhane
Anderson, G.	Bennett	Brinkman	Casserly	Cummiskey
Anderson, I.	Berg	Carlson, A.	Cleary	Dahl
Becklin	Berglin	Carlson, B.	Clifford	Dieterich
Belisle	Biersdorf	Carlson, D.	Connors	Dirlam

Eckstein	Johnson, R.	McCauley	Pavlak, R. L.	Smith
Eken	Jude	McEachern	Pehler	Spanish
Enebo	Kahn	McFarlin	Peterson	Stangeland
Erickson	Kelly	McMillan	Pieper	Stanton
Faricy	Kempe	Menke	Pleasant	Swanson
Ferderer	Klaus	Miller, D.	Prahl	Tomlinson
Fjoslien	Knoll	Miller, M.	Quirin	Ulland
Forsythe	Kostohryz	Mueller	Resner	Vanasek
Fudro	Kvam	Munger	Ryan	Vento
Fugina	Laidig	Myrah	St. Onge	Voss
Graw	Larson	Nelson	Samuelson	Wenzel
Growe	LaVoy	Newcome	Savelkoul	Wigley
Hagedorn	Lemke	Niehaus	Schreiber	Wolcott
Heinitz	Lindstrom, E.	Ohnstad	Schulz	Mr. Speaker
Jacobs	Lindstrom, J.	Ojala	Sherwood	
Johnson, C.	Long	Parish	Sieben, H.	
Johnson, D.	Mann	Patton	Sieben, M.	
Johnson, J.	McArthur	Pavlak, R.	Skaar	

Those who voted in the negative were:

Jaros Sarna

The bill was passed and its title agreed to.

S. F. No. 2918, A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 544.25 and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Eckstein	Hagedorn	Knoll
Anderson, D.	Carlson, B.	Eken	Haugerud	Kostohryz
Anderson, G.	Carlson, D.	Enebo	Heinitz	Kvam
Anderson, I.	Carlson, L.	Erdahl	Jacobs	Laidig
Becklin	Casserly	Erickson	Jaros	Larson
Belisle	Cleary	Esau	Johnson, C.	LaVoy
Bell	Clifford	Faricy	Johnson, D.	Lemke
Bennett	Connors	Ferderer	Johnson, J.	Lindstrom, E.
Berg	Culhane	Fjoslien	Johnson, R.	Lindstrom, J.
Berglin	Cummiskey	Forsythe	Jude	Long
Biersdorf	Dahl	Fudro	Kelly	Mann
Braun	Dieterich	Fugina	Kempe	McArthur
Brinkman	Dirlam	Graw	Klaus	McCauley

McEachern	Newcome	Pieper	Schreiber	Swanson
McFarlin	Niehaus	Pleasant	Schulz	Tomlinson
McMillan	Ohnstad	Prahl	Sherwood	Ulland
Menke	Ojala	Quirin	Sieben, H.	Vanasek
Miller, D.	Parish	Resner	Sieben, M.	Vento
Miller, M.	Patton	Ryan	Skaar	Voss
Mueller	Pavlak, R.	St. Onge	Smith	Wenzel
Munger	Pavlak, R. L.	Samuelson	Spanish	Wigley
Myrah	Pehler	Sarna	Stangeland	Wolcott
Nelson	Peterson	Savelkoul	Stanton	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3160, A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jude	Mueller	Savelkoul
Anderson, D.	Dieterich	Kahn	Munger	Schreiber
Anderson, G.	Dirlam	Kelly	Myrah	Schulz
Anderson, I.	Eckstein	Klaus	Nelson	Sherwood
Becklin	Eken	Knoll	Newcome	Sieben, H.
Belisle	Enebo	Kostohryz	Niehaus	Sieben, M.
Bell	Erdahl	Kvam	Ohnstad	Skaar
Bennett	Erickson	Laidig	Ojala	Smith
Berg	Esau	Larson	Parish	Stangeland
Berglin	Faricy	LaVoy	Patton	Stanton
Biersdorf	Ferderer	Lemke	Pavlak, R.	Swanson
Braun	Forsythe	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Fudro	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Fugina	Long	Peterson	Vanasek
Carlson, B.	Graw	Mann	Pieper	Vento
Carlson, D.	Hagedorn	McArthur	Pleasant	Voss
Carlson, L.	Heinitz	McCauley	Prahl	Wenzel
Casserly	Jacobs	McEachern	Quirin	Wigley
Cleary	Jaros	McFarlin	Resner	Wolcott
Clifford	Johnson, C.	McMillan	Ryan	Mr. Speaker
Connors	Johnson, D.	Menke	St. Onge	
Culhane	Johnson, J.	Miller, D.	Samuelson	
Cummiskey	Johnson, R.	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 735 was reported to the House.

There being no objection, S. F. No. 735 was continued on Special Orders for one day.

S. F. No. 3175, A bill for an act relating to health; providing for limitations on liability of review organizations; providing

for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5, and by adding a subdivision; 145.63; and 145.64.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	Menke	Samuelson
Anderson, D.	Dieterich	Johnson, R.	Miller, D.	Sarna
Anderson, G.	Dirlam	Jude	Miller, M.	Savelkoul
Anderson, I.	Eckstein	Kahn	Munger	Schreiber
Becklin	Eken	Kelly	Myrah	Schulz
Belisle	Enebo	Kempe	Nelson	Sherwood
Bell	Erdahl	Klaus	Newcome	Sieben, H.
Bennett	Erickson	Knoll	Niehaus	Sieben, M.
Berg	Esau	Kostohryz	Ohnstad	Skaar
Berglin	Faricy	Kvam	Ojala	Smith
Biersdorf	Ferderer	Laidig	Parish	Spanish
Braun	Fjoslien	Larson	Patton	Stangeland
Brinkman	Forsythe	LaVoy	Pavlak, R.	Stanton
Carlson, A.	Fudro	Lemke	Pavlak, R. L.	Swanson
Carlson, B.	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, D.	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Casserly	Haugerud	Mann	Pleasant	Vento
Cleary	Heinitz	McArthur	Prahl	Voss
Clifford	Jacobs	McCauley	Quirin	Wenzel
Connors	Jaros	McEachern	Resner	Wigley
Culhane	Johnson, C.	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, D.	McMillan	St. Onge	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3287, A bill for an act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Statutes, 1973 Supplement, Sections 402.02, Subdivision 2; 402.03; 402.05, Subdivision 2; 402.06; and 402.08.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Carlson, A.	Clifford	Dirlam
Anderson, D.	Bennett	Carlson, B.	Connors	Eckstein
Anderson, G.	Berg	Carlson, D.	Culhane	Eken
Anderson, I.	Berglin	Carlson, L.	Cummiskey	Enebo
Becklin	Braun	Casserly	Dahl	Erdahl
Belisle	Brinkman	Cleary	Dieterich	Erickson

Esau	Kahn	McEachern	Pehler	Skaar
Faricy	Kelly	McFarlin	Peterson	Smith
Ferderer	Kempe	McMillan	Pieper	Spanish
Fjoslien	Klaus	Menke	Pleasant	Stangeland
Forsythe	Knoll	Miller, D.	Prahl	Stanton
Fudro	Kostohryz	Miller, M.	Quirin	Swanson
Fugina	Kvam	Munger	Resner	Tomlinson
Graw	Laidig	Myrah	Ryan	Ulland
Hagedorn	Larson	Nelson	St. Onge	Vento
Haugerud	LaVoy	Newcome	Samuelson	Voss
Heinitz	Lemke	Niehaus	Sarna	Wenzel
Jacobs	Lindstrom, E.	Ohnstad	Savelkoul	Wigley
Jaros	Lindstrom, J.	Ojala	Schreiber	Wolcott
Johnson, C.	Long	Parish	Schulz	Mr. Speaker
Johnson, D.	Mann	Patton	Sherwood	
Johnson, J.	McArthur	Pavlak, R.	Sieben, H.	
Johnson, R.	McCauley	Pavlak, R. L.	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 2367 was reported to the House.

There being no objection, S. F. No. 2367 was continued on Special Orders for one day.

S. F. No. 2759 was reported to the House.

Faricy moved to amend S. F. No. 2759, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8, is amended to read:

Subd. 8. [DEFERRED COMPENSATION.] (1) At the request of an officer or employee of the state of Minnesota, or any political subdivision thereof, or a member of the public employees retirement association, the appointing authority shall, by payroll deduction, defer the payment of such part of the compensation of the officer or employee as provided in a written agreement between the officer or employee and the state of Minnesota or political subdivision, or other unit whose employees are members of the public employees retirement association, in such a manner as will qualify the deferred amount for benefits afforded under federal and state tax laws, regulations, and rulings.

(2) The amount of compensation so deferred shall be used to purchase shares in the Minnesota supplemental retirement fund established in section 11.18. The shares so purchased shall stand in the name of the state of Minnesota for the officer or employee whose deferred compensation purchased said shares until distributed to said officer or employee in a manner agreed upon by the appointing authority and the employee. Nothing in

this subdivision shall be construed as to authorize an employer contribution, nor shall the state be responsible for any loss which may result from investment of the deferred compensation.

(3) The provisions of this subdivision, except clause (2), shall be administered by the Minnesota state retirement system pursuant to the provisions of clause (4).

(4) The commissioner of administration shall establish rules, regulations, and procedures to carry out the provisions of this subdivision including allocation of administrative costs against the assets accumulated under this subdivision. Funds to pay such costs are hereby appropriated from the fund or account in which the assets accumulated under this subdivision are placed.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 16.027, is amended by adding a new subdivision to read:

Subd. 9. [DEFERRED COMPENSATION INSURANCE OR ANNUITY CONTRACT.] (1) As an alternative to the provisions contained in section 1 and at the request of an officer or employee, the governing body of any city, town, county, school district, public corporation, public authority, special district or other political subdivision, or other unit whose employees are members of the public employees retirement association, or the commissioner of administration of the state of Minnesota may by payroll deduction, defer the payment of such part of the compensation of the officer or employee as provided in written agreement with the officer or employee in such a manner as will qualify the deferred amount for benefits afforded under federal and state tax laws, regulations and rulings.

(2) The amount of compensation so deferred shall be used to purchase or otherwise procure from a company licensed to do business in the state of Minnesota a fixed or variable life insurance or annuity contract for the purpose of informally funding a deferred compensation program for the officer or employee. The life insurance or annuity contract shall stand in the name of the employer for the officer or employee whose deferred compensation purchased said contract until distribution to said officer or employee in a manner agreed upon between the employer and the officer or employee. Nothing in this subdivision shall be construed as to authorize an employer contribution nor shall the employer be responsible for any loss which may result from investment of the deferred compensation. At the end of each 12 month period, the officer or employee shall have the option to discontinue or change the amount of the deferment of compensation.

(3) Any deferred compensation plan heretofore established at the request of any officer or employee of any city, town, county, school district, public corporation, public authority, special

district or other political subdivision and informally funded through the purchase of a fixed or variable life insurance or annuity contract is hereby validated.

Sec. 3. This act will take effect on the day following its final enactment."

Further, amend the title by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to public employees, authorizing participation in the state deferred compensation plan and authorizing insurance contracts to fund deferred compensation plans; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8, and 16.027 by adding a subdivision."

The motion prevailed and the amendment was adopted.

S. F. No. 2759, A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kempe	Myrah	Schulz
Anderson, D.	Eken	Klaus	Nelson	Sherwood
Anderson, G.	Enebo	Knoll	Newcome	Sieben, H.
Anderson, I.	Erdahl	Kostohryz	Niehaus	Sieben, M.
Becklin	Erickson	Kvam	Ohnstad	Skaar
Belisle	Esau	Laidig	Ojala	Smith
Bennett	Faricy	Larson	Parish	Spanish
Biersdorf	Ferderer	LaVoy	Patton	Stangeland
Braun	Fudro	Lemke	Paviak, R.	Stanton
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Long	Peterson	Ulland
Carlson, D.	Hagedorn	Mann	Pieper	Vanasek
Carlson, L.	Haugerud	McArthur	Pleasant	Vento
Casserly	Heinitz	McCauley	Prahl	Voss
Cleary	Jacobs	McEachern	Quirin	Wenzel
Clifford	Jaros	McFarlin	Resner	Wigley
Connors	Johnson, C.	McMillan	Ryan	Wolcott
Culhane	Johnson, D.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	Miller, D.	Samuelson	
Dahl	Johnson, R.	Miller, M.	Sarna	
Dieterich	Kahn	Moe	Savelkoul	
Dirlam	Kelly	Munger	Schreiber	

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

S. F. No. 2332, A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Sarna
Anderson, D.	Dirlam	Johnson, R.	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Kahn	Moe	Schreiber
Anderson, I.	Eken	Kelly	Munger	Schulz
Becklin	Enebo	Kempe	Myrah	Sherwood
Belisle	Erdahl	Klaus	Nelson	Sieben, H.
Bell	Erickson	Knoll	Newcome	Sieben, M.
Berg	Esau	Kostohryz	Niehaus	Skaar
Berglin	Faricy	Kvam	Ohnstad	Smith
Biersdorf	Ferderer	Laidig	Ojala	Spanish
Braun	Fjoslien	Larson	Parish	Stangeland
Brinkman	Forsythe	LaVoy	Patton	Stanton
Carlson, A.	Fudro	Lemke	Pavlak, R.	Swanson
Carlson, B.	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, D.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, L.	Grove	Long	Peterson	Vanasek
Casserly	Hagedorn	Mann	Pieper	Vento
Cleary	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCauley	Quirin	Wenzel
Connors	Jacobs	McEachern	Resner	Wigley
Culhane	Jaros	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, C.	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, D.	Menke	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 3023 was reported to the House.

Casserly moved to amend S. F. No. 3023, as follows:

Amend the title as follows:

Page 1, line 4, after "Statutes" insert a comma.

Page 1, line 4, strike "1971" and insert in lieu thereof "1973 Supplement".

The motion prevailed and the amendment was adopted.

S. F. No. 3023, A bill for an act relating to municipal industrial development; definitions; issuance of bonds; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 474.06.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Knoll	Miller, M.	Sherwood
Anderson, G.	Eken	Kostohryz	Munger	Sieben, H.
Anderson, I.	Enebo	Laidig	Newcome	Sieben, M.
Becklin	Ferderer	Larson	Niehaus	Skaar
Biersdorf	Fjoslien	Lemke	Ohnstad	Smith
Braun	Forsythe	Lindstrom, E.	Ojala	Stanton
Brinkman	Graw	Lindstrom, J.	Patton	Tomlinson
Carlson, A.	Haugerud	Long	Pehler	Ulland
Carlson, B.	Heinitz	Mann	Peterson	Vento
Carlson, L.	Jacobs	McArthur	Quirin	Voss
Casserly	Johnson, C.	McCauley	Resner	Wenzel
Clifford	Johnson, D.	McFarlin	Ryan	Wigley
Cummiskey	Johnson, J.	McMillan	St. Onge	Wolcott
Dahl	Johnson, R.	Menke	Samuelson	Mr. Speaker
Dirlam	Kelly	Miller, D.	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Culhane	Jaros	Parish	Schulz
Belisle	Dieterich	Kahn	Pavlak, R.	Spanish
Bell	Erdahl	Kempe	Pavlak, R. L.	Stangeland
Bennett	Erickson	Klaus	Pieper	Swanson
Berg	Faricy	Kvam	Pleasant	Vanasek
Berglin	Fudro	LaVoy	Prahl	
Cleary	Fugina	Moe	Sarna	
Connors	Hagedorn	Nelson	Schreiber	

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

S. F. No. 3159, A bill for an act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Berglin	Cleary	Eken	Fudro
Anderson, D.	Biersdorf	Clifford	Enebo	Fugina
Anderson, G.	Braun	Connors	Erdahl	Graw
Anderson, I.	Brinkman	Culhane	Erickson	Grove
Becklin	Carlson, A.	Cummiskey	Esau	Hagedorn
Belisle	Carlson, B.	Dahl	Faricy	Heinitz
Bell	Carlson, D.	Dieterich	Ferderer	Jacobs
Bennett	Carlson, L.	Dirlam	Fjoslien	Jaros
Berg	Casserly	Eckstein	Forsythe	Johnson, C.

Johnson, D.	Lindstrom, E.	Myrah	Quirin	Spanish
Johnson, J.	Lindstrom, J.	Nelson	Resner	Stangeland
Johnson, R.	Long	Newcome	Ryan	Stanton
Kahn	Mann	Niehaus	St. Onge	Swanson
Kelly	McArthur	Ojala	Samuelson	Tomlinson
Kempe	McCauley	Parish	Sarna	Ulland
Klaus	McEachern	Patton	Savelkoul	Vanasek
Knoll	McFarlin	Pavlak, R.	Schreiber	Vento
Kostohryz	McMillan	Pavlak, R. L.	Schulz	Voss
Kvam	Menke	Pehler	Sherwood	Wenzel
Laidig	Miller, D.	Peterson	Sieben, H.	Wigley
Larson	Miller, M.	Pieper	Sieben, M.	Wolcott
LaVoy	Moe	Pleasant	Skaar	Mr. Speaker
Lemke	Munger	Prahl	Smith	

The bill was passed and its title agreed to.

S. F. No. 3105 was reported to the House.

Quirin moved to amend S. F. No. 3105, the printed bill, as follows:

Line 11, strike "ground hogs, or woodchucks"; before "rattlesnakes" insert "or"; and after "rattlesnakes" strike the comma and insert a period.

Line 12, strike "crows, or blackbirds."

The motion prevailed and the amendment was adopted.

Johnson, D., moved to amend S. F. No. 3105, the printed bill, as amended, as follows:

Line 10, after "gophers," insert "fishers,".

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

S. F. No. 3105, A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 75, and nays 25, as follows:

Those who voted in the affirmative were:

Anderson, G.	Bennett	Brinkman	Cummiskey	Erickson
Anderson, I.	Berg	Carlson, A.	Eckstein	Esau
Becklin	Berglin	Carlson, D.	Eken	Fjoslien
Belisle	Biersdorf	Casserly	Enebo	Fudro
Bell	Braun	Culhane	Erdahl	Fugina

Graw	Larson	Munger	Pleasant	Smith
Hagedorn	LaVoy	Myrah	Prahl	Stangeland
Haugerud	Lemke	Nelson	Quirin	Stanton
Jacobs	Long	Newcome	Ryan	Tomlinson
Johnson, C.	Mann	Niehaus	St. Onge	Vanasek
Johnson, D.	McArthur	Ohnstad	Samuelson	Voss
Johnson, R.	McCauley	Ojala	Sarna	Wenzel
Kelly	McMillan	Patton	Schreiber	Wigley
Klaus	Miller, M.	Pavlak, R. L.	Schulz	Wolcott
Knoll	Moe	Peterson	Sieben, M.	Mr. Speaker

Those who voted in the negative were:

Adams, J.	Dieterich	Johnson, J.	Lindstrom, E.	Savelkoul
Anderson, D.	Faricy	Kahn	Lindstrom, J.	Sherwood
Carlson, L.	Ferderer	Kempe	McFarlin	Swanson
Cleary	Forsythe	Kostohryz	Pehler	Ulland
Connors	Jaros	Laidig	Pieper	Vento

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

S. F. No. 2817, A bill for an act relating to elections; providing for the filing of nominating petitions; amending Minnesota Statutes 1971, Section 202.13.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Moe	Savelkoul
Anderson, D.	Eckstein	Kelly	Munger	Schreiber
Anderson, G.	Eken	Kempe	Myrah	Schulz
Anderson, I.	Enebo	Klaus	Nelson	Sherwood
Becklin	Erdahl	Knoll	Newcome	Sieben, H.
Belisle	Erickson	Kostohryz	Niehaus	Sieben, M.
Bell	Esau	Kvam	Ohnstad	Skaar
Bennett	Faricy	Laidig	Ojala	Smith
Berg	Ferderer	Larson	Parish	Spanish
Berglin	Fjoslien	LaVoy	Patton	Stangeland
Biersdorf	Forsythe	Lemke	Pavlak, R.	Stanton
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Brinkman.	Fugina	Lindstrom, J.	Pehler	Tomlinson
Carlson, A.	Graw	Long	Peterson	Ulland
Carlson, D.	Grove	Mann	Pieper	Vanasek
Carlson, L.	Hagedorn	McArthur	Pleasant	Vento
Cassery	Haugerud	McCauley	Prahl	Voss
Cleary	Heinitz	McEachern	Quirin	Wenzel
Clifford	Jacobs	McFarlin	Resner	Wigley
Connors	Jaros	McMillan	Ryan	Wolcott
Culhane	Johnson, C.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	Miller, D.	Samuelson	
Dahl	Johnson, R.	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 2984 was reported to the House.

Cummiskey moved to amend S. F. No. 2984, the printed bill, as follows:

Page 1, line 13, after the word "farms" and before the comma, insert "*spouses*".

Page 2, after line 1, add a new section to read:

"Sec. 2. This act shall become effective July 1, 1974."

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 2984, as amended, was continued on Special Orders for one day.

S. F. No. 3033, A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivision 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivision 1; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11, and by adding a subdivision; and 354.58; and Chapter 354, by adding sections; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Klaus	Myrah	Schulz
Anderson, D.	Eken	Knoll	Nelson	Sherwood
Anderson, G.	Enebo	Kostohryz	Newcome	Sieben, M.
Anderson, I.	Erdahl	Kvam	Niehaus	Skaar
Becklin	Erickson	Laidig	Ohnstad	Smith
Belisle	Esau	Larson	Ojala	Spanish
Bell	Faricy	LaVoy	Parish	Stangeland
Bennett	Ferderer	Lemke	Patton	Stanton
Berg	Forsythe	Lindstrom, E.	Pavlak, R. L.	Swanson
Berglin	Fudro	Lindstrom, J.	Pehler	Tomlinson
Biersdorf	Fugina	Long	Peterson	Ulland
Braun	Graw	Mann	Pieper	Vanasek
Brinkman	Grove	McArthur	Pleasant	Vento
Carlson, A.	Hagedorn	McCauley	Prahl	Voss
Carlson, B.	Heinitz	McEachern	Quirin	Wenzel
Carlson, D.	Jaros	McFarlin	Resner	Wigley
Carlson, L.	Johnson, C.	McMillan	Ryan	Wolcott
Casserly	Johnson, D.	Menke	St. Onge	Mr. Speaker
Cleary	Johnson, J.	Miller, D.	Samuelson	
Connors	Johnson, R.	Miller, M.	Sarna	
Dahl	Kahn	Moe	Savelkoul	
Dirlam	Kelly	Munger	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 2504 was reported to the House.

There being no objection, S. F. No. 2504 was continued on Special Orders for one day.

S. F. No. 3075, A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 109, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Graw	Knoll
Anderson, D.	Carlson, A.	Eckstein	Grove	Kostohryz
Anderson, G.	Carlson, B.	Eken	Heinitz	Kvam
Anderson, I.	Carlson, D.	Enebo	Jacobs	Laidig
Becklin	Carlson, L.	Erdahl	Jaros	Larson
Belisle	Casserly	Erickson	Johnson, C.	LaVoy
Bell	Cleary	Esau	Johnson, D.	Lemke
Bennett	Clifford	Faricy	Johnson, J.	Lindstrom, E.
Berg	Connors	Ferderer	Johnson, R.	Lindstrom, J.
Berglin	Culhane	Forsythe	Kahn	Long
Biersdorf	Cummiskey	Fudro	Kelly	Mann
Braun	Dahl	Fugina	Klaus	McArthur

McCauley	Nelson	Peterson	Schreiber	Tomlinson
McEachern	Newcome	Pieper	Schulz	Ulland
McFarlin	Niehaus	Pleasant	Sherwood	Vanasek
McMillan	Ohnstad	Prahl	Sieben, H.	Vento
Menke	Ojala	Quirin	Sieben, M.	Voss
Miller, D.	Parish	Resner	Skaar	Wenzel
Miller, M.	Patton	Ryan	Smith	Wigley
Moe	Pavlak, R.	St. Onge	Spanish	Wolcott
Munger	Pavlak, R. L.	Samuelson	Stanton	Mr. Speaker
Myrah	Pehler	Sarna	Swanson	

The bill was passed and its title agreed to.

Anderson, I., moved that S. F. No. 498 be continued on Special Orders for tomorrow, Friday, March 15, 1974, immediately following the Consent Calendar for the day. The motion prevailed.

Anderson, I., moved that S. F. Nos. 3163 and 2850; H. F. Nos. 3111, 3557, 3252, 1827, 1710, and 3455; and S. F. Nos. 2576, 306, 2447, 3060, 735, 2367, 2984, and 2504 be continued on Special Orders for Friday, March 15, 1974, immediately following the Special Order on S. F. No. 498. The motion prevailed.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Friday, March 15, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-SIXTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 15, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, J.	Menke	Salchert
Adams, S.	Dieterich	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Dirlam	Jude	Miller, M.	Sarna
Anderson, D.	Eckstein	Kahn	Moe	Savelkoul
Anderson, G.	Eken	Kelly	Mueller	Schreiber
Anderson, I.	Enebo	Kempe	Munger	Schulz
Becklin	Erdahl	Klaus	Myrah	Searle
Belisle	Erickson	Knickerbocker	Nelson	Sherwood
Bell	Esau	Knoll	Newcome	Sieben, H.
Bennett	Faricy	Kostohryz	Niehaus	Sieben, M.
Berg	Ferderer	Kvam	Ohnstad	Skaar
Berglin	Fjoslien	Laidig	Ojala	Smith
Biersdorf	Forsythe	Larson	Parish	Spanish
Braun	Fudro	LaVoy	Patton	Stanton
Brinkman	Fugina	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, D.	Growe	Lombardi	Peterson	Vanasek
Carlson, L.	Hagedorn	Long	Pieper	Vento
Casserly	Haugerud	Mann	Pleasant	Voss
Cleary	Heinitz	McArthur	Prahl	Weaver
Clifford	Hook	McCarron	Quirin	Wenzel
Connors	Jacobs	McCauley	Resner	Wigley
Culhane	Jaros	McEachern	Rice	Wohlwend
Cummiskey	Johnson, C.	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker

A quorum was present.

Jopp, Norton, and Stangeland were excused. Hanson was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 3239, 3267, 1951, 3347, and 3159 and S. F. Nos. 2003, 2110, 2161, 2315, 2386, 2580, 3434, 2669, 2670, 2748, 3194, 3407, 3422, 3210, 3477, 1769, 1879, 1963, 1999, 2731, 3181, 3198, 3257, 2964, and 498 have been placed in the members' files.

S. F. No. 1769 and H. F. No. 1842, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 1769, page 1, lines 27 through 30, and page 2, lines 1 and 2, reads as follows: "*association of chiropractic colleges or their successors (WHEREIN THE CURRICULUM INCLUDES INSTRUCTION IN THE FOLLOWING BRANCHES: ANATOMY, PHYSIOLOGY, SYMPTOMATOLOGY, PATHOLOGY, HYGIENE, DIETETICS, DIAGNOSES, URINALYSIS, CHIROPRACTIC ORTHOPEDY, INTELLECTUAL ADAPTION, AND THE SCIENCE AND ART OF CHIROPRACTIC). The board may recommend a two year*"; whereas, H. F. No. 1842, page 1, lines 27 through 30, and page 2, lines 1 and 2, read: "*association of chiropractic colleges or its successors, and wherein the curriculum includes instruction in the following branches: anatomy, physiology, symptomatology, pathology, hygiene, dietetics, diagnoses, urinalysis, chiropractic orthopedy, intellectual adaption, and the science and art of chiropractic. The board may recommend a two year*".

SUSPENSION OF RULES

Vento moved that the rules be so far suspended that S. F. No. 1769 be substituted for H. F. No. 1842 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3422 and H. F. No. 3557, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3422, page 1, lines 20 through 22, read as follows: "same in one or more series in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required."; whereas, H. F. No. 3557, page 1, lines 20 through 25, read: "bonds in one or more series in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and such bonds shall not be included in computing the net debt of the county under any law, and the taxes required to be levied for payment of such bonds shall not be subject to any limitation of rate or amount."

SUSPENSION OF RULES

Tomlinson moved that the rules be so far suspended that S. F. No. 3422 be substituted for H. F. No. 3557 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3247 and H. F. No. 1710, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3247, after the enacting clause reads as follows:

“Section 1. [POLICY.] The legislature declares that it is the policy of the state of Minnesota to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the resumption of the responsibilities of citizenship. The opportunity to secure employment or to pursue, practice, or engage in a meaningful and profitable trade, occupation, vocation, profession or business is essential to rehabilitation and the resumption of the responsibilities of citizenship.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the terms defined in this section have the meanings given them.

Subd. 2. [OCCUPATION.] “Occupation” includes all occupations, trades, vocations, professions, businesses, or employment of any kind for which a license is required to be issued by the state of Minnesota, its agencies, or political subdivisions.

Subd. 3. [LICENSE.] “License” includes all licenses, permits, certificates, registrations, or other means required to engage in an occupation which are granted or issued by the state of Minnesota, its agents or political subdivisions before a person can pursue, practice, or engage in any occupation.

Subd. 4. [PUBLIC EMPLOYMENT.] “Public employment” includes all employment with the state of Minnesota, its agencies, or political subdivisions.

Subd. 5. [CONVICTION OF A CRIME OR CRIMES.] “Conviction of crime or crimes” shall be limited to convictions of felonies, gross misdemeanors, and misdemeanors for which a jail sentence may be imposed. No other criminal conviction shall be considered.

Subd. 6. [HIRING OR LICENSING AUTHORITY.] “Hiring or licensing authority” shall mean the person, board, commission, or department of the state of Minnesota, its agencies or political subdivisions, responsible by law for the hiring of persons for public employment or the licensing of persons for occupations.

Sec. 3. Subdivision 1. Notwithstanding any other provision of law to the contrary, no person shall be disqualified from public employment, nor shall a person be disqualified from pursuing, practicing, or engaging in any occupation for which a license is required solely or in part because of a prior conviction of a crime or crimes, unless the crime or crimes for which convicted directly

relate to the position of employment sought or the occupation for which the license is sought.

Subd. 2. In determining if a conviction directly relates to the position of public employment sought or the occupation for which the license is sought, the hiring or licensing authority shall consider:

(a) The nature and seriousness of the crime or crimes for which the individual was convicted;

(b) The relationship of the crime or crimes to the purposes of regulating the position of public employment sought or the occupation for which the license is sought;

(c) The relationship of the crime or crimes to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the position of employment or occupation.

Subd. 3. A person who has been convicted of a crime or crimes which directly relate to the public employment sought or to the occupation for which a license is sought shall not be disqualified from the employment or occupation if the person can show competent evidence of sufficient rehabilitation and present fitness to perform the duties of the public employment sought or the occupation for which the license is sought. Sufficient evidence of rehabilitation may be established by the production of:

(a) A copy of the local, state, or federal release order; and

(b) Evidence showing that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime; and evidence showing compliance with all terms and conditions of probation or parole; or

(c) A copy of the relevant department of corrections discharge order or other documents showing completion of probation or parole supervision.

In addition to the documentary evidence presented, the licensing or hiring authority shall consider any evidence presented by the applicant regarding:

(1) The nature and seriousness of the crime or crimes for which convicted;

(2) All circumstances relative to the crime or crimes, including mitigating circumstances or social conditions surrounding the commission of the crime or crimes;

(3) The age of the person at the time the crime or crimes were committed;

(4) The length of time elapsed since the crime or crimes were committed; and

(5) All other competent evidence of rehabilitation and present fitness presented, including, but not limited to, letters of reference by persons who have been in contact with the applicant since his or her release from any local, state, or federal correctional institution.

Sec. 4. The following criminal records shall not be used, distributed, or disseminated by the state of Minnesota, its agents or political subdivisions in connection with any application for public employment nor in connection with an application for license:

(1) Records of arrest not followed by a valid conviction.

(2) Convictions which have been, pursuant to law, annulled or expunged.

(3) Misdemeanor convictions for which no jail sentence can be imposed.

Sec. 5. If a hiring or licensing authority denies an individual a position of public employment or disqualifies the individual from pursuing, practicing, or engaging in any occupation for which a license is required, solely or in part because of the individual's prior conviction of a crime, the hiring or licensing authority shall notify the individual in writing of the following:

(1) The grounds and reasons for the denial or disqualification;

(2) The applicable complaint and grievance procedure as set forth in section 6;

(3) The earliest date the person may re-apply for a position of public employment or a license; and

(4) That all competent evidence of rehabilitation presented will be considered upon re-application.

Sec. 6. Any complaints or grievances concerning violations of this act shall be processed and adjudicated in accordance with the procedures set forth in Minnesota Statutes, Chapter 15, the administrative procedure act.

Sec. 7. The provisions of this act shall prevail over any other laws, rules, and regulations which purport to govern the grant-

ing, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment on the grounds of conviction of a crime or crimes. In deciding to grant, deny, revoke, suspend, or renew a license, or to deny, suspend, or terminate public employment for a lack of good moral character or the like, the hiring or licensing authority may consider evidence of conviction of a crime or crimes but only in the same manner and to the same effect as provided for in this act. Nothing in this act shall be construed to otherwise affect relevant proceedings involving the granting, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment.

Sec. 8. This chapter shall not apply to the practice of law; but nothing in this section shall be construed to preclude the supreme court, in its discretion, from adopting the policies set forth in this chapter.

Sec. 9. This chapter shall not apply to the practice of law enforcement; but nothing in this section shall be construed to preclude the Minnesota police and peace officers training board from recommending policies set forth in this chapter to the attorney general for adoption in his discretion.

Sec. 10. Violation of the rights established in this act shall constitute a violation of a person's civil rights.”;

whereas, H. F. No. 1710, after the enacting clause reads:

“Section 1. The legislature declares that it is the policy of the state of Minnesota to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the resumption of the responsibilities of citizenship. The opportunity to secure employment or to pursue, practice, or engage in a meaningful and profitable trade, occupation, vocation, profession or business is essential to rehabilitation and the resumption of the responsibilities of citizenship.

Sec. 2. [DEFINITIONS.] Subdivision 1. [OCCUPATION.] For purposes of this act “occupation” includes all occupations, trades, vocations, professions, business, or employment of any kind for which a license is required to be issued by the state of Minnesota, its agencies, or political subdivisions.

Subd. 2. [LICENSES.] For purposes of this act “licenses” includes all licenses, permits, certificates, registrations or other means required to engage in an occupation which are granted or issued by the state of Minnesota, its agents or political subdivisions before a person can pursue, practice, or engage in any occupation.

Subd. 3. [PUBLIC EMPLOYMENT.] For purposes of this act "public employment" includes all employment with the state of Minnesota, its agencies or political subdivisions.

Subd. 4. [CONVICTION OF A CRIME OR CRIMES.] For purposes of this act "conviction of a crime or crimes" shall be limited to convictions of felonies, gross misdemeanors, and misdemeanors for which a jail sentence may be imposed. No other criminal conviction shall be considered.

Subd. 5. [HIRING OR LICENSING AUTHORITY.] For purposes of this act, "hiring or licensing authority" shall mean the person, board, commission, or department of the state of Minnesota, its agencies or political subdivisions, responsible by law for the hiring of persons for public employment or the licensing of persons for occupations.

Sec. 3. Subdivision 1. Notwithstanding any other provision of law to the contrary, no person shall be disqualified from public employment, nor shall a person be disqualified from pursuing, practicing, or engaging in any occupation for which a license is required solely or in part because of a prior conviction of a crime or crimes, unless the crime or crimes for which convicted directly relate to the position of employment sought or the occupation for which the license is sought.

Subd. 2. In determining if a conviction directly relates to the position of public employment sought or the occupation for which the license is sought, the hiring or licensing authority shall consider:

(a) The nature and seriousness of the crime or crimes for which the individual was convicted;

(b) The relationship of the crime or crimes to the purposes of regulating the position of public employment sought or the occupation for which the license is sought; and

(c) The relationship of the crime or crimes to the ability, capacity and fitness required to perform the duties and discharge the responsibilities of the position of employment or occupation.

Subd. 3. A person who has been convicted of a crime or crimes which directly relate to the public employment sought or to the occupation for which a license is sought shall not be disqualified from the employment or occupation if the person can show competent evidence of sufficient rehabilitation and present fitness to perform the duties of the public employment sought or the occupation for which the license is sought. Sufficient evidence of rehabilitation shall be established by the production of:

(a) a copy of the relevant department of corrections release order; and

(b) evidence showing that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime; and evidence showing compliance with all terms and conditions of probation or parole; or

(c) a copy of the relevant department of corrections discharge order and other documents showing completion of probation or parole.

In addition to the documentary evidence presented, the licensing or hiring authority shall consider any competent evidence presented concerning

(1) The nature and seriousness of the crime or crimes for which convicted;

(2) all circumstances relative to the crime or crimes, including mitigating circumstances or social conditions surrounding the commission of the crime or crimes;

(3) the age of the person at the time the crime or crimes were committed;

(4) the length of time elapsed since the crime or crimes were committed; and

(5) all other competent evidence of rehabilitation and present fitness presented including but not limited to letters of reference by persons who have been in contact with the applicant since his or her release from any local, state or federal correctional institution.

Sec. 4. The following criminal records shall not be used, distributed or disseminated by the state of Minnesota, its agents or political subdivisions in connection with any application for public employment nor in connection with an application for a license:

(1) Records of arrest not followed by a valid conviction.

(2) Convictions which have been pursuant to law, annulled or expunged.

(3) Misdemeanor convictions for which no jail sentence can be imposed.

Sec. 5. If a hiring or licensing authority denies an individual a position of public employment or disqualifies the individual

from pursuing, practicing, or engaging in any occupation for which a license is required, solely or in part because of the individual's prior conviction of a crime, the hiring or licensing authority shall notify the individual in writing of the following:

(1) The grounds and reasons for the denial or disqualification;

(2) The applicable complaint and grievance procedure as set forth in section 6 of this act; and

(3) The earliest date the person may reapply for a position of public employment or a license.

(4) That all competent evidence of rehabilitation presented will be considered upon reapplication.

Sec. 6. Any complaints or grievances concerning violations of this chapter shall be processed and adjudicated in accordance with the procedures set forth in Minnesota Statutes, Chapter 15.

Sec. 7. The provisions of this act shall prevail over any other laws, rules, and regulations which purport to govern the granting, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment on the grounds of conviction of a crime or crimes. In deciding to grant, deny, revoke, suspend or renew a license, or to deny, suspend or terminate public employment for a lack of good moral character or the like, the hiring or licensing authority must consider, within 60 days of such application, evidence of conviction of a crime or crimes but only in the same manner and to the same effect as provided for in this act. Nothing in this act shall be construed to otherwise affect relevant proceedings involving the granting, denial, renewal, suspension, or revocation of a license or the initiation, suspension, or termination of public employment.

Sec. 8. This act shall not apply to the practices of law; but nothing in this section shall be construed to preclude the supreme court, in its discretion, from adopting the policies set forth in this act.

Sec. 9. Violation of the rights, established in this act shall constitute a violation of a person's civil rights."

SUSPENSION OF RULES

Nelson moved that the rules be so far suspended that S. F. No. 3247 be substituted for H. F. No. 1710 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3194 and H. F. No. 3168, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that after the enacting clause S. F. No. 3194, reads as follows:

“Section 1. [17A.01] [CITATION.] Sections 1 to 15 may be cited as the Minnesota livestock market agency and dealer licensing act.

Sec. 2. [17A.02] [PURPOSE.] The purpose of this act is to establish jurisdiction and authority with the Minnesota commissioner of agriculture over livestock marketing practices for the benefit and protection of farmers, producers, and the public, requiring financial responsibility and fair trade practices in livestock dealing and marketing.

Sec. 3. [17A.03] [DEFINITIONS.] Subdivision 1. As used in sections 1 to 15, the terms defined in this section have the meanings given them.

Subd. 2. [DEPARTMENT.] “Department” means the Minnesota department of agriculture.

Subd. 3. [COMMISSIONER.] “Commissioner” means the commissioner of agriculture or his representative.

Subd. 4. [PERSON.] “Person” means an individual, partnership, corporation, association, or other form of business enterprise.

Subd. 5. [LIVESTOCK.] “Livestock” means cattle, sheep, swine, horses, mules, and goats.

Subd. 6. [LIVESTOCK MARKET AGENCY.] “Livestock market agency” means any person who sells livestock for the account of others, but does not include an occasional or special event or disposal sale.

Subd. 7. [LIVESTOCK DEALER.] “Livestock dealer” means any person who buys livestock for his own account for purposes of resale or slaughter, or for the account of others, except persons licensed under Minnesota Statutes, Section 28A.04 who are primarily engaged in the sale of meats at retail and persons operating as frozen food processing plants as defined in Minnesota Statutes, Section 31.185.

Subd. 8. [AGENT.] “Agent” means any individual who is engaged by a livestock dealer to act as his representative.

Subd. 9. [FEEDER PIG MARKET.] “Feeder pig market” means a trading place where producers sell feeder pigs directly to livestock dealers or other farmers.

Subd. 10. [PACKING PLANTS AND SLAUGHTERING HOUSES.] "Packing plants" and "slaughtering houses" means places of business where livestock purchased or acquired is slaughtered.

Subd. 11. [BUYING STATION.] "Buying station" means any stockyard or concentration point, other than a public stockyard, at which livestock is bought and sold or assembled for shipment to a packing plant or a public stockyard, or graded or weighed for the purpose of establishing a basis for sale or reshipment.

Subd. 12. [PUBLIC STOCKYARD.] "Public stockyard" means an assembly point operated as a public livestock market for livestock producers, feeders, market agencies and buyers; providing the services and facilities for loading and unloading, yarding and sale of all classes of livestock, for individuals or organizations granted the privilege of the market by the management of the public stockyards.

Sec. 4. [17A.04] [LICENSES.] Subdivision 1. [LICENSING PROVISIONS.] Licenses shall be issued to livestock market agencies and public stockyards annually and shall expire on December 31 each year, renewable annually thereafter; provided, that livestock market agency licenses shall be required and issued for a six-month period from July 1, 1974, through December 31, 1974, on a prorated fee basis. The license issued to a livestock market agency and public stockyard shall be conspicuously posted at the licensee's place of business. Licenses shall be required for livestock dealers and their agents for the period beginning July 1, 1974, and ending June 30 following and annually thereafter. The license issued to a livestock dealer or the agent of a livestock dealer shall be carried by the person so licensed. The livestock dealer shall be responsible for the acts of his agents. The license issued to a livestock market agency, public stockyard or a livestock dealer or agent of a livestock dealer is not transferable. The operation of livestock market agencies, livestock dealers, agents and packers at a public stockyard are exempt from sections 1 to 9, and 12 to 16.

Subd. 2. [APPLICATION.] Any person desiring to carry on the business of a livestock market agency or livestock dealer, or both, or a public stockyard shall make application to the commissioner on a form or forms provided by the commissioner.

Subd. 3. [FINANCIAL STATEMENT OR VOLUME REPORT.] Each new applicant for a license to operate as a livestock market agency or livestock dealer shall file with his application a current balance sheet and financial statement and shall with each subsequent annual renewal application file a report of his business volume for the preceding calendar or fiscal year on a form prescribed by the commissioner, which report shall be for the purpose of determining the amount and adequacy of

the applicant's bond. The commissioner may at any time require an applicant or licensee to submit a current balance sheet and financial statement if he deems it necessary for the protection of the public.

Subd. 4. [SURETY BONDS REQUIRED.] Each livestock market agency and livestock dealer applying for a license under this act shall file with the commissioner a valid and effective bond issued by a surety company licensed to do business in this state, or meeting the requirements of section 5, in the form and amount set forth in section 5. No bond shall be required of a public stockyard or any agent of a bonded livestock dealer. The commissioner may at any time raise or lower bond requirements if it appears that a modification of such bond requirements is justified and in his judgment will protect the public. The bonds of livestock market agencies and dealers whose residence or principal place of business is within the state of Minnesota shall name the commissioner as the trustee. Any license issued under this act shall automatically become void upon the termination of the surety bond covering the licensed operations.

Subd. 5. [LICENSE FEE.] The applicant shall submit to the commissioner the following applicable fee or fees: (1) \$100 for each livestock market agency and public stockyard license; (2) \$35 for each livestock dealer license; and (3) \$20 for each agent license.

Subd. 6. [REFUSAL TO LICENSE.] The commissioner shall refuse to issue a license if the applicant has not filed a surety bond in the form and amount required under sections 4 and 5; the commissioner may refuse to issue a license if the applicant (1) has not satisfactorily demonstrated by a current balance sheet and financial statement that his assets exceed his liabilities; (2) has been found by the department to have failed to pay, without reasonable cause, obligations incurred in connection with livestock transactions; or (3) has failed to comply with other statutes or rules and regulations enforced by the commissioner or the Minnesota livestock sanitary board.

Subd. 7. [REVOCAION OF LICENSE.] Whenever the commissioner finds that any livestock market agency or livestock dealer has violated the provisions of sections 4, 5, 7, or 8, the commissioner may, by order, pursuant to the provisions of Minnesota Statutes, Chapter 15, and this subdivision, revoke the license of the offender. Before any such license shall be revoked, the licensee shall be furnished with a statement of the complaints made against him, and a hearing shall be had before the commissioner upon at least ten days notice to the licensee to determine whether such license shall be revoked, which notice may be served either by registered mail addressed to the address of the licensee as shown in his application or in the manner provided by law for the service of a summons. At the time and place fixed for hearing, the commissioner or any official, employee or agent

of the department authorized by the commissioner, shall receive evidence, administer oaths, examine witnesses, hear the testimony and thereafter file an order either dismissing the proceedings or revoking the license.

Sec. 5. [17A.05] [AMOUNT OF BONDS.] Subdivision 1. [LIVESTOCK MARKET AGENCIES.] The amount of each livestock market agency bond filed with the commissioner shall be not less than \$10,000 or such larger amount as required, based on the commissioner's consideration of the principal's financial statement, the volume of business he reports, or any other factor the commissioner deems pertinent for the protection of the public. Each such bond shall be executed on a Packers and Stockyards Act form and shall contain the condition clause applicable when the principal sells on commission. A bond equivalent in the form of a trust fund agreement executed in accordance with the Packers and Stockyards Act, 1921, as amended, (7 U.S.C. 181 et seq.) shall be acceptable.

Subd. 2. [LIVESTOCK DEALERS.] The amount of each livestock dealer bond filed with the commissioner shall be not less than \$5,000 or such larger amount as required, based on the commissioner's consideration of the principal's financial statement, the volume of business he reports, or any other factor the commissioner deems pertinent for the protection of the public. Each such bond shall contain the condition clause applicable when the principal buys on commission or as a dealer. A livestock dealer's bond shall be executed on a form furnished by the commissioner or in accordance with the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.).

Sec. 6. [17A.06] [CLAIMS AGAINST BONDS.] Subdivision 1. [FILING OF CLAIMS.] Any person claiming to be damaged by any breach of the conditions of a bond given by a licensee may enter complaint thereof to the commissioner, which complaint shall be a written statement of the facts constituting the complaint, accompanied by documentary proof of his claim against the licensee.

Subd. 2. [HEARING ON CLAIMS.] In case of default by the licensee, the commissioner shall have the power to require the licensee to appear before him at a hearing held for the purpose of determining all liability of the licensee under the terms of his bond, and after said hearing, based on the evidence adduced thereat, the commissioner shall make an order determining and fixing the liability of the principal and of the surety company because of the default of the licensee. If the bond is insufficient to cover the liability of all claimants, the commissioner shall prorate the proceeds of the bond among the claimants on a percentage basis. The order of the commissioner may be enforced by appropriate proceedings in the district court of Ramsey county, and any party aggrieved by the order of the commissioner may appeal to said district court in the manner provided for appeal from other proceedings before the commissioner.

Subd. 3. [LEGAL NOTICE.] Prior to a hearing before the commissioner, he shall notify by certified mail all known potential claimants and publish a notice setting forth the default of the licensee and requiring all claimants to file proof of claim with the commissioner within three months of the date such notice is published or be barred from participating in the proceeds of the bond. Such publication shall be made for three consecutive weeks in a newspaper published at the county seat of the county in which the licensee has his principal place of business. However, no such claim shall be allowed unless it is filed with the commissioner within one year of the date of the alleged breach. Notwithstanding the above provisions, if a livestock market agency or livestock dealer has on file a Packers and Stockyards Act bond and is registered with the Packers and Stockyards Administration, the terms of the bond or that federal agency's regulations will control in determining the time for filing and the admission of claims.

Sec. 7. [17A.07] [PROHIBITED CONDUCT.] It shall be unlawful for any person to (1) carry on the business of a livestock market agency or livestock dealer without a valid and effective license issued by the commissioner under the provisions of section 4; (2) carry on the business of a livestock market agency or livestock dealer without filing and maintaining a valid and effective surety bond in conformity with sections 4 and 5; (3) carry on the business of a livestock market agency or livestock dealer if he cannot pay his debts as they become due or ceases to pay his debts in the ordinary course of business as they become due; (4) engage in or use any unfair or deceptive practice or device in connection with marketing of livestock; (5) willfully make or cause to be made any false entry or statement of fact in any application, financial statement or report filed with the department under the provisions of sections 4, 5, and 8.

Sec. 8. [17A.08] [RECORD KEEPING.] Every person shall make and retain such accounts, records, and memoranda necessary to fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stockholding or otherwise. Whenever the commissioner finds that the accounts, records, and memoranda of any such person do not fully and correctly disclose all transactions involved in his business, the commissioner may prescribe the manner or form and length of time for retention which such accounts, records, and memoranda shall be kept. The commissioner shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person being investigated or proceeded against.

Sec. 9. [17A.09] [FEEDER PIGS MARKETS.] The commissioner may, by regulations promulgated in accordance with Minnesota Statutes, Section 15.0412, establish requirements for record making and retention, of livestock purchases and sales by operators of feeder pig markets, as he deems necessary and in his judgement will protect the public.

Sec. 10. [17A.10] [PACKING PLANTS AND STOCKYARDS, WEIGHERS.] The commissioner shall appoint at public stockyards, packing plants, slaughtering houses, or buying stations where the average daily number of livestock slaughtered or handled is 500 head or more, and the commissioner may appoint at public stockyards, packing plants, slaughtering houses, and buying stations, on application from such public stockyard, packing plant, slaughtering house, or buying station, where the average daily number of livestock slaughtered or handled is 250 head or more, but less than 500 head, such weighers as may be necessary for weighing livestock, provided that no weighers shall be appointed at packing plants or slaughtering houses at which the only livestock slaughtered or handled has been previously purchased or acquired, and title or terms of ownership already established. The commissioner shall prescribe and follow such reasonable regulations as he deems necessary for determining such daily average. Such weighers shall weigh all livestock coming to these places for sale, and keep a record thereof. Upon request, the weighers shall furnish the interested parties a certificate setting forth the number of animals weighed and the actual weight of such animal or animals. Such certificate shall be prima facie evidence of the facts therein certified. The scales at all such places on which livestock is weighed shall be constructed and maintained in accordance with the requirements of the state division of weights and measures, and be tested up to the maximum draft that may be weighed thereon, at least once every 90 days, and be in compliance with all the statutory requirements and regulations adopted by the state division of weights and measures pertaining to livestock scales and weighing.

Sec. 11. [17A.11] [FEES FOR LIVESTOCK WEIGHING.] The commissioner shall prescribe the fee necessary to cover the cost of such weighing, to be assessed and collected from the seller in such manner as the commissioner may prescribe; provided, that the fee assessed be the same, and the manner of collection thereof be uniform at all markets at which the average daily number of head of livestock bought and sold is 250 or more; and provided, further, that if at any location where weighing is performed in accordance with this act and the total annual fees collected are insufficient to pay the cost of such weighing, the annual deficit shall be assessed and collected in such manner as the commissioner may prescribe. Additional moneys arising from the weighing of animals by the commissioner, which have been collected and retained by any person, shall be paid on demand to the commissioner. All moneys collected by the commissioner shall be deposited in the state treasury and credited to the livestock weighing fund, and shall be paid out only on the order of the commissioner and the state's warrant.

Sec. 12. [17A.12] [QUALIFICATIONS.] No weigher shall, during his term of service, be in any manner financially interested in the handling, shipping, purchase, or sale of livestock, nor in the employment of any person engaged therein.

Sec. 13. [17A.13] [GROSS MISDEMEANORS.] Any weigher who shall knowingly or carelessly weigh any livestock improperly, or give any false certificate of weight, or accept money or other consideration directly or indirectly for any neglect or improper performance of duty, or who shall be guilty of any neglect of duty, and any person who shall improperly influence or attempt to influence any such weigher in the performance of his duty by preventing his proper access to the scales used in the weighing of livestock, or otherwise, is guilty of a gross misdemeanor.

Sec. 14. [17A.14] [PENALTIES.] Any person, duly licensed or otherwise, who violates the provisions of sections 1 to 15, for which violation a penalty has not been specifically set out, is guilty of a misdemeanor. A second violation within a licensing period is a gross misdemeanor.

Sec. 15. [17A.15] [POWERS AND DUTIES OF THE COMMISSIONER.] The commissioner shall enforce the provisions of this act and shall promulgate, in the manner provided by law, such rules and regulations as he deems necessary or desirable, and may cooperate with any department of state or government, to carry out the provisions of sections 1 to 15. The commissioner or his duly-authorized agent shall have the power to issue subpoenas, administer oaths and affirmations, examine witnesses, receive evidence, and shall have the power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation or administrative proceeding.

Sec. 16. Minnesota Statutes 1971, Section 239.27, is amended to read:

239.27 [VIOLATIONS.] Any person who shall violate any of the provisions of (SECTIONS 239.13 TO 239.21, 239.26, AND 239.27, AND FOR WHICH VIOLATION NO PENALTY IS HEREINBEFORE SPECIFIED, SHALL BE) *section 239.20* is guilty of a gross misdemeanor (; AND UPON CONVICTION PUNISHED FOR EACH SUCH OFFENSE BY A FINE OF NOT LESS THAN \$100 NOR MORE THAN \$1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR NOT LESS THAN 30 DAYS NOR MORE THAN ONE YEAR OR BY BOTH SUCH FINE AND IMPRISONMENT.)

Sec. 17. [REPEALER.] Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended by Laws 1973, Chapters 754, Section 10, and 766, Section 4; 239.19; 239.21; 239.225; and 239.26 are repealed.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following its final enactment.”;

whereas, after the enacting clause, H. F. No. 3168 reads as follows:

"Section 1. [17A.01] [CITATION.] Sections 1 to 15 may be cited as the Minnesota livestock market agency and dealer licensing act.

Sec. 2. [17A.02] [PURPOSE.] To establish jurisdiction and authority with the Minnesota commissioner of agriculture over livestock marketing practices for the benefit and protection of farmers, producers, and the public, requiring financial responsibility and fair trade practices in livestock dealing and marketing.

Sec. 3. [17A.03] [DEFINITIONS.] Subdivision 1. As used in sections 1 to 15, the terms defined in this section have the meanings given them.

Subd. 2. [DEPARTMENT.] "Department" means the Minnesota department of agriculture.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of the Minnesota department of agriculture or his representative.

Subd. 4. [PERSON.] "Person" means an individual, partnership, corporation, association, or other form of business enterprise.

Subd. 5. [LIVESTOCK.] "Livestock" means cattle, sheep, swine, horses, mules, and goats.

Subd. 6. [LIVESTOCK MARKET AGENCY.] "Livestock market agency" means any person who sells livestock for the account of others, such as a federally-posted livestock auction market or livestock sale barn.

Subd. 7. [LIVESTOCK DEALER.] "Livestock dealer" means any person who buys livestock for his own account for purposes of resale or slaughter, or for the account of others, except persons licensed under Minnesota Statutes, Section 28A.04 who are primarily engaged in the sale of meats at retail and persons operating as frozen food processing plants as defined in Minnesota Statutes, Section 31.185.

Subd. 8. [AGENT.] "Agent" means any individual who is engaged by a livestock dealer to act as his representative.

Subd. 9. [FEEDER PIG MARKET.] "Feeder pig market" means a trading place where producers sell feeder pigs directly to livestock dealers or other farmers.

Subd. 10. [PACKING PLANTS AND SLAUGHTERING HOUSES.] "Packing plants" and "slaughtering houses" means places of business where livestock purchased or acquired is slaughtered.

Subd. 11. [BUYING STATION.] "Buying station" means any stockyard or concentration point, other than a public stockyard, at which livestock is bought and sold or assembled for shipment to a packing plant or a public stockyard, or graded or weighed for the purpose of establishing a basis for sale or re-shipment.

Subd. 12. [PUBLIC STOCKYARD.] "Public stockyard" means any stockyard commonly known or operated as a public market, such as a terminal market, auction market, or other competitive public market.

Sec. 4. [17A.04] [LICENSES.] Subdivision 1. [LICENSING PROVISIONS.] Licenses shall be issued to livestock market agencies on a calendar year basis and shall expire on December 31 each year, renewable January 1 and annually thereafter; provided, that livestock market agency licenses shall be required and issued for a six-month period from July 1, 1974, through December 31, 1974, on a prorated fee basis. The license issued to a livestock market agency shall be conspicuously posted at the licensee's place of business. Licenses shall be required for livestock dealers and their agents for the period beginning July 1, 1974, and ending June 30 following and annually thereafter. The license issued to a livestock dealer or the agent of a livestock dealer shall be carried by the person so licensed. The livestock dealer shall be responsible for the acts of his agents. The license issued to a livestock market agency, or a livestock dealer or agent of a livestock dealer is not transferable.

Subd. 2. [APPLICATION.] Any person desiring to carry on the business of a livestock market agency or livestock dealer, or both, shall make application to the department on a form or forms provided by the department.

Subd. 3. [FINANCIAL STATEMENT OR VOLUME REPORT.] Each new applicant shall file with his application a current balance sheet and financial statement and shall with each subsequent annual renewal application file a report of his business volume for the preceding calendar or fiscal year on a form prescribed by the department, which report shall be for the purpose of determining the amount and adequacy of the applicant's bond. The commissioner may at any time require an applicant or licensee to submit a current balance sheet and financial statement if he deems it necessary for the protection of the public.

Subd. 4. [SURETY BONDS REQUIRED.] Each livestock market agency and livestock dealer applying for a license under this act shall file with the department a valid and effective bond

issued by a responsible surety company in the form and amount set forth in section 5. No bond shall be required of any agent of a bonded livestock dealer. The commissioner may at any time raise or lower bond requirements if it appears that a modification of such bond requirements is justified and in his judgment will protect the public. The bonds of livestock market agencies and dealers whose residence or principal place of business is within the state of Minnesota shall name the department as the trustee. Any license issued under this act shall automatically become void upon the termination of the surety bond covering the licensed operations.

Subd. 5. [LICENSE FEE.] The applicant shall submit to the department the following applicable fee or fees: (1) \$100 for each livestock market agency license; (2) \$35 for each livestock dealer license; and (3) \$20 for each agent license.

Subd. 6. [REFUSAL TO LICENSE.] The commissioner shall refuse to issue a license if the applicant has not filed a surety bond in the form and amount required under sections 4 and 5; the commissioner may refuse to issue a license if the applicant (1) has not satisfactorily demonstrated by a current balance sheet and financial statement that his assets exceed his liabilities; (2) has been found by the department to have failed to pay, without reasonable cause, obligations incurred in connection with livestock transactions; or (3) has failed to comply with other statutes or rules and regulations enforced by the department of the Minnesota livestock sanitary board.

Subd. 7. [REVOCAION OF LICENSE.] Whenever the commissioner finds that any livestock market agency or livestock dealer has violated the provisions of sections 4, 5, 7, and 8, the commissioner may, by order, revoke the license of the offender. Before any such license shall be revoked, the licensee shall be furnished with a statement of the complaints made against him, and a hearing shall be had before the commissioner upon at least ten days notice to the licensee to determine whether such license shall be revoked, which notice may be served either by registered mail addressed to the address of the licensee as shown in his application or in the manner provided by law for the service of a summons. At the time and placed fixed for hearing, the commissioner or any official, employee or agent of the department authorized by the commissioner, shall receive evidence, administer oaths, examine witnesses, hear the testimony and thereafter file an order either dismissing the proceedings or revoking the license.

Sec. 5. [17A.05] [AMOUNT OF BONDS.] Subdivision 1. [LIVESTOCK MARKET AGENCIES.] The amount of each livestock market agency bond filed with the department shall be not less than \$10,000 or such larger amount as required, based on the commissioner's consideration of the principal's financial statement, the volume of business he reports, or any other factor the commissioner deems pertinent for the protection of the pub-

lic. Each such bond shall be executed on a Packers and Stockyards Act form and shall contain the condition clause applicable when the principal sells on commission. A bond equivalent in the form of a trust fund agreement executed in accordance with the Packers and Stockyards Act, 1921, as amended, (7 U.S.C. 181 et seq.) shall be acceptable.

Subd. 2. [LIVESTOCK DEALERS.] The amount of each livestock dealer bond filed with the department shall be not less than \$5,000 or such larger amount as required, based on the commissioner's consideration of the principal's financial statement, the volume of business he reports, or any other factor the commissioner deems pertinent for the protection of the public. Each such bond shall contain the condition clause applicable when the principal buys on commission or as a dealer. A livestock dealer's bond shall be executed on a form furnished by the department or in accordance with the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.).

Sec. 6. [17A.06] [CLAIMS AGAINST BONDS.] Subdivision 1. [FILING OF CLAIMS.] Any person claiming to be damaged by any breach of the conditions of a bond given by a licensee may enter complaint thereof to the department, which complaint shall be a written statement of the facts constituting the complaint, accompanied by documentary proof of his claim against the licensee.

Subd. 2. [HEARING ON CLAIMS.] In case of default by the licensee, the commissioner shall have the power to require the licensee to appear before him at a hearing held for the purpose of determining all liability of the licensee under the terms of his bond, and after said hearing, based on the evidence adduced thereat, the commissioner shall make an order determining and fixing the liability of the principal and of the surety company because of the default of the licensee. If the bond is insufficient to cover the liability of all claimants, the commissioner shall prorate the proceeds of the bond among the claimants on a percentage basis. The order of the commissioner may be enforced by appropriate proceedings in the district court of Ramsey county, and any party aggrieved by the order of the department may appeal to said district court in the manner provided for appeal from other proceedings before the department.

Subd. 3. [LEGAL NOTICE.] Prior to a hearing before the commissioner, he shall notify by certified mail all known potential claimants and publish a notice setting forth the default of the licensee and requiring all claimants to file proof of claim with the department within three months of the date such notice is published or be barred from participating in the proceeds of the bond. Such publication shall be made for three consecutive weeks in a newspaper published at the county seat of the county in which the licensee has his principal place of business. However, no such claim shall be allowed unless it is filed with the depart-

ment within one year of the date of the alleged breach. Notwithstanding the above provisions, if a livestock market agency or livestock dealer has on file a Packers and Stockyards Act bond and is registered with the Packers and Stockyards Administration, the terms of the bond or that federal agency's regulations will control in determining the time for filing and the admission of claims.

Sec. 7. [17A.07] [PROHIBITED CONDUCT.] It shall be unlawful for any person to (1) carry on the business of a livestock market agency or livestock dealer without a valid and effective license issued by the department under the provisions of section 4; (2) carry on the business of a livestock market agency or livestock dealer without filing and maintaining a valid and effective surety bond in conformity with sections 4 and 5; (3) carry on the business of a livestock market agency or livestock dealer if he cannot pay his debts as they become due or ceases to pay his debts in the ordinary course of business as they become due; (4) engage in or use any unfair or deceptive practice or device in connection with marketing of livestock; (5) willfully make or cause to be made any false entry or statement of fact in any application, financial statement or report filed with the department under the provisions of sections 4, 5, and 8.

Sec. 8. [17A.08] [RECORD KEEPING.] Every person shall make and retain such accounts, records, and memoranda necessary to fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stockholding or otherwise. Whenever the commissioner finds that the accounts, records, and memoranda of any such person do not fully and correctly disclose all transactions involved in his business, the commissioner may prescribe the manner or form and length of time for retention which such accounts, records, and memoranda shall be kept. The commissioner shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person being investigated or proceeded against.

Sec. 9. [17A.09] [FEEDER PIGS MARKETS.] The commissioner may, by regulations promulgated in accordance with Minnesota Statutes, Section 15.0412, establish requirements for record making and retention, of livestock purchases and sales by operators of feeder pig markets, as he deems necessary and in his judgment will protect the public.

Sec. 10. [17A.10] [PACKING PLANTS AND STOCKYARDS, WEIGHERS.] The department shall appoint at public stockyards, packing plants, slaughtering houses, or buying stations where the average daily number of livestock slaughtered or handled is 500 head or more, and the department may appoint at public stockyards, packing plants, slaughtering houses, and buying stations, on application from such public stockyard, packing plant, slaughtering house, or buying station, where the aver-

age daily number of livestock slaughtered or handled is 250 head or more, but less than 500 head, such weighers as may be necessary for weighing livestock, provided that no weighers shall be appointed at packing plants or slaughtering houses at which the only livestock slaughtered or handled has been previously purchased or acquired, and title or terms of ownership already established. The commissioner shall prescribe and follow such reasonable regulations as he deems necessary for determining such daily average. Such weighers shall weigh all livestock coming to these places for sale, and keep a record thereof. Upon request, the weighers shall furnish the interested parties a certificate setting forth the number of animals weighed and the actual weight of such animal or animals. Such certificate shall be prima facie evidence of the facts therein certified. The scales at all such places on which livestock is weighed shall be constructed and maintained in accordance with the requirements of the state division of weights and measures, and be tested up to the maximum draft that may be weighed thereon, at least once every 30 days, and be in compliance with all the statutory requirements and regulations adopted by the state division of weights and measures pertaining to livestock scales and weighing.

Sec. 11. [17A.11] [FEES FOR LIVESTOCK WEIGHING.] The department shall prescribe the fee necessary to cover the cost of such weighing, to be assessed and collected from the seller in such manner as the department may prescribe; provided, that the fee assessed be the same, and the manner of collection thereof be uniform at all markets at which the average daily number of head of livestock bought and sold is 250 or more; and provided, further, that if at any location where weighing is performed in accordance with this act and the total annual fees collected are insufficient to pay the cost of such weighing, the annual deficit shall be assessed and collected in such manner as the department may prescribe. Additional moneys arising from the weighing of animals by the department, which have been collected and retained by any person, shall be paid on demand to the department. All moneys collected by the department shall be deposited in the state treasury and credited to the livestock weighing fund, and shall be paid out only on the order of the department and the state's warrant.

Sec. 12. [17A.12] [QUALIFICATIONS.] No weigher shall, during his term of service, be in any manner interested in the handling, shipping, purchase, or sale of livestock, nor in the employment of any person engaged therein.

Sec. 13. [17A.13] [GROSS MISDEMEANORS.] Any weigher who shall knowingly or carelessly weigh any livestock improperly, or give any false certificate of weight, or accept money or other consideration directly or indirectly for any neglect or improper performance of duty, or who shall be guilty of any neglect of duty, and any person who shall improperly influence or attempt to influence any such weigher in the per-

formance of his duty by preventing his proper access to the scales used in the weighing of livestock, or otherwise, is guilty of a gross misdemeanor.

Sec. 14. [17A.14] [PENALTIES.] Any person, duly licensed or otherwise, who violates the provisions of sections 1 to 15, for which violation a penalty has not been specifically set out, is guilty of a misdemeanor. A second violation within a licensing period is a gross misdemeanor.

Sec. 15. [17A.15] [POWERS AND DUTIES OF THE COMMISSIONER.] The commissioner shall enforce the provisions of this act and shall promulgate, in the manner provided by law, such rules and regulations as he deems necessary or desirable, and may cooperate with any department of state or government, to carry out the provisions of sections 1 to 15. The commissioner or his duly-authorized agent shall have the power to issue subpoenas, administer oaths and affirmations, examine witnesses, receive evidence, and shall have the power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation or administrative proceeding.

Sec. 16. Minnesota Statutes 1971, Section 239.27, is amended to read:

239.27 [VIOLATIONS.] Any person who shall violate any of the provisions of (SECTIONS 239.13 TO 239.21, 239.26, AND 239.27, AND FOR WHICH VIOLATION NO PENALTY IS HEREINBEFORE SPECIFIED, SHALL BE) *section 239.20 is* guilty of a gross misdemeanor (; AND UPON CONVICTION PUNISHED FOR EACH SUCH OFFENSE BY A FINE OF NOT LESS THAN \$100 NOR MORE THAN \$1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR NOT LESS THAN 30 DAYS NOR MORE THAN ONE YEAR OR BY BOTH SUCH FINE AND IMPRISONMENT).

Sec. 17. [REPEALER.] Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended by Laws 1973, Chapters 754, Section 10, and 766, Section 4; 239.19; 239.21; 239.225; and 239.26 are repealed.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

SUSPENSION OF RULES

Eken moved that the rules be so far suspended that S. F. No. 3194 be substituted for H. F. No. 3168 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 14, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 601, An act relating to negotiable instruments; acts regulating issuance of a worthless check; regulating the proof of intent; providing for penalties and prosecutions thereof; amending Minnesota Statutes 1971, Section 609.535, Subdivisions 2 and 3.

H. F. No. 835, An act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.175, Subdivision 1; 518.25; 518.27; 518.54; 518.55; 518.551; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

H. F. No. 1962, An act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

H. F. No. 2085, An act relating to child welfare; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

H. F. No. 2638, An act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2655, An act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile

homes; amending Minnesota Statutes, 1973 Supplement, Section 169.86, Subdivision 1.

H. F. No. 2703, An act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

H. F. No. 2726, An act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, Section 1.

H. F. No. 2746, An act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, as amended.

H. F. No. 2762, An act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

H. F. No. 2827, An act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

H. F. No. 2890, An act relating to the city of Benson; authorizing the issuance of on-sale liquor licenses.

H. F. No. 2911, An act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

H. F. No. 2935, An act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, Section 1.

H. F. No. 2985, An act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

H. F. No. 3003, An act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017, Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

H. F. No. 3038, An act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during cer-

tain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 1.

H. F. No. 3040, An act relating to the trunk highway system; adding a new route in substitution of an existing route.

H. F. No. 3047, An act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

H. F. No. 3052, An act relating to the interstate compact on juveniles; amending Minnesota Statutes 1971, Sections 260.53 and 260.55.

H. F. No. 3053, An act relating to the interstate compact for the supervision of parolees and probationers; amending Minnesota Statutes 1971, Section 243.16, Subdivision 1.

H. F. No. 3076, An act relating to labor; public employees; negotiation procedures; amending Minnesota Statutes, 1973 Supplement, Section 179.69, Subdivisions 3 and 5.

H. F. No. 3132, An act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

H. F. No. 3245, An act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and without an election except where required by the city charter to provide the local funds needed to match state, private, or federal grant funds.

H. F. No. 3293, An act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

Sincerely,

WENDELL R. ANDERSON
Governor

REPORTS OF STANDING COMMITTEES

Mr. Eckstein from the Committee on Appropriations to which was referred:

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for medical expenses; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. [TITLE.] This act shall be known as the Minnesota crime victims reparation act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them;

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Committee" means the joint legislative claims committee of the legislature.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

- (a) the offender;
- (b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;
- (c) social security, medicare, and medicaid;
- (d) state required temporary non-occupational disability insurance;
- (e) workmen's compensation;
- (f) wage continuation programs of any employer;
- (g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;
- (h) a contract providing prepaid hospital and other health care services, or benefits for disability; or
- (i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of means of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived, and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

(b) a dependent who has incurred economic loss;

(c) the estate of a deceased victim if the heirs have incurred economic loss;

(d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a) (i) and (a) (ii) for a victim;

(e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

(a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;

(b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;

(c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the committee determined that the interests of justice otherwise require in a particular case;

(d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or

(e) no claim was filed with the committee within one year of victim's injury or death.

(f) the claim is less than \$100.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that;

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;

(2) reparations shall be reduced to the extent, if any, that the committee deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims, but no claim shall be awarded less than \$100; and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$10,000.

Sec. 5. [FILING OF CLAIM; FORMS; TIME OF PRESENTING CLAIM.] Subdivision 1. [FILING OF CLAIM.] The joint legislative claims committee of the legislature is hereby authorized to promulgate rules and regulations to effectuate this act and to accept and determine claims filed or to appoint a referee to act in its stead. The victim of a violent crime, his family or agent, may file a claim with the claims committee of the legislature, or its appointed referee, provided that the crime was committed in Minnesota and the applicant was a resident of Minnesota.

Subd. 2. [FORMS.] The committee shall provide indemnification claim forms for filing under this act and shall specify the information to be included in such forms, which information shall include, but not be limited to, the nature of the injury and circumstances of the crime.

Subd. 3. [TIME OF PRESENT CLAIM.] The claim must be presented to the committee or its appointed referee within a period of one year after the date of injury or death and no claim presented thereafter shall be considered.

Sec. 6. [HEARING; NOTICE; REPORT OF ATTORNEY GENERAL; DETERMINATION OF CLAIM;] Subdivision 1. [HEARING; NOTICE; REPORT OF ATTORNEY GENERAL.] Upon presentation of any claim, the committee or its appointed referee shall fix a time and place for the hearing of the claim, and shall mail notices thereof to interested persons and to the attorney general. Prior to the hearing, the attorney general shall investigate the facts of each claim, and prepare a report thereof. Five days prior to the hearing, the attorney general shall make available copies of his report to the committee, and upon request, to the claimant. At the hearing, the committee or its appointed referee shall receive evidence from the attorney general and the claimant concerning:

- (a) The nature of the crime committed and the circumstances involved;
- (b) The extent and nature of the injury received by the applicant and evidence that the injury was a direct consequence of the crime committed;
- (c) The expenses incurred;
- (d) Any other evidence requested by the committee or the referee acting in its stead.

Subd. 2. [DETERMINATION OF CLAIM.] Based upon the evidence presented above, the claims committee of the legislature or its appointed referee, based upon a preponderance of the evidence, shall determine whether or not an award shall be made, and if so, the amount of the award.

Sec. 7. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the committee. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The committee in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 8. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source.

Sec. 9. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 10. [ENFORCEMENT OF COMMITTEE'S ORDERS.] If a person refuses to comply with an order of the committee or asserts a privilege to withhold or suppress evidence relevant to a claim, the committee may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the committee may request the attorney general to petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 11. [DEPARTMENT OF CORRECTIONS; ADULT CORRECTIONS COMMISSION; YOUTH CONSERVATION COMMISSION.] The department of corrections, the adult correction commission, or the youth conservation commission may, as a means of assisting in the rehabilitation of persons committed to their care, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts.

Sec. 12. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the committee nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claims.

Sec. 13. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the committee and maintain a supply of all forms necessary for the preparation and presentation of claims.

Sec. 14. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 15. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted after July 1, 1974.

Sec. 16. [APPROPRIATIONS.] The sum of \$150,000 is appropriated annually from the general fund in the state treasury to the joint house and senate legislative claims committee for the payment of claims and operating expenses under this act."

Further, amend the title in line 4 by deleting "medical"; line 4, after "expenses;" insert "providing a penalty for fraudulent claims;"

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 2128, A bill for an act relating to education; providing school bus transportation for pupils to nonpublic schools in adjacent districts; amending Minnesota Statutes 1971, Section 123.78, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 2794, A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 8, strike "August 1, 1974" and insert "January 1, 1975".

Page 1, line 14, strike "1974" and insert "1975".

Page 2, line 3, strike "August 1, 1974" and insert "January 1, 1975".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 3331, A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Reported the same back with the following amendments:

Page 1, after line 16, add a new section to read as follows:

"Sec. 2. This act is effective the day following its final enactment."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 3467, A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 1704, A bill for an act relating to education; providing for the appointment of six citizens to the board of directors of the Minnesota high school league; requiring open league meetings and financial reporting; amending Minnesota Statutes, 1973 Supplement, Section 129.121, by adding a subdivision.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2005, A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2161, A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327, by adding a section.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2516, A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 2611, A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands in Carlton county.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 2801, A bill for an act relating to public places; smoking; regulating smoking at public places and in public meetings; providing a penalty.

Reported the same back with the following amendments:

Page 1, line 12, after "any" insert "publicly owned".

Page 1, line 13, after "public" insert a period and strike "or serving as a place of".

Page 1, strike lines 14 to 17.

Page 1, line 27, strike "proprietors of public places,".

Page 2, line 9, strike "proprietors of public".

Page 2, line 10, strike "places,".

Page 2, line 16, strike "Any proprietor who fails to".

Page 2, strike lines 17 to 20.

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 1985, A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 508.79; and 541.15.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 2515, A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 2747, A bill for an act relating to children; requiring the court to consider the best interests of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 2814, A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 2865, A bill for an act relating to courts; providing for the salary of county court judges of St. Louis county; amending Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 3036, A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2668, A bill for an act relating to tax forfeited land sales; place of conducting sales in St. Louis and Koochiching counties; amending Minnesota Statutes 1971, Sections 282.01, Subdivision 4; 282.02; 282.16, Subdivision 1; and 282.222, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2820, A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 2871, A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3415, A resolution memorializing the United States Congress to take actions in respect to reorganization of field offices of the United States Department of Agriculture.

Reported the same back with the following amendments:

Page 2, line 18, after the second "and" delete the word "to" and insert in lieu thereof the following: "the Speaker of the House shall appoint a member of the House and the Senate Committee on Committees shall appoint a member of the Senate to personally deliver the resolution to the Washington offices of".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred :

S. F. No. 3479, A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Reported the same back with the following amendments :

Page 2, line 1, after the word "and", delete "to" and insert in lieu thereof, the following: "the Speaker of the House shall appoint a member of the House and the Senate Committee on Committees shall appoint a member of the Senate to personally deliver the resolution to the Washington offices of".

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3712, 452, and 3415 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1769, 3422, 3247, 3194, 2128, 2794, 3331, 3467, 2005, 2161, 2516, 2611, 1985, 2515, 2747, 2814, 2865, 3036, 2668, 2820, 2871, and 3479 were read for the second time.

INTRODUCTION OF BILLS

Erickson, by request, introduced :

H. F. No. 3713, A bill for an act relating to the claim of Gary Frakes ; arising from legal fees incurred in order to retain status as a student at the college of veterinary medicine ; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

LaVoy, Tomlinson, Ferderer, Cummiskey, and Pleasant introduced:

H. F. No. 3714, A bill for an act relating to municipalities; repealing various obsolete provisions of municipal laws; repealing Minnesota Statutes 1971, Sections 197.64, Subdivisions 1 and 2; 274.013; 275.24; 275.36; 368.12; 368.50 to 368.84; 412.841; 415.031 to 415.07; 416.03; 416.04; 416.07; 418.13 to 418.15; 423.21; 426.09; 426.10; 426.15 to 426.18; 435.05; 435.41; 436.02; 436.04; 437.01; 438.03; 438.04; 438.07; 440.12; 440.15 to 440.22; 440.25 to 440.32; 440.39; 441.15 to 441.20; 441.265 to 441.35; 441.37 to 441.46; 443.14 to 443.17; 444.15; 447.10 to 447.13; 447.23; 448.04 to 448.16; 448.26 to 448.49; 449.04; 449.05; 450.06 to 450.08; 451.06; 452.18 to 452.20; 453.01 to 453.14; 454.044; 454.045; 455.02 to 455.04; 455.06 to 455.11; 455.15 to 455.22; 456.01 to 456.15; 456.23; 456.31; 457.02; 458.26 to 458.31; 458.33 to 458.35; 458.48; 459.08 to 459.13; 461.01; 461.07 to 461.09; 465.27 to 465.48; 465.50 to 465.52; 465.59 to 465.63; 471.05 to 471.15; 471.47; and 471.48; Minnesota Statutes, 1973 Supplement, Sections 197.64, Subdivision 3; 205.041; 412.017; and 465.57; and Laws 1941, Chapter 266; Laws 1947, Chapter 470; Laws 1901, Chapter 379; Laws 1897, Chapter 85; Laws 1915, Chapter 125; Laws 1915, Chapter 230, Sections 2 and 3; Laws 1937, Chapter 198; Laws 1907, Chapter 22; Laws 1911, Chapter 53; Extra Session Laws 1935, Chapter 8; Laws 1917, Chapter 190; and Laws 1953, Chapter 697.

The bill was read for the first time and referred to the Committee on City Government.

Erickson, Long, and Mann introduced:

H. F. No. 3715, A bill for an act relating to the city of Worthington; appropriating funds for special assessments levied by the city against Worthington community college for street improvements on streets abutting its property.

The bill was read for the first time and referred to the Committee on City Government.

Quirin; McFarlin; Jude; Pavlak, R. L.; and Sieben, H., introduced:

H. F. No. 3716, A bill for an act relating to trade regulations; declaring a moratorium upon certain retail petroleum outlet acquisitions.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Pieper introduced:

H. F. No. 3717, A bill for an act relating to taxation; removing exceptions to the property valuation increase limitations; permitting certain refunds; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2699, A bill for an act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

H. F. No. 2883, A bill for an act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement, Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and laws 1973, Chapter 650, Article XXIV, Section 6.

H. F. No. 3289, A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3328, A bill for an act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; defining qualified home owner eligible for senior citizen property tax freeze; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivision 6 and 273.011, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1489, A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1409, A bill for an act relating to the policemen's relief association in the city of New Ulm, and membership in the public employees police and fire fund.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Eckstein moved that the House concur in the Senate amendments to H. F. No. 1409 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1409, A bill for an act relating to the policemen's relief association in the city of New Ulm, and membership in the public employees police and fire fund.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Brinkman	Clifford	Dirlam
Adams, S.	Bell	Carlson, A.	Connors	Eckstein
Anderson, D.	Berg	Carlson, B.	Culhane	Enebo
Anderson, G.	Berglin	Carlson, D.	Cummiskey	Erdahl
Anderson, I.	Biersdorf	Carlson, L.	Dahl	Erickson
Becklin	Braun	Casserly	DeGroat	Esau

Faricy	Kelly	McCauley	Pavlak, R.	Sieben, H.
Fjoslien	Kempe	McEachern	Pavlak, R. L.	Sieben, M.
Forsythe	Klaus	McFarlin	Pehler	Skaar
Fudro	Knickerbocker	McMillan	Peterson	Smith
Fugina	Knoll	Menke	Pieper	Spanish
Graba	Kostohryz	Miller, D.	Prahl	Stanton
Grove	Kvam	Miller, M.	Quirin	Swanson
Hagedorn	Laidig	Moe	Resner	Tomlinson
Haugerud	Larson	Mueller	Rice	Ulland
Heinitz	LaVoy	Munger	Ryan	Vento
Hook	Lemke	Myrah	St. Onge	Voss
Jacobs	Lindstrom, E.	Nelson	Salchert	Weaver
Jaros	Lindstrom, J.	Newcome	Sarna	Wenzel
Johnson, C.	Lombardi	Niehaus	Savelkoul	Wigley
Johnson, D.	Long	Ohnstad	Schreiber	Wohlwend
Johnson, J.	Mann	Ojala	Schulz	Wolcott
Jude	McArthur	Parish	Searle	Mr. Speaker
Kahn	McCarron	Patton	Sherwood	

Those who voted in the negative were:

Graw

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2588, A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pavlak, R. L., moved that the House concur in the Senate amendments to H. F. No. 2588 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2588, A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Minnesota Statutes, 1973 Supplement, Section 352E.01, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, M.	Samuelson
Adams, S.	Dieterich	Kahn	Moe	Sarna
Andersen, R.	Dirlam	Kelly	Mueller	Savelkoul
Andersen, D.	Eckstein	Kempe	Munger	Schreiber
Anderson, G.	Enebo	Knickerbocker	Myrah	Schulz
Anderson, I.	Erdahl	Knoll	Nelson	Searle
Becklin	Erickson	Kostohryz	Newcome	Sherwood
Belisle	Esau	Kvam	Niehaus	Sieben, H.
Bell	Faricy	Laidig	Ohnstad	Sieben, M.
Bennett	Fjoslien	Larson	Ojala	Skaar
Berg	Forsythe	LaVoy	Parish	Smith
Berglin	Fudro	Lemke	Patton	Stanton
Biersdorf	Fugina	Lindstrom, E.	Pavlak, R.	Swanson
Braun	Graba	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Brinkman	Graw	Lombardi	Pehler	Ulland
Carlson, A.	Grove	Long	Peterson	Vento
Carlson, B.	Hagedorn	Mann	Pieper	Voss
Carlson, D.	Haugerud	McArthur	Pleasant	Weaver
Carlson, L.	Heinitz	McCarron	Prahl	Wenzel
Casserly	Hook	McCauley	Quirin	Wigley
Clifford	Jacobs	McEachern	Resner	Wohlwend
Connors	Jaros	McFarlin	Rice	Wolcott
Culhane	Johnson, C.	McMillan	Ryan	Mr. Speaker
Cummiskey	Johnson, D.	Menke	St. Onge	
Dahl	Johnson, J.	Miller, D.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

PATRICK E. FLAHAVEN, Secretary of the Senate

Patton moved that the House refuse to concur in the Senate amendments to H. F. No. 2990, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1934, 2924, 3244, 3433, and 3455.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3088.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1934, A bill for an act relating to health; state payments to counties and cities for public health nursing services; appropriating money; amending Minnesota Statutes 1971, Sections 145.08, Subdivision 1; 145.123, Subdivision 1; and 145.125.

The bill was read for the first time and referred to the Committee on Health and Welfare.

S. F. No. 2924, A bill for an act relating to municipalities; requiring the Minnesota municipal commission to deny a petition for annexation if an underlying reason for the petition is to allow a municipality to acquire open iron ore pits for revenue purposes; amending Minnesota Statutes 1971, Section 414.031, Subdivision 4.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 3244, A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 3433, A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 3455, A bill for an act relating to taxation; exemption of certain taconite plant construction materials from the sales tax; amending Minnesota Statutes 1971, Section 297A.251.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 3088, A bill for an act relating to courts, Ramsey and Chisago counties; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 484.18, Subdivision 3; 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Graba reported on the progress of H. F. No. 2996, now in Conference Committee.

Pursuant to Joint Rule 13, Berg reported on the progress of H. F. No. 636, now in Conference Committee.

CONSENT CALENDAR

S. F. No. 2501 A bill for an act relating to game and fish; distribution of certain proceeds from hunting leases; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Erdahl	Jaros	Lemke
Adams, S.	Carlson, D.	Erickson	Johnson, C.	Lindstrom, E.
Andersen, R.	Carlson, L.	Esau	Johnson, D.	Lindstrom, J.
Anderson, D.	Cassery	Faricy	Johnson, J.	Lombardi
Anderson, G.	Cleary	Fjoslien	Jude	Long
Anderson, I.	Clifford	Forsythe	Kahn	Mann
Becklin	Connors	Fudro	Kelly	McArthur
Belisle	Culhane	Fugina	Kempe	McCarron
Bell	Cummiskey	Graba	Klaus	McCauley
Bennett	Dahl	Graw	Knickerbocker	McEachern
Berg	DeGroat	Growe	Knoll	McFarlin
Berglin	Dieterich	Hagedorn	Kostohryz	McMillan
Biersdorf	Dirlam	Haugerud	Kvam	Menke
Braun	Eckstein	Heinitz	Laidig	Miller, D.
Brinkman	Eken	Hook	Larson	Miller, M.
Carlson, A.	Enebo	Jacobs	LaVoy	Moe

Mueller	Pavlak, R.	St. Onge	Sieben, H.	Vanasek
Munger	Pavlak, R. L.	Salchert	Sieben, M.	Vento
Nelson	Pehler	Samuelson	Skaar	Voss
Newcome	Peterson	Sarna	Smith	Weaver
Niehaus	Pieper	Savelkoul	Spanish	Wenzel
Ohnstad	Quirin	Schreiber	Stanton	Wigley
Ojala	Resner	Schulz	Swanson	Wohlwend
Parish	Rice	Searle	Tomlinson	Wolcott
Patton	Ryan	Sherwood	Ulland	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3064, A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	Menke	St. Onge
Adams, S.	DeGroat	Johnson, J.	Miller, D.	Salchert
Andersen, R.	Dieterich	Jude	Miller, M.	Samuelson
Anderson, D.	Dirlam	Kahn	Moe	Sarna
Anderson, G.	Eckstein	Kelly	Mueller	Savelkoul
Anderson, I.	Eken	Kempe	Munger	Schreiber
Becklin	Enebo	Klaus	Myrah	Schulz
Belisle	Erdahl	Knickerbocker	Nelson	Searle
Bell	Erickson	Knoll	Newcome	Sherwood
Bennett	Esau	Kostohryz	Niehaus	Sieben, H.
Berg	Faricy	Kvam	Ohnstad	Sieben, M.
Berglin	Fjoslien	Laidig	Ojala	Skaar
Biersdorf	Forsythe	Larson	Parish	Smith
Braun	Fudro	LaVoy	Patton	Stanton
Brinkman	Fugina	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, D.	Growe	Lombardi	Peterson	Vento
Carlson, L.	Hagedorn	Long	Pieper	Voss
Casserly	Haugerud	McArthur	Pleasant	Weaver
Cleary	Heinitz	McCarron	Prahl	Wenzel
Clifford	Hook	McCauley	Quirin	Wigley
Connors	Jacobs	McEachern	Resner	Wohlwend
Culhane	Jaros	McFarlin	Rice	Wolcott
Cummiskey	Johnson, C.	McMillan	Ryan	Mr. Speaker

The bill was passed and its title agreed to.

MOTION FOR RECONSIDERATION

Lindstrom, J., moved that the vote whereby H. F. No. 2644 was not passed on Special Orders on Wednesday, March 13, 1974, be now reconsidered. The motion prevailed.

Lindstrom, J., moved that the action whereby H. F. No. 2644 was given a third reading be now reconsidered. The motion prevailed.

H. F. No. 2644 was reported to the House.

Kahn moved to amend H. F. No. 2644, the printed bill, as amended, as follows:

Page 2, line 1, strike "If it shall appear to the court to be proper, it" and insert in lieu thereof "*Upon meeting the requirements of section 259.10, the court*".

Page 2, after line 11, strike the new Section 3 in its entirety.

Re-number the remaining section.

Further amend the title on page 1, line 3, by striking "; and 518.27; and Chapter 259, by adding sections".

The motion prevailed and the amendment was adopted.

H. F. No. 2644, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1971, Sections 259.10; 259.11; 517.08, Subdivision 3; and 518.27; and Chapter 259, by adding sections.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 84, and nays 40, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Munger	Sarna
Andersen, R.	Eckstein	Kelly	Nelson	Savelkoul
Anderson, I.	Enebo	Kempe	Newcome	Schreiber
Becklin	Farcy	Klaus	Ojala	Sherwood
Bell	Ferderer	Knickerbocker	Parish	Sieben, H.
Berg	Forsythe	Knoll	Patton	Sieben, M.
Berglin	Fudro	Kostohryz	Pavlak, R.	Stanton
Biersdorf	Fugina	Laidig	Pehler	Swanson
Carlson, A.	Growe	LaVoy	Pleasant	Tomlinson
Carlson, L.	Haugerud	Lemke	Prahl	Ulland
Cassery	Heinitz	McArthur	Quirin	Vento
Cleary	Hook	McCarron	Resner	Voss
Connors	Jaros	McCauley	Rice	Weaver
Culhane	Johnson, C.	McMillan	Ryan	Wohlwend
Cummiskey	Johnson, D.	Menke	St. Oenge	Wolcott
Dahl	Johnson, J.	Miller, D.	Salchert	Mr. Speaker
DeGroat	Jude	Moe	Samuelson	

Those who voted in the negative were:

Anderson, D.	Braun	Clifford	Erickson	Hagedorn
Anderson, G.	Brinkman	Dirlam	Esau	Kvam
Belisle	Carlson, B.	Eken	Fjoslien	Larson
Bennett	Carlson, D.	Erdahl	Graw	Lindstrom, E.

Lombardi	McFarlin	Niehaus	Pieper	Smith
Long	Miller, M.	Ohnstad	Schulz	Spanish
Mann	Mueller	Pavliak, R. L.	Searle	Wenzel
McEachern	Myrah	Peterson	Skaar	Wigley

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2990:

Patton, Moe, and Larson.

SPECIAL ORDERS

S. F. No. 498 was reported to the House.

Parish moved to amend S. F. No. 498, as amended, as follows:

Strike the amendment of the Committee on Judiciary adopted Wednesday, March 13, 1974.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of McCauley and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Adams, J.	Brinkman	Dirlam	Growe	Kempe
Adams, S.	Carlson, A.	Eckstein	Hagedorn	Klaus
Andersen, R.	Carlson, B.	Eken	Hanson	Knickerbocker
Anderson, D.	Carlson, D.	Enebo	Haugerud	Knoll
Anderson, G.	Carlson, L.	Erdahl	Heinitz	Kostohryz
Anderson, I.	Casserly	Erickson	Hook	Kvam
Becklin	Cleary	Esau	Jacobs	Laidig
Belisle	Clifford	Faricy	Jaros	Larson
Bell	Connors	Ferderer	Johnson, D.	LaVoy
Bennett	Culhane	Fjoslien	Johnson, J.	Lemke
Berg	Cummiskey	Forsythe	Johnson, R.	Lindstrom, E.
Berglin	Dahl	Fudro	Jude	Lindstrom, J.
Biersdorf	DeGroat	Fugina	Kahn	Lombardi
Braun	Dieterich	Graw	Kelly	Long

Mann	Munger	Pieper	Schreiber	Ulland
McArthur	Myrah	Pleasant	Schulz	Vanasek
McCarron	Nelson	Prahl	Searle	Vento
McCauley	Niehaus	Quirin	Sherwood	Voss
McEachern	Ohnstad	Resner	Sieben, H.	Weaver
McFarlin	Ojala	Rice	Sieben, M.	Wenzel
McMillan	Parish	Ryan	Skaar	Wigley
Menke	Patton	St. Onge	Smith	Wohlwend
Miller, D.	Pavlak, R.	Salchert	Spanish	Wolcott
Miller, M.	Pavlak, R. L.	Samuelson	Stanton	Mr. Speaker
Moe	Pehler	Sarna	Swanson	
Mueller	Peterson	Savelkoul	Tomlinson	

McCauley moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Parish amendment and the roll being called, there were yeas 90, and nays 33, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Klaus	Mueller	Salchert
Anderson, D.	Eken	Knickerbocker	Myrah	Samuelson
Anderson, G.	Erdahl	Knoll	Nelson	Sarna
Anderson, I.	Erickson	Kostohryz	Newcome	Savelkoul
Becklin	Esau	Kvam	Niehaus	Schreiber
Belisle	Faricy	Laidig	Ohnstad	Schulz
Bennett	Ferderer	Larson	Patton	Sherwood
Biersdorf	Fjoslien	Lemke	Pavlak, R.	Sieben, H.
Braun	Forsythe	Lindstrom, J.	Pavlak, R. L.	Skaar
Brinkman	Fudro	Lombardi	Pehler	Smith
Carlson, B.	Graba	Long	Peterson	Spanish
Carlson, D.	Hagedorn	Mann	Pieper	Stanton
Carlson, L.	Hanson	McArthur	Pleasant	Swanson
Connors	Jacobs	McCauley	Prahl	Vento
Culhane	Johnson, J.	McEachern	Quirin	Wenzel
Dahl	Johnson, R.	McFarlin	Rice	Wigley
DeGroat	Jude	Miller, D.	Ryan	Wohlwend
Dirlam	Kempe	Miller, M.	St. Onge	Wolcott

Those who voted in the negative were:

Adams, S.	Clifford	Hook	McMillan	Tomlinson
Andersen, R.	Dieterich	Jaros	Moe	Ulland
Bell	Enebo	Johnson, D.	Munger	Voss
Berg	Graw	Kahn	Ojala	Weaver
Berglin	Growe	Kelly	Parish	Mr. Speaker
Carlson, A.	Haugerud	LaVoy	Resner	
Cleary	Heinitz	Lindstrom, E.	Searle	

The motion prevailed and the amendment was adopted.

Klaus moved to amend S. F. No. 498, as amended, as follows:

Page 4, line 6, strike "potentially viable".

Page 4, line 9, strike "potentially viable".

Page 4, line 19, strike "potentially viable".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 45, and nays 57, as follows:

Those who voted in the affirmative were:

Anderson, G.	Eckstein	Kempe	Myrah	Salchert
Becklin	Erdahl	Klaus	Nelson	Sarna
Belisle	Esau	Larson	Niehaus	Savelkoul
Bennett	Fjoslien	LaVoy	Ohnstad	Sherwood
Berglin	Fudro	Lombardi	Patton	Spanish
Carlson, D.	Graw	McFarlin	Pavlak, R. L.	Tomlinson
Carlson, L.	Hagedorn	McMillan	Pehler	Vento
Connors	Hook	Miller, M.	Pieper	Weaver
DeGroat	Jude	Moe	Pleasant	Wenzel

Those who voted in the negative were:

Andersen, R.	Faricy	Kostohryz	Munger	Sieben, M.
Anderson, D.	Forsythe	Kvam	Newcome	Smith
Anderson, I.	Growe	Laidig	Pavlak, R.	Swanson
Bell	Hanson	Lemke	Peterson	Ulland
Berg	Jacobs	Lindstrom, E.	Prahl	Voss
Brinkman	Johnson, D.	Lindstrom, J.	Quirin	Wigley
Carlson, A.	Johnson, J.	Mann	Resner	Wohlwend
Carlson, B.	Johnson, R.	McArthur	Ryan	Wolcott
Cleary	Kahn	McCarron	Samuelson	Mr. Speaker
Dieterich	Kelly	McCauley	Schreiber	
Dirlam	Knickerbocker	Miller, D.	Searle	
Eken	Knoll	Mueller	Sieben, H.	

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

Hagedorn and Haugerud were excused for the remainder of today's session.

LaVoy moved to amend S. F. No. 498, as amended, as follows:

Page 4, line 4, after the period, add "For the purposes of this section, a hospital or institution means any hospital or institution not owned or operated by the state or any political subdivision or agency thereof or any combination of the same acting jointly."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 28, and nays 89, as follows:

Those who voted in the affirmative were:

Andersen, R.	Clifford	Jaros	Moe	Ulland
Bell	Culhane	Kahn	Munger	Voss
Berg	Dieterich	LaVoy	Nelson	Weaver
Berglin	Enebo	Lindstrom, E.	Ojala	Mr. Speaker
Carlson, A.	Growe	McCarron	Smith	
Cleary	Hook	McMillan	Tomlinson	

Those who voted in the negative were:

Adams, J.	Eken	Kempe	Miller, M.	Salchert
Anderson, D.	Erdahl	Klaus	Mueller	Samuelson
Anderson, G.	Erickson	Knickerbocker	Myrah	Sarna
Anderson, I.	Esau	Knoll	Newcome	Savelkoul
Becklin	Faricy	Kostohryz	Niehaus	Schreiber
Belisle	Ferderer	Kvam	Ohnstad	Schulz
Bennett	Fjoslien	Laidig	Patton	Searle
Biersdorf	Forsythe	Larson	Pavlak, R.	Sieben, H.
Braun	Fudro	Lemke	Pavlak, R. L.	Skaar
Brinkman	Fugina	Lindstrom, J.	Pehler	Spanish
Carlson, B.	Graw	Lombardi	Peterson	Stanton
Carlson, D.	Hanson	Long	Pieper	Swanson
Carlson, L.	Jacobs	Mann	Pleasant	Vento
Connors	Johnson, D.	McArthur	Prahl	Wenzel
Dahl	Johnson, J.	McCauley	Quirin	Wigley
DeGroat	Johnson, R.	McEachern	Rice	Wohlwend
Dirlam	Jude	McFarlin	Ryan	Wolcott
Eckstein	Kelly	Miller, D.	St. Onge	

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

Ojala moved to amend S. F. No. 498, as amended, as follows:

Page 4, strike all of lines 14 through 25.

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

LaVoy moved to amend S. F. No. 498, as amended, as follows:

Page 5, after line 3, add a new section to read:

"Sec. 8. No judicial decision negating the right of a public hospital to refuse to perform abortions shall in any way deny the protections provided in section 4 as they apply to private hospitals."

Renumber the remaining section.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 15, and nays 94, as follows:

Those who voted in the affirmative were:

Andersen, R.	Culhane	Kahn	Moe	Ojala
Berg	Enebo	LaVoy	Munger	Tomlinson
Berglin	Gray	McMillan	Nelson	Mr. Speaker

Those who voted in the negative were:

Adams, J.	DeGroat	Kempe	Miller, D.	Sarna
Anderson, D.	Dirlam	Klaus	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Knickerbocker	Mueller	Schreiber
Anderson, I.	Eken	Knoll	Myrah	Schulz
Becklin	Erdahl	Kostohryz	Newcome	Searle
Belisle	Erickson	Kvam	Niehaus	Sherwood
Bell	Faricy	Laidig	Ohnstad	Sieben, H.
Bennett	Ferderer	Larson	Patton	Sieben, M.
Biersdorf	Fjoslien	Lemke	Pavlak, R.	Skaar
Braun	Forsythe	Lindstrom, E.	Pavlak, R. L.	Spanish
Brinkman	Fudro	Lindstrom, J.	Pehler	Swanson
Carlson, A.	Fugina	Lombardi	Peterson	Ulland
Carlson, B.	Hanson	Long	Pieper	Vento
Carlson, D.	Jacobs	Mann	Pleasant	Voss
Carlson, L.	Johnson, D.	McArthur	Quirin	Wenzel
Cleary	Johnson, J.	McCarron	Rice	Wigley
Connors	Johnson, R.	McCauley	Ryan	Wohlwend
Cummiskey	Jude	McEachern	St. Onge	Wolcott
Dahl	Kelly	McFarlin	Salchert	

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

Wigley was excused for the remainder of today's session.

Moe moved to amend S. F. No. 498, as amended, as follows:

Page 3, line 20, strike "within 30 days of the abortion or from any".

Page 3, line 21, strike "cause potentially".

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

Kahn moved to amend S. F. No. 498, as amended, as follows:

Page 4, line 4, after "reason" and before the period insert " , unless such refusal results in the death of the woman".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 26, and nays 80, as follows:

Those who voted in the affirmative were:

Bell	Dieterich	Kahn	Munger	Weaver
Berg	Enebo	Kelly	Nelson	Mr. Speaker
Berglin	Forsythe	Knickerbocker	Ojala	
Carlson, A.	Grove	McCarron	Tomlinson	
Carlson, L.	Hook	McMillan	Ulland	
Cleary	Johnson, D.	Moe	Voss	

Those who voted in the negative were:

Adams, J.	DeGroat	Klaus	Miller, M.	Salchert
Andersen, R.	Dirlam	Knoll	Mueller	Samuelson
Anderson, D.	Eckstein	Kostohryz	Newcome	Sarna
Anderson, G.	Erdahl	Kvam	Niehaus	Savelkoul
Anderson, I.	Erickson	Larson	Ohnstad	Schreiber
Becklin	Esau	LaVoy	Patton	Sherwood
Belisle	Faricy	Lemke	Pavlak, R.	Sieben, H.
Bennett	Ferderer	Lindstrom, J.	Pavlak, R. L.	Sieben, M.
Biersdorf	Fjoslien	Lombardi	Pehler	Skaar
Braun	Fudro	Long	Peterson	Smith
Brinkman	Fugina	Mann	Pieper	Spanish
Carlson, B.	Hanson	McArthur	Pleasant	Swanson
Carlson, D.	Jacobs	McCauley	Prahl	Vento
Connors	Johnson, J.	McEachern	Quirin	Wenzel
Culhane	Jude	McFarlin	Ryan	Wohlwend
Dahl	Kempe	Miller, D.	St. Onge	Wolcott

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

Ulland moved to amend S. F. No. 498, as amended, as follows:

Page 5, strike all of section 8.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 20, and nays 92, as follows:

Those who voted in the affirmative were:

Bell	Cleary	Kahn	Munger	Tomlinson
Berg	Enebo	Knickerbocker	Nelson	Ulland
Berglin	Grove	McMillan	Ojala	Weaver
Carlson, A.	Hook	Moe	Pleasant	Mr. Speaker

Those who voted in the negative were:

Adams, J.	Carlson, B.	Esau	Johnson, R.	Lenke
Andersen, R.	Carlson, D.	Faricy	Jude	Lindstrom, E.
Anderson, D.	Carlson, L.	Ferderer	Kelly	Lindstrom, J.
Anderson, G.	Connors	Fjoslien	Kempe	Lombardi
Anderson, I.	Culhane	Forsythe	Klaus	Long
Becklin	Dahl	Fudro	Knoll	Mann
Belisle	DeGroat	Fugina	Kostohryz	McArthur
Bennett	Dirlam	Hanson	Kvam	McCarron
Biersdorf	Eken	Jacobs	Laidig	McCauley
Braun	Erdahl	Johnson, D.	Larson	McEachern
Brinkman	Erickson	Johnson, J.	LaVoy	McFarlin

Miller, D.	Pavlak, R. L.	Ryan	Sherwood	Vento
Miller, M.	Pehler	St. Onge	Sieben, H.	Voss
Mueller	Peterson	Salchert	Sieben, M.	Wenzel
Newcome	Pieper	Samuelson	Skaar	Wohlwend
Niehaus	Prahl	Sarna	Smith	Wolcott
Ohnstad	Quirin	Savelkoul	Spanish	
Patton	Resner	Schreiber	Stanton	
Pavlak, R.	Rice	Schulz	Swanson	

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

Ojala moved to amend S. F. No. 498, as amended, as follows:

Page 5, after line 1, add a new section to read as follows:

“Sec. 7. The provisions of this act shall not be severable.”.

Renumber the remaining sections.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 6, and nays 100, as follows:

Those who voted in the affirmative were:

Bell	Kahn	McMillan	Ojala	Ulland
Carlson, A.				

Those who voted in the negative were:

Adams, J.	Dirlam	Kelly	McFarlin	Salchert
Andersen, R.	Eckstein	Kempe	Miller, D.	Samuelson
Anderson, D.	Eken	Klaus	Miller, M.	Sarna
Anderson, G.	Erdahl	Knickerbocker	Mueller	Savelkoul
Anderson, I.	Erickson	Knoll	Nelson	Schreiber
Becklin	Esau	Kostohryz	Newcome	Schulz
Belisle	Faricy	Kvam	Niehaus	Sherwood
Bennett	Ferderer	Laidig	Ohnstad	Sieben, H.
Berg	Fjoslien	Larson	Patton	Sieben, M.
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Skaar
Braun	Fudro	Lemke	Pavlak, R. L.	Smith
Brinkman	Fugina	Lindstrom, E.	Pehler	Spanish
Carlson, B.	Graw	Lindstrom, J.	Peterson	Swanson
Carlson, D.	Hanson	Lombardi	Pieper	Tomlinson
Carlson, L.	Hook	Long	Prahl	Vento
Cleary	Jacobs	Mann	Quirin	Voss
Connors	Johnson, D.	McArthur	Resner	Weaver
Culhane	Johnson, J.	McCarron	Rice	Wenzel
Dahl	Johnson, R.	McCauley	Ryan	Wohlwend
DeGroat	Jude	McEachern	St. Onge	Wolcott

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

S. F. No. 498, A bill for an act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes, Sections 617.18 and 617.19.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Miller, M.	Savelkoul
Andersen, R.	Eken	Kelly	Mueller	Schreiber
Anderson, D.	Erdahl	Kempe	Munger	Schulz
Anderson, G.	Erickson	Klaus	Myrah	Searle
Anderson, I.	Esau	Knickerbocker	Nelson	Sherwood
Becklin	Faricy	Knoll	Newcome	Sieben, H.
Belisle	Ferderer	Kostohryz	Niehaus	Sieben, M.
Bennett	Fjoslien	Kvam	Ohnstad	Skaar
Biersdorf	Forsythe	Laidig	Patton	Smith
Braun	Fudro	Larson	Pavlak, R.	Spanish
Brinkman	Fugina	LaVoy	Pavlak, R. L.	Stanton
Carlson, A.	Graba	Lemke	Pehler	Swanson
Carlson, B.	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, D.	Growe	Lombardi	Pieper	Vento
Carlson, L.	Hanson	Long	Pleasant	Voss
Casserly	Heinitz	Mann	Prahl	Weaver
Cleary	Hook	McArthur	Quirin	Wenzel
Connors	Jacobs	McCarron	Rice	Wohlwend
Culhane	Jaros	McCauley	Ryan	Wolcott
Cummiskey	Johnson, C.	McEachern	St. Onge	
Dahl	Johnson, D.	McFarlin	Salchert	
DeGroat	Johnson, J.	Menke	Samuelson	
Dirlam	Johnson, R.	Miller, D.	Sarna	

Those who voted in the negative were:

Bell	Clifford	Kahn	Moe	Tomlinson
Berg	Dieterich	Lindstrom, E.	Ojala	Ulland
Berglin	Enebo	McMillan	Parish	Mr. Speaker

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

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Monday, March 18, 1974, immediately following the Consent Calendar. The motion prevailed.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 1:30 p.m., Monday, March 18, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:30 p.m., Monday, March 18, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 18, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dirlam	Jude	Miller, M.	Samuelson
Andersen, R.	Eckstein	Kahn	Moe	Sarna
Anderson, D.	Eken	Kelly	Mueller	Savelkoul
Anderson, G.	Enebo	Kempe	Munger	Schreiber
Anderson, I.	Erdahl	Klaus	Myrah	Schulz
Becklin	Erickson	Knickerbocker	Nelson	Searle
Belisle	Esau	Knoll	Newcome	Sherwood
Bennett	Farcy	Kostohryz	Niehaus	Sieben, H.
Berg	Ferderer	Kvam	Norton	Sieben, M.
Berglin	Fjoslien	Laidig	Ohnstad	Skaar
Biersdorf	Forsythe	Larson	Ojala	Smith
Braun	Fudro	LaVoy	Parish	Spanish
Brinkman	Fugina	Lemke	Patton	Stangeland
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, D.	Hagedorn	Lombardi	Pehler	Tomlinson
Carlson, L.	Hanson	Long	Peterson	Ulland
Casserly	Haugerud	Mann	Pieper	Vanasek
Cleary	Heinitz	McArthur	Pleasant	Vento
Clifford	Hook	McCarron	Prahl	Voss
Connors	Jacobs	McCauley	Quirin	Weaver
Culhane	Jaros	McEachern	Resner	Wenzel
Cummiskey	Johnson, D.	McFarlin	Rice	Wigley
Dahl	Johnson, J.	McMillan	Ryan	Wohlwend
DeGroat	Johnson, R.	Menke	St. Onge	Wolcott
Dieterich	Jopp	Miller, D.	Salchert	Mr. Speaker

A quorum was present.

Adams, S.; Graba; and Johnson, C., were excused. Bell was excused until 6:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Esau, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 3712, 452, and 3415 and S. F. Nos. 1934, 2924, 3244, 3433, 3455, and 3088 have been placed in the members' files.

S. F. No. 3193 and H. F. No. 3252, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 3193, page 1, line 28, reads: "*oxidizers, poisons, irritants, and corrosives.*"; whereas, H. F. No. 3252, page 1, line 28, reads: "*oxidizers, poisons, irritants, corrosives.*".

H. F. No. 3252, page 8, lines 23 to 28, and page 9, lines 1 to 3, contain the following language:

"Sec. 5. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.077] [ENFORCEMENT: PENALTY.] *It shall be the duty of every person affected to comply with the provisions of chapter 116, relating to the storage, collection, transportation, treatment and disposal of hazardous waste or the provisions of every other regulation or standard of the pollution control agency relating thereto. Violation of this section shall be a misdemeanor.*";

whereas, S. F. No. 3193 does not contain this language.

S. F. No. 3193, page 11, line 9, reads: "*oxidizers, poisons, irritants, and corrosives.*"; whereas, H. F. No. 3252, page 11, line 18, reads: "*oxidizers, poisons, irritants, corrosives.*".

In the title, in S. F. No. 3193, lines 11 and 12 read in part: "by adding a section;"; whereas, in H. F. No. 3252, lines 11 and 12, read in part: "by adding sections;".

SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 3193 be substituted for H. F. No. 3252 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1963 and H. F. No. 1827, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that after the enacting clause S. F. No. 1963 reads as follows:

"Section 1. Minnesota Statutes 1971, Section 56.13, Subdivision 1, is amended to read:

56.13 [LIMITATION ON LOANS; INTEREST.] Subdivision 1. Every licensee hereunder may lend any sum of money not to exceed (\$900) \$1,500 in amount, and may contract for and receive thereon a charge at a rate not exceeding two and three-quarters percent per month on that part of the unpaid principal balance of any loan not exceeding \$300, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of \$300 but not exceeding \$600, one and one-quarter percent per month on any remainder of such unpaid principal balance; provided, however, that not more than six months of accrued charges on the unpaid principal balance shall be included in any judgment entered on any loan made hereunder.

Sec. 2. Minnesota Statutes 1971, Section 56.13, Subdivision 5, is amended to read:

Subd. 5. In addition to the charges herein provided for, *the licensee may charge for a loan made pursuant to this chapter, \$1 for each \$50, or fraction thereof, of the principal amount loaned, for expenses, including any examination or investigation of the character and circumstances of the borrower, co-maker or security, and drawing and taking the acknowledgment of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no such charge shall be made on that portion of a loan in excess of \$1,000, and no such charge shall be collected unless a loan shall have been made. The full amount of the investigation charge authorized by this section shall be fully earned by the time a loan is made without regard to the expenses incurred and shall not be deemed interest, provided, however, if a loan for which an investigation charge was made is renewed within 12 months from the date of the loan, then 1/12 of such investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be refunded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of such payment is made out of the proceeds of another loan from the same lender. The borrower may repay the entire balance of such loan at any time before maturity and upon such prepayment the company shall forthwith refund to the borrower a portion of the interest. The amount of such refund shall represent at least as great a proportion of the total interest or discount as the sum of the periodical time balance after the date of prepayment bears to the sum of all the periodical time balances under the schedule of payments in the original loan contract. For the purpose of calculating such refunds, the commissioner of banks shall furnish a chart giving effect hereto for the use of such companies, which chart shall be followed in calculating refunds. No further or other amount shall be, directly or indirectly, charged, contracted for, or received. If any amount other than or in excess of the charge permitted by this chapter is charged, contracted for, or received, the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, charges, or recompense whatsoever.*

Sec. 3. Minnesota Statutes 1971, Section 56.15, Subdivision 1, is amended to read:

56.15 [LIMITATION ON AMOUNT AND INSURANCE.] Subdivision 1. No licensee shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use or forbearance of money, goods, or things in action, or upon the loan, use or sale of credit, of the amount or value of more than (\$900) \$1,500. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or otherwise, to owe, directly or contingently, or both, to the licensee at any time a sum of more than (\$900) \$1,500 for principal.

Sec. 4. *This act is effective July 1, 1974.*"

Whereas, after the enacting clause H. F. No. 1827 reads as follows:

"Section 1. Minnesota Statutes 1971, Section 56.01, is amended to read:

56.01 [NECESSITY OF LICENSE.] No person, copartnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, and charge, contract for, or receive on any such loan a greater rate of interest, discount, or consideration therefor than the lender would be permitted by law to charge if he were not a licensee hereunder, except as authorized by this chapter and without first obtaining a license from the commissioner of banks, hereinafter called the commissioner. The word "person," as used in this chapter, includes individuals, copartnerships, associations, and corporations, unless the context requires a different meaning.

Sec. 2. Minnesota Statutes 1971, Section 56.12, is amended to read:

56.12 [ADVERTISING; TAKING OF SECURITY; PLACE OF BUSINESS.] No licensee or other person shall advertise, print, display, publish, distribute, or broadcast, or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, at a greater rate of charge than lenders not licensed hereunder would be permitted by law to make, which is false, misleading, or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

The commissioner may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

No licensee shall take a lien upon real estate as security for any loan made under this chapter, except such lien as is created by law upon the recording of a judgment.

No licensee shall conduct the business of making loans under this chapter within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized, in writing, by the commissioner upon his finding that the character of the other business is such that the granting of such authority would not facilitate evasions of this chapter or of the rules and regulations lawfully made hereunder.

No licensee shall transact the business or make any loan provided for by this chapter under any other name or at any other place of business than that named in the license. No licensee shall take any confession of judgment or any power of attorney. No licensee shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution.

Sec. 3. Minnesota Statutes 1971, Section 56.13, Subdivision 1, is amended to read:

56.13 [LIMITATION OF LOANS; INTEREST; INVESTIGATION CHARGE.] Subdivision 1. Every licensee hereunder may lend any sum of money not to exceed (\$900) \$1,500 in amount, and may contract for and receive thereon a charge at a rate not exceeding two and three-quarters percent per month on that part of the unpaid principal balance of any loan not exceeding \$300, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of \$300 but not exceeding \$600, one and one-quarter percent per month on any remainder of such unpaid principal balance; provided (, HOWEVER, THAT) *in addition the licensee may collect from the proceeds of any loan an investigation charge of \$1 for each \$50, or fraction thereof, of the principal amount loaned, for expenses including any examination or investigation of the character and circumstances of the borrower, comaker or security, and drawing and taking the acknowledgement of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no such charge shall be made on that portion of a loan in excess of \$1,000, and no such charge shall be collected unless a loan shall have been made. The full amount of the investigation charge authorized by this subdivision shall be fully earned by the time a loan is made without regard to the expenses incurred and shall not be deemed interest; provided, however,*

if a loan for which an investigation charge was made is renewed within 12 months from the date of the loan, then 1/12 of such investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be refunded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of such payment is made out of the proceeds of another loan from the same or affiliated lender. Not more than six months of accrued charges on the unpaid principal balance shall be included in any judgment entered on any loan made hereunder.

Sec. 4. Minnesota Statutes 1971, Section 56.13, Subdivision 3, is amended to read:

Subd. 3. No charges on loans made under this chapter, *except for investigation charges allowed in subdivision 1 of this section*, shall be paid or received in advance, or deducted or discounted from the principal of the loan. *Interest* charges on loans made under this chapter, except as otherwise provided in subdivision 4 of this section, (1) shall be computed and paid only as a percentage per month of the unpaid principal balances or portions thereof, (2) shall be so expressed in every obligation signed by the borrower, and (3) shall not be compounded; provided that, if part or all of the consideration for a loan contract is the unpaid principal balance of a prior loan, then the principal amount payable under such loan contract may include any unpaid charges on the prior loan which have accrued within two months before the making of such loan contract. For the purpose of computations a month shall be considered a calendar month and where a fraction of a month is involved a day shall be considered one-thirtieth of a month.

Sec. 5. Minnesota Statutes 1971, Section 56.15, Subdivision 1, is amended to read:

56.15 [LIMITATION ON AMOUNT AND INSURANCE.] Subdivision 1. No licensee shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use or forbearance of money, goods, or things in action, or upon the loan, use or sale of credit, of the amount or value of more than (\$900) \$1,500. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or otherwise, to owe, directly or contingently, or both, to the licensee at any time a sum of more than (\$900) \$1,500 for principal.

Sec. 6. Minnesota Statutes 1971, Section 56.16, is amended to read:

56.16 [OVERAGES DEEMED INTEREST.] The payment of (\$900) \$1,500 or less in money, credit, goods, or things in

action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this chapter, be deemed a loan secured by the assignment, and the amount by which the assigned compensation exceeds the amount of the consideration actually paid shall, for the purposes of regulation under this chapter, be deemed interest or charges upon the loan from the date of the payment to the date the compensation is payable. This transaction shall be governed by, and subject to, the provisions of this chapter.

Sec. 7. Minnesota Statutes 1971, Section 56.18, is amended to read:

56.18 [UNLICENSED PERSONS NOT TO MAKE LOANS.] No person, except as authorized in this chapter, shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of (\$900) \$1,500 or less.

The foregoing prohibition shall apply to any person who, by any device, subterfuge, or pretense, shall charge, contract for, or receive greater interest, consideration, or charges than is authorized by this chapter for any such loan, use or forbearance of money, goods, or things in action, or for any such loan, use or sale of credit.

No loan of the amount or value of (\$900) \$1,500 or less for which a greater rate of interest, consideration, or charges than is permitted by this chapter has been charged, contracted for, or received, wherever made, shall be enforced in this state, and every person in anywise participating therein in this state shall be subject to the provisions of this chapter, provided, that the foregoing shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principle to this chapter.

Sec. 8. This chapter is effective July 1, 1974.”.

In the title, S. F. No. 1963, reads as follows:

“A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.”;

whereas, in the title, H. F. No. 1827, reads as follows:

"A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.01; 56.12; 56.13, Subdivisions 1 and 3; 56.15, Subdivision 1; 56.16 and 56.18."

SUSPENSION OF RULES

Hanson moved that the rules be so far suspended that S. F. No. 1963 be substituted for H. F. No. 1827 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 15, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 713, An act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

H. F. No. 995, An act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes, 1973 Supplement, Section 290.08, Subdivision 6.

H. F. No. 2717, An act relating to the city of Island View; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2876, An act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

H. F. No. 2888, An act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

H. F. No. 2908, An act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

H. F. No. 2909, An act relating to liquor; temporary licensing of clubs, charitable, religious, or non-profit associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

H. F. No. 3039, An act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

H. F. No. 3058, An act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; 11.19, Subdivision 2; 69.77, Subdivision 2; 69.775; 352D.03; and 352D.04, Subdivision 1; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

H. F. No. 3119, An act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, Section 1.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	601	106	March 14	March 14
	835	107	March 14	March 14
	1962	108	March 13	March 14
	2638	109	March 13	March 14
	2655	110	March 13	March 14
	2703	111	March 13	March 14
	2726	112	March 13	March 14
	2085	113	March 13	March 14
	2746	114	March 13	March 14
	2762	115	March 13	March 14
	2827	116	March 13	March 14
	2890	117	March 13	March 14
	2911	118	March 13	March 14
	2935	119	March 13	March 14
	2985	120	March 13	March 14
	3003	121	March 13	March 14
	3038	122	March 13	March 14
	3040	123	March 13	March 14
	3047	124	March 14	March 14
	3052	125	March 13	March 14
	3053	126	March 13	March 14
	3074	127	March 13	March 14
	3076	128	March 13	March 14
	3132	129	March 13	March 14

107th Day]

MONDAY, MARCH 18, 1974

6241

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	3245	130	March 14	March 14
	3293	131	March 14	March 14
625		132	March 13	March 14
1069		133	March 13	March 14
1541		134	March 13	March 14
1721		135	March 13	March 14
2682		136	March 13	March 14

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2718		137	March 13	March 14
2886		138	March 13	March 14
3037		139	March 13	March 14
3069		140	March 13	March 14
3084		141	March 13	March 14
3085		142	March 13	March 14
3151		143	March 13	March 14

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

Mr. Eckstein from the Committee on Appropriations to which was referred:

H. F. No. 2737, A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

Reported the same back with the following amendments:

Page 1, following line 13, add a new section as follows:

"Sec. 2. This act is effective the day following final enactment."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Eckstein from the Committee on Appropriations to which was referred:

H. F. No. 2900, A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

Reported the same back with the following amendments:

Page 2, after line 2, add a new section as follows:

"Sec. 2. This act is effective the day following its final enactment."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Eckstein from the Committee on Appropriations to which was referred:

H. F. No. 3056, A bill for an act relating to education; establishing the capability for local school district educational assessment; appropriating money; amending Minnesota Statutes 1971, Chapter 121, by adding a section.

Reported the same back with the following amendments:

Page 2, following line 18, add a new section as follows:

"Sec. 2. This act is effective the day following final enactment and shall expire June 30, 1975."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Eckstein from the Committee on Appropriations to which was referred:

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 254A.03, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.] *Subdivision 1.* There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities and allocate funds in accordance with the comprehensive state plan;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals for the provision of comprehensive program services;

(i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source (.);

(j) with respect to alcohol and other drug abuse programs serving the native American community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the native American community.

Subd. 2. [OFFICE OF NATIVE AMERICAN PROGRAMS.] There is hereby created, within the alcohol and drug abuse section of the department of public welfare, the position of special assistant for native American programs on alcoholism and drug abuse and an assistant to that position. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the native American community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant with the approval of the director shall:

(a). Administer funds appropriated for native American groups, organizations and reservations within the state for native American alcoholism and drug abuse programs,

(b) Establish policies and procedures for such native American programs with the assistance of the citizens advisory council created by Minnesota Statutes, 1973 Supplement, Section 254A.04, and the native American advisory board.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The department of public welfare may make grants to community mental health boards for comprehensive programs

for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. *Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j).* Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 3. The sum of \$35,000 is appropriated from the general fund to the alcohol and drug abuse section of the department of public welfare for the necessary staff for the purposes of section 1.

Sec. 4. Sections 1 to 3 are effective on April 1, 1974.

Sec. 5. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.065] [VENEREAL DISEASE TREATMENT CENTERS.] *The state board of health shall assist local agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate regulations relative to the composition of such services and shall establish a method of providing funds to local agencies and organizations which offer such services. The state board of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area.*

Sec. 6. There is hereby appropriated to the board of health from the general fund the sum of \$100,000 to be available for the biennium ending June 30, 1975, for the purposes of section 5.

Sec. 7. Laws 1973, Chapter 765, Section 2, Subdivision 2, is amended to read:

Subd. 2. [SUPPLIES AND EXPENSE]
 1974 \$1,552,800. 1975 \$1,397,600.

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.

The commissioner of public welfare may adopt a bloc grant system for the categorically aided recipients on or after October 1, 1973. *The commissioner shall provide supplementary grants and shall include the following costs in determining the amount of the supplementary grants: major home repairs, repair of major home appliances, utility recaps and supplemental dietary needs not covered by medical assistance as well as replacement of household furnishings.* Further, in determining the amount of the public assistance grant, the commissioner shall effect a 12 percent increase over the historical average grant.

The commissioner of public welfare shall submit a specific comprehensive plan to the senate finance committee and the house appropriations committee by November 15, 1974, regarding state hospitals, local facilities, and development plans for regions. Such report shall be preceded by a systematic plan for closing and demolishing old or obsolete buildings in the state hospital system, however the preliminary report may be implemented prior to submission, but specific items which are objected to in writing shall not be commenced.

If the total caseload, as estimated, does not materialize in all of the categorical aid programs for which funds are appropriated, the surplus funds shall revert to the general fund.

Funds are provided in the above appropriation for expenses incurred in distributing surplus commodities furnished by the federal government to the counties.

There is hereby appropriated to the department of public welfare from the general fund the sum of \$250,000 to be available for the biennium ending June 30, 1975, for the purposes of this section.

Sec. 8. Subdivision 1. The sums hereinafter stated, or so much thereof as may be necessary, are hereby appropriated to the commissioner of public welfare from the general fund in the state treasury not otherwise appropriated, to be expended for the purposes specified in this section, to be available for the biennium ending June 30, 1975.

Subd. 2. There is appropriated from the general fund the sum of \$3,028,000 for medical assistance to the needy and supplemental payments for Supplemental Security Income recipients. This appropriation shall be added to the appropriations made in Laws 1973, Chapter 765, Section 2, Subdivision 8.

Subd. 3. There is appropriated from the general fund the sum of \$350,000 for daytime activity centers for the mentally retarded. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 12.

Subd. 4. There is appropriated from the general fund the sum of \$20,000 for Red Lake band of Chippewa Indians. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 15.

Subd. 5. There is appropriated from the general fund the sum of \$200,000 for contingent funds for state institutions. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 9.

Subd. 6. To provide for day care services to children of migrant workers utilizing Title IV-A funds there is appropriated to the division of social services in the department of public welfare from the general fund in the state treasury the sum of \$60,000.

Subd. 7. There is appropriated from the general fund the amount of \$20,000 for regional library for the blind. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 21 (c).

Sec. 9. Any unexpended balance not to exceed \$235,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 2, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 10. There is appropriated to the commissioner of administration from the general fund the sum of \$500,000 for the economic opportunity program. These funds shall be expended in accordance with the provisions of Laws 1973, Chapter 765, Section 8, Subdivision 1.

Sec. 11. Commencing July 1, 1974, the department of public welfare shall not reimburse any county for administrative expenses appropriated by Laws 1973, Chapter 650, Article XXI, Section 31, until such county is participating in a food stamp quality control system. The department of public welfare shall certify the acceptability of each county plan. No county may discontinue its food stamp program to avoid state sanctions. The department of public welfare shall not be granted additional complement or funds as a result of this section.

Sec. 12. There is appropriated to the commissioner of public welfare from the general fund the sum of \$50,000 for the purpose of providing a grant-in-aid to the Bridge Runaway Youth Inc. of Minneapolis, Minnesota for their activities to assist runaway youth in reestablishing useful associations with their families.

The funds shall be expended subject to the direction of the commissioner of public welfare in accordance with the purposes of this act. Notwithstanding Minnesota Statutes, 1973 Supplement, Section 16.17 or other law, this appropriation expires June 30, 1975.

Sec. 13. Minnesota Statutes 1971, Section 641.11, is amended to read:

641.11 [COMPENSATION FOR BOARDING PRISONERS.] Every sheriff in charge of a county jail shall receive from the county compensation for board and washing for prisoners, as follows:

On the last day of each month he shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. The pay shall be determined by the county board of commissioners but shall not be less than (\$2.50) \$3.50 a day nor more than (\$3.50) \$4.50 for each day or fractional day for each prisoner. In every county where the sheriff's compensation for board of prisoners is fixed by special law it shall so continue unless the county board by unanimous vote shall elect to come under the general law after which it shall be governed by this section provided that the provisions of this section shall not apply to any county in this state now or hereafter having a population of more than 100,000.

Sec. 14. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for those persons receiving categorical aid while confined in any skilled nursing and intermediate care facility in this state shall not be less than \$25 per month. This allowance shall be paid directly to the entitled recipient or available to him on request for his personal needs.

The commissioner of public welfare shall, to the extent possible provided in federal law and regulation, establish an additional "special" personal allowance for handicapped or retarded persons who are living in a skilled nursing home or intermediate care facility and who are employed in a work therapy program under a plan of rehabilitation. This "special" personal allowance shall not exceed \$25 per month and must be available from income earned in the work therapy program. This special personal allowance is in addition to the personal allowance established in this act.

Sec. 15. There is appropriated to the commissioner of public welfare from the general fund the sum of \$300,000, for the purpose of supplementing allowances required by section 14 during the biennium ending June 30, 1975.

Sec. 16. Sections 5 to 15 are effective the day following final enactment."

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

"A bill for an act relating to the organization, operation and financing of state government; appropriating and reappropriating money for various programs related to public welfare; authorizing establishment of venereal disease treatment centers; native American drug abuse programs; setting fees for boarding prisoners; amending Minnesota Statutes 1971, Chapter 144, by adding a section, and Section 641.11; Minnesota Statutes, 1973 Supplement, Sections 254A.03 and 254A.07, Subdivision 2; and Laws 1973, Chapter 765, Section 2, Subdivision 2."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

S. F. No. 3428, A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 1149, A bill for an act relating to state government; permitting use of duplicating machines for police training in the bureau of criminal apprehension; amending Minnesota Statutes 1971, Section 16.02, Subdivision 16.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 2779, A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 3048, A bill for an act relating to crimes and criminals; contraband articles forbidden in state institutions and county jails; penalties; amending Minnesota Statutes 1971, Sections 243.55; and 641.165.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

S. F. No. 3409, A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 3691, A bill for an act creating a select committee to study the impact of present and alternative methods of waste disposal from taconite production.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 1800, A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3464, A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 1879, A bill for an act relating to insurance; licensing and regulation of insurance premium finance companies; granting rule-making authority; and providing penalties.

Reported the same back with the following amendments:

Page 1, line 29, after "by" and before "companies" insert "itself or by".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3008, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

S. F. No. 3394, A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

Reported the same back with the following amendments:

Page 1, line 12, strike "\$2,000" and insert "\$3,000".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

S. F. No. 2878, A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 1483, A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes, 1973 Supplement, Sections 514.01; and 514.05.

Reported the same back with the following amendments:

Page 2, line 25, after "section" insert "*except when such engineering or land surveying services include a visible staking of the premises*".

Page 2, line 25, strike "*No lien for engineering or land surveying services*".

Page 2, strike lines 26 to 28.

Page 3, strike line 1 and insert in lieu thereof the following: "*No lien shall attach for engineering or land surveying services rendered with respect to a purchaser for value if the value of those services does not exceed \$250.*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 2690, A bill for an act relating to the supreme court; authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

Reported the same back with the following amendments:

Page 2, line 9, strike "and".

Page 2, line 12, strike the period and insert "and".

Page 2, after line 12, insert the following:

"(i) The supreme court shall not have the power to adopt or promulgate any rule requiring less than unanimous verdicts in criminal cases."

Page 2, line 18, after "enactment." insert: "Any rules promulgated by the supreme court pursuant to this act shall not be effective prior to July 1, 1975.

Sec. 3. Minnesota Statutes 1971, Section 480.059, Subdivision 6, is amended to read:

Subd. 6. [PROMULGATION.] (1) [EFFECTIVE DATE OF RULES; PUBLICATION.] All rules promulgated under this section shall be effective at a time fixed by the court and shall be published in the appendix to the official reports of the supreme court and shall be bound therewith. *The court shall publish and distribute to the judiciary and attorneys of the state, on or before September 1, 1974, copies of the final version of the rules it intends to adopt. A period of at least 120 days shall be allowed from the date of publication of this final version for the rules to be studied by the judiciary and attorneys of the state prior to the adoption of any of the rules.*

(2) [PRINTING, PUBLISHING AND DISTRIBUTING.] The commissioner of administration shall print, publish and distribute copies thereof to the judiciary and attorneys and as required by law."

Further amend the title as follows:

On line 7 strike "Subdivision" and insert in lieu thereof "Subdivisions 6 and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 3046, A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 22, reinsert stricken language.

Page 1, line 22, delete “, *except that*”.

Page 1, lines 24 and 25, reinsert the stricken language.

Page 1, line 25, delete “*state shall*”.

Page 1, lines 28, 29 and 30, delete all the new language.

Page 2, lines 1 to 7, delete all the language.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 3245, A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

Reported the same back with the following amendments:

Page 1, line 27, after the word “approval” and before the word “by” insert “by a referendum of the people affected and”.

Further amend the title on page 1, line 5, after “cities” insert “; providing for a referendum”.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. The county board of Chisago county, in order to implement the powers granted under Minnesota Statutes, 1973 Supplement, Section 378.31, may levy assessments against property within the county limits benefited by facilities constructed pursuant to that section in the manner provided by Minnesota Statutes, Chapter 429.

Sec. 2. This act is effective upon its approval by the board of county commissioners of the county of Chisago, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

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

"A bill for an act relating to Chisago county; authorizing the county board to levy special assessments for improvements to bodies of water."

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Reported the same back with the following amendments:

Page 1, line 12, delete "\$7,000,000" and insert "\$5,600,000".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 1231, A bill for an act relating to planning commissions of certain counties and municipalities, and their controls; amending Minnesota Statutes 1971, Sections 394.25, by adding a subdivision; and 462.352, Subdivision 10.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 1355, A bill for an act relating to county parks and park districts; amending Minnesota Statutes 1971, Sections 398.01; and 398.16.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 2885, A bill for an act relating to metropolitan transportation; directing the metropolitan transit commission to promote the use of car pools and employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing tax levies.

Reported the same back with the following amendments:

Page 2, line 24, after "contract" insert ", without cost to the metropolitan transit commission,".

Page 2, after line 26, insert a new subdivision as follows:

"Subd. 8. The commission shall make a study of the integration of school bus transportation and bus service in the metropolitan area. The commission shall complete the study and make a report to the legislature by January 1, 1975."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 1888, A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2110, A bill for an act relating to metropolitan government; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; providing for adoption of ordinances therefor.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2580, A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2621, A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes 1971, Section 326.20, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3355, A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3408, A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3433, A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3477, 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 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05;

15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 3670, A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

Reported the same back with the following amendments:

Page 1, line 8, before "The" insert "Notwithstanding the provisions of Minnesota Statutes, Section 282.01,".

Page 1, line 9, strike "owned by" and insert "previously conveyed to".

Page 1, line 9, after "county" insert "as tax forfeited land held in trust and".

Page 1, strike lines 11 to 18.

Page 1, line 24, strike "new".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1, and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

Reported the same back with the following amendments:

Page 3, line 6, strike "Section 3" and insert "This act".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

S. F. No. 852, A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 13.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

S. F. No. 3210, A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

S. F. No. 3213, A bill for an act relating to the distribution of taxes accruing to the statutory city of Cooley under Minnesota Statutes, Sections 298.24 and 298.32.

Reported the same back with the following amendments:

Page 1, line 15, after "Statutes" strike "1971" and insert ", 1973 Supplement".

With the recommendation that when so amended the bill do pass.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 3577, A bill for an act relating to the city of Appleton; authorizing issuance of an on-sale intoxicating liquor license.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 3625, A bill for an act relating to legalizing proceedings heretofore adopted by the city council of the city of Lake Park in connection with the issuance of street, sewer, and water improvement bonds and authorizing the issuance of said bonds to finance such improvements.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1654, A bill for an act relating to intoxicating liquor; authorizing issuance of special off-sale wine licenses to general food stores; amending Minnesota Statutes 1971, Sections 340.07, by adding a subdivision; 340.11, Subdivisions 13 and 14; and 340.14, Subdivisions 1 and 3.

Reported the same back with the following amendments:

Page 5, line 2, strike "1971" and insert ", 1973 Supplement".

Page 6, line 25, after "campus;" strike "in each case after".

Page 6, strike line 26.

Amend the title in line 8 by striking "Subdivisions 1 and 3" and inserting in lieu thereof "Subdivision 1; and Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3".

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 3171, A bill for an act regulating gasoline station franchises and transactions; providing a penalty.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [DEFINITIONS.] Subdivision 1. Unless the context clearly indicates otherwise, the following words and phrases have the meanings given in this section for the purposes of this act.

Subd. 2. "Dealer" means a person who is a grantee of a dealership and who is either an independent branded marketer or an independent nonbranded marketer as those terms are defined in this section.

Subd. 3. "Grantor" means a person who grants a dealership and who is a producer, refiner or distributor as those terms are defined in this section.

Subd. 4. "Dealership" means a contract or agreement, either express or implied, whether oral or written, between a grantor and a dealer which provides for:

(a) leasing, selling or granting any interest in real estate or equipment by the grantor to the dealer in connection with the retail marketing of motor vehicle petroleum products; or

(b) supplying, selling, consigning or delivering motor vehicle petroleum products by the grantor to the dealer in connection with retail marketing of them.

Subd. 5. "Producer" means a firm or that part of a firm which produces crude petroleum or owns crude petroleum when it is produced.

Subd. 6. "Refiner" means a firm or that part of a firm which owns, operates or controls the operations of one or more industrial plants, regardless of capacity, processing crude oil and manufacturing refined petroleum products, including motor vehicle petroleum products, or which owns or purchases crude oil for processing, except when the plant is a petrochemical plant.

Subd. 7. "Distributor" means a firm or that part of a firm which carries on the trade or business of purchasing or otherwise receiving motor vehicle petroleum products and reselling the products, without substantially changing their form, to purchasers other than ultimate consumers.

Subd. 8. "Firm" means any association, company, corporation, estate, individual, joint venture, partnership, sole proprietorship, or any other entity however organized.

Subd. 9. "Person" means a natural person or firm.

Subd. 10. "Independent branded marketer" means a person who is engaged in the marketing of motor vehicle petroleum products at the retail level under a dealership, who is licensed to use the trademark, service mark or other identifying symbol or name owned by a producer, refiner or distributor, and who is not a producer, refiner or distributor.

Subd. 11. "Independent nonbranded marketer" means a person who is engaged in the marketing of motor vehicle petroleum products at the retail level, who is not licensed to use the trademark, service mark or other identifying symbol or name of a producer, refiner or distributor, who is not a producer, refiner or distributor, and who is not a branded independent marketer.

Subd. 12. "Marketing at the retail level" means carrying on the trade or business of purchasing or otherwise receiving motor vehicle petroleum products and reselling them, without substantially changing their form, to ultimate consumers.

Subd. 13. "Motor vehicle petroleum product" means motor vehicle gasoline, motor vehicle diesel fuel or motor vehicle oil.

Subd. 14. "Motor vehicle gasoline" means any of the various grades of retail gasoline used in motor vehicles other than aviation gasoline.

Subd. 15. "Motor vehicle diesel fuel" means any of the various grades of retail diesel fuel used in motor vehicles.

Subd. 16. "Motor vehicle oil" means any of the various grades of retail lubricating oils used in motor vehicles.

Subd. 17. "TBA" means tires, batteries and accessories and includes any similar item other than a motor vehicle petroleum product, which is purchased, leased or otherwise acquired for valuable consideration by a dealer for resale or for use in connection with the operation of a dealership.

Subd. 18. "Sideline business" means business activity, involving products or services, which is ancillary to the business of marketing motor vehicle petroleum products at retail and which includes, but is not limited to, motor vehicle repair, motor vehicle wash, motor vehicle and trailer rental, towing and wrecker service, storage rental, small engine repair, sales of food and sundries, and sales of recreational products.

Sec. 2. [PROHIBITED PRACTICES.] Subdivision 1. Contracts or agreements, express or implied, oral or written, which purport to lease, sell or rent any interest in real estate or equipment by the grantor to the dealer in connection with the retail marketing of motor vehicle petroleum products shall comply with the following requirements:

(a) The term shall be for a period of five years and shall be automatically renewable each five years thereafter for a period of five years unless the agreement is terminated upon a showing of good cause under the procedures set forth in this subdivision, except that an agreement may be terminated by the dealer upon 90 days written notice to the grantor.

(b) 1. Notwithstanding the terms, provisions or conditions of any dealership, no grantor, directly or through any officer, agent or employee may terminate, cancel, fail to renew or substantially change the competitive circumstances of a dealership without good cause. The burden of proving good cause shall be on the grantor.

2. "Good cause" means either failure by a dealer to comply substantially with essential and reasonable requirements imposed upon him by the grantor, or sought to be imposed by the grantor, which are not discriminatory as compared with requirements imposed on other similarly situated dealers either by their terms or in the manner of their enforcement, or bad faith by the dealer in carrying out the terms of the dealership.

3. Except as otherwise provided in this clause, a grantor shall provide a dealer at least 90 days prior written notice of termination, cancellation, nonrenewal or substantial change in competitive circumstances. The notice shall state all of the reasons for termination, cancellation, nonrenewal or substantial change in competitive circumstances and shall provide that the dealer has 60 days in which to rectify any claimed deficiency. If the deficiency is rectified within 60 days, the notice shall be void. The notice provisions of this clause do not apply if the reason for termination, cancellation or nonrenewal is insolvency, the occurrence of an assignment for the benefit of creditors or bankruptcy. If the reason for termination, cancellation, nonrenewal or substantial change in competitive circumstances is nonpayment of sums due under the dealership, the dealer shall be entitled to written notice of the default, and have ten days to remedy the default from the date of delivery or posting of the notice.

(c) Rent shall not be computed on a basis of a percentage of gross receipts resulting from the sale of any product or service other than the sale of motor vehicle petroleum products. The amount and manner of computing rent shall be reasonable and not substantially and unfairly change the competitive circumstances of the dealer. The manner and schedule of rent payments shall be reasonable, but in no event shall the rent be due and payable to the grantor until 72 hours after the close of the business day in which the motor vehicle petroleum products were sold by the dealer.

(d) 1. The grantor shall not prohibit the purchase, display, storage or sale of any product or service by the dealer, provided that the purchase, display, storage or sale does not substantially and unreasonably interfere with the sale of motor vehicle petroleum products. When products are motor vehicle petroleum products purchased by the dealer from a supplier other than the grantor, the grantor may require that the motor vehicle petroleum products be of a quality at least equal to that of the grantor's motor vehicle petroleum products and be distinguished from the grantor's trademark, service mark or other identifying symbol or name.

2. The grantor shall not require the dealer to purchase, lease or otherwise acquire TBA from any person or persons, including the grantor, or prohibit the purchase, leasing or other acquisition by the dealer of TBA from any person or persons.

3. The grantor shall not require the dealer to engage in any sideline business and shall not prohibit the dealer from engaging in any sideline business.

(e) The grantor shall have no right of access to the business records of the dealer. He may require reasonable reports and make reasonable inspections of equipment as necessary to confirm compliance with both the rental and supply payment pro-

visions of the dealership. Submission of any reports shall not be required until 72 hours after the close of the business day in which the motor vehicle petroleum products subject to the report were sold by the dealer.

(f) The grantor shall not provide for, or in any other way control or require, the hours of operation of a dealer.

(g) The grantor shall not provide for, or in any other way require, a security deposit for performance of the dealership which exceeds \$1,000.

Subd. 2. Contracts or agreements, express or implied, oral or written, between a grantor and a dealer to supply, sell, consign or deliver motor vehicle petroleum products to the dealer in connection with their retail marketing or which relate in any manner to the operation of a dealership shall comply with the following requirements:

(a) 1. All practices prohibited under section 2, subdivision 1, except for clause (a), shall be similarly prohibited under this subdivision.

2. The term shall be for a period of five years and shall be automatically renewable each five years thereafter for a period of five years unless the agreement is terminated upon a showing of good cause under the procedures set forth in section 2, subdivision 1, clause (b), except that an agreement or contract may be terminated by the dealer upon five days notice to the grantor. This clause shall apply only to agreements or contracts to supply, sell, consign or deliver motor vehicle gasoline or motor vehicle diesel fuel.

(b) Independent branded marketers and independent non-branded marketers of motor vehicle petroleum products shall have priority, to the extent allowable by law, in the allocation of supplies of motor vehicle petroleum products from the grantor.

(c) The grantor shall make deliveries of motor vehicle petroleum products at the time and in the amounts the dealer shall reasonably specify in order to meet the normal and customary requirements of the dealer's retail customers.

Subd. 3. (a) The grantor shall not effectively fix, set or otherwise determine the retail price of motor vehicle petroleum products sold by the dealer.

(b) The grantor shall not discriminate in its wholesale price of motor vehicle petroleum products to any dealer. This clause shall invalidate any temporary competitive allowance or similar pricing mechanism.

(c) The grantor shall not effectively fix, set or otherwise determine the profit margin or markup of any dealer.

Subd. 4. No grantor may take retaliatory action against any dealer that files or manifests an intent to file a complaint of alleged violation of state or federal law with the appropriate state or federal authority. "Retaliatory action" means any action contrary to the purpose or intent of this act and may include an unlawful refusal to continue to sell or lease, any unlawful reduction in quality or quantity of services or products customarily available for sale or lease, any violation of privacy, any form of harassment, or any inducement of others to retaliate.

Sec. 3. [ACTION FOR DAMAGES AND INJUNCTIVE RELIEF.] Subdivision 1. If any grantor violates this act, a dealer may bring an action against him in any court of competent jurisdiction for damages sustained as a consequence of the grantor's violation, together with the actual costs of the action, including reasonable actual attorney's fees, and the dealer also may be granted injunctive relief against unlawful termination, cancellation, nonrenewal or substantial change of competitive circumstances.

Subd. 2. Any dealer may bring an action, individually or for the benefit of those dealers similarly situated, against the grantor in any court of competent jurisdiction for damages sustained by him as a consequence of the grantor's violation of Minnesota Statutes, Chapter 325, together with the actual cost of the action, including reasonable actual attorney's fees, and the dealer may also be granted appropriate injunctive and declaratory relief.

Sec. 4. [DUTY OF THE ATTORNEY GENERAL.] Subdivision 1. Whenever the attorney general is notified or has reason to believe that any grantor has violated this act, it shall be his duty to address to the grantor or to any director or officer of the grantor inquiries as he deems necessary to determine whether or not the grantor has violated any provision of this act, and it shall be the duty of the grantor, director or officer addressed to properly and fully answer in writing, under oath, the inquiries. If the grantor, director or officer fails and neglects to do so within 60 days after the receipt of the inquiries, unless the time is extended in writing by the attorney general, it shall be his duty to proceed against the grantor as provided in subdivision 2.

Subd. 2. Upon complaint being made to the attorney general and evidence produced to him which satisfies him that a grantor has violated any of the conditions specified in this act, he shall forthwith bring an action for injunctive relief and for the assessment of civil forfeitures not to exceed \$5,000 for each violation. Each day that a violation of this act continues shall be deemed a separate violation for purposes of assessing civil penalties. Any person who violates any provision of this act may be fined

not more than \$10,000 for each violation or imprisoned not more than 180 days in the county jail for each violation or both. Nothing contained herein shall effect the right of a dealer to proceed with legal action under section 3.

Sec. 5. [RIGHTS OF THE GRANTOR.] Subdivision 1. Nothing contained in this act shall operate to limit the right of a licensor under federal law to license its trademark or service mark or other identifying symbol or name, if the licensor has not lost its incontestable right to the mark or other symbol by use of it in violation of federal antitrust laws. If a licensor withdraws its mark from a licensee, the withdrawal shall not operate to terminate the dealership.

Subd. 2. Nothing in this act shall operate to limit the right of a grantor to hold any interest in property permitted by state law.

Sec. 6. This act may be cited as the "Minnesota Fair Dealership Law."

Further, strike the title and insert:

"A bill for an act relating to commerce; regulating the relationship between gasoline retail dealers and other petroleum enterprises; providing penalties."

With the recommendation that when so amended the bill do pass.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2737, 2900, 3056, 3670, and 3707 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3193, 1963, 2964, 3428, 1149, 2779, 3048, 3409, 3464, 1879, 3008, 3394, 2878, 1483, 2690, 3046, 3245, 3246, 3350, 1231, 1355, 2885, 1888, 2110, 2580, 2621, 3355, 3408, 3433, 3477, 852, 3210, and 3213 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2554, A bill for an act relating to counties; establishment and use of imprest cash funds in counties.

H. F. No. 2967, A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

H. F. No. 3276, A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

H. F. No. 3321, A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3395, A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tomlinson moved that the House concur in the Senate amendments to H. F. No. 3395 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3395, A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 0, as follows:

Those who voted in the affirmative were:

Andersen, R.	Eckstein	Kempe	Miller, M.	Schreiber
Anderson, I.	Enebo	Klaus	Moe	Schulz
Becklin	Erdahl	Knickerbocker	Munger	Searle
Belisle	Erickson	Knoll	Myrah	Sherwood
Bennett	Esau	Kostohryz	Nelson	Sieben, H.
Berg	Faricy	Kvam	Newcome	Skaar
Biersdorf	Forsythe	Laidig	Ohnstad	Spanish
Braun	Fudro	Larson	Ojala	Stanton
Brinkman	Fugina	LaVoy	Parish	Swanson
Carlson, A.	Graw	Lemke	Patton	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R.	Ulland
Carlson, D.	Hanson	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, L.	Haugerud	Lombardi	Pehler	Vento
Casserly	Heinitz	Long	Peterson	Voss
Cleary	Jacobs	Mann	Pieper	Wenzel
Clifford	Johnson, D.	McArthur	Pleasant	Wigley
Culhane	Johnson, J.	McCarron	Prahl	Wohlwend
Cummiskey	Johnson, R.	McCauley	Resner	Wolcott
Dahl	Jopp	McEachern	St. Onge	Mr. Speaker
DeGroat	Jude	McFarlin	Samuelson	
Dieterich	Kahn	McMillan	Sarna	
Dirlam	Kelly	Menke	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following those Special Orders continued to Monday, March 18, 1974: S. F. Nos. 1769, 2830, 3152, 2477, 1735, 2995, 2691, 3123, 2084, 2136, 2558, 3189, 3115, 3119, 3009, 1104, 2970, 3002, 3079, 3208, 2161 and 3276.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Samuelson reported on the progress of H. F. No. 1866, now in Conference Committee.

Pursuant to Joint Rule 13, Voss reported on the progress of S. F. No. 1060, now in Conference Committee.

Pursuant to Joint Rule 13, McCarron reported on the progress of S. F. No. 973, now in Conference Committee.

CONSENT CALENDAR

S. F. No. 2973 was reported to the House.

Kempe moved that S. F. No. 2973 be continued on the Consent Calendar until Wednesday, March 20, 1974. The motion prevailed.

H. F. No. 3239, A bill for an act relating to aeronautics; appropriating and transferring certain funds.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Moe	Savelkoul
Andersen, R.	Eckstein	Kempe	Munger	Schreiber
Anderson, G.	Enebo	Klaus	Myrah	Schulz
Anderson, I.	Erdahl	Knickerbocker	Nelson	Searle
Becklin	Erickson	Knoll	Newcome	Sherwood
Belisle	Esau	Kostohryz	Niehaus	Sieben, H.
Bennett	Faricy	Kvam	Ohnstad	Sieben, M.
Berg	Ferderer	Laidig	Ojala	Skaar
Biersdorf	Fjoslien	Larson	Parish	Smith
Braun	Forsythe	LaVoy	Patton	Spanish
Brinkman	Fudro	Lemke	Pavlak, R.	Stanton
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Hagedorn	Lombardi	Peterson	Ulland
Carlson, L.	Hanson	Long	Pieper	Vanasek
Casserly	Haugerud	Mann	Pleasant	Vento
Cleary	Heinitz	McArthur	Prahl	Voss
Clifford	Jacobs	McCarron	Quirin	Wenzel
Connors	Johnson, D.	McEachern	Resner	Wigley
Culhane	Johnson, J.	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, R.	McMillan	Ryan	Wolcott
Dahl	Jopp	Menke	St. Onge	Mr. Speaker
DeGroat	Jude	Miller, D.	Samuelson	
Dieterich	Kahn	Miller, M.	Sarna	

The bill was passed and its title agreed to.

H. F. No. 3267, A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Bennett	Biersdorf	Carlson, A.
Andersen, R.	Becklin	Berg	Braun	Carlson, B.
Anderson, G.	Belisle	Berglin	Brinkman	Carlson, D.

Carlson, L.	Graw	LaVoy	Ohnstad	Sherwood
Casserly	Growe	Lemke	Ojala	Sieben, H.
Cleary	Hagedorn	Lindstrom, E.	Parish	Sieben, M.
Clifford	Hanson	Lindstrom, J.	Patton	Skaar
Connors	Haugerud	Lombardi	Pavlak, R.	Smith
Culhane	Heinitz	Long	Pavlak, R. L.	Spanish
Cummiskey	Jacobs	Mann	Pehler	Stanton
Dahl	Johnson, D.	McArthur	Peterson	Swanson
DeGroat	Johnson, J.	McCarron	Pieper	Tomlinson
Dieterich	Johnson, R.	McCauley	Pleasant	Ulland
Dirlam	Jopp	McEachern	Prahl	Vanasek
Eckstein	Jude	McFarlin	Quirin	Vento
Enebo	Kahn	McMillan	Resner	Voss
Erdahl	Kelly	Menke	Rice	Wenzel
Erickson	Kempe	Miller, D.	Ryan	Wigley
Esau	Klaus	Miller, M.	St. Onge	Wohlwend
Faricy	Knickerbocker	Moe	Samuelson	Wolcott
Ferderer	Knoll	Munger	Sarna	Mr. Speaker
Fjoslien	Kostohryz	Myrah	Savelkoul	
Forsythe	Kvam	Nelson	Schreiber	
Fudro	Laidig	Newcome	Schulz	
Fugina	Larson	Niehaus	Searle	

The bill was passed and its title agreed to.

S. F. No. 2015, A bill for an act relating to snowmobiles; operation and regulation; contests; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1a.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, D.	Sarna
Andersen, R.	Dieterich	Kahn	Miller, M.	Savelkoul
Anderson, D.	Dirlam	Kelly	Munger	Schreiber
Anderson, G.	Eckstein	Kempe	Myrah	Schulz
Anderson, I.	Enebo	Klaus	Nelson	Searle
Becklin	Erdahl	Knickerbocker	Newcome	Sherwood
Belisle	Erickson	Knoll	Niehaus	Sieben, H.
Bennett	Esau	Kostohryz	Norton	Sieben, M.
Berg	Faricy	Kvam	Ohnstad	Skaar
Berglin	Ferderer	Laidig	Ojala	Smith
Biersdorf	Fjoslien	Larson	Parish	Spanish
Braun	Forsythe	LaVoy	Patton	Stanton
Brinkman	Fudro	Lemke	Pavlak, R.	Swanson
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, D.	Growe	Long	Peterson	Vanasek
Carlson, L.	Hagedorn	Mann	Pieper	Vento
Casserly	Haugerud	McArthur	Prahl	Voss
Cleary	Heinitz	McCarron	Quirin	Wenzel
Clifford	Jacobs	McCauley	Resner	Wigley
Connors	Johnson, D.	McEachern	Rice	Wohlwend
Culhane	Johnson, J.	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, R.	McMillan	St. Onge	Mr. Speaker
Dahl	Jopp	Menke	Samuelson	

Those who voted in the negative were:

Hanson Lombardi Moe Pleasant

The bill was passed and its title agreed to.

S. F. No. 3212, A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Miller, D.	St. Onge
Andersen, R.	Dirlam	Kelly	Miller, M.	Samuelson
Anderson, D.	Eckstein	Kempe	Moe	Sarna
Anderson, G.	Enebo	Klaus	Munger	Savelkoul
Anderson, I.	Erdahl	Knickerbocker	Myrah	Schulz
Becklin	Erickson	Knoll	Nelson	Searle
Belisle	Esau	Kostohryz	Newcome	Sherwood
Bennett	Faricy	Kvam	Niehaus	Sieben, H.
Berg	Ferderer	Laidig	Norton	Sieben, M.
Berglin	Fjoslien	Larson	Ohnstad	Skaar
Biersdorf	Forsythe	LaVoy	Ojala	Smith
Braun	Fudro	Lemke	Parish	Spanish
Brinkman	Fugina	Lindstrom, E.	Patton	Stanton
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R.	Swanson
Carlson, D.	Growe	Lombardi	Pavlak, R. L.	Tomlinson
Carlson, L.	Hagedorn	Long	Pehler	Ulland
Casserly	Hanson	Mann	Peterson	Vanasek
Cleary	Haugerud	McArthur	Pieper	Vento
Clifford	Heinitz	McCarron	Pleasant	Voss
Connors	Johnson, D.	McCauley	Prahl	Wenzel
Culhane	Johnson, J.	McEachern	Quirin	Wigley
Cummiskey	Johnson, R.	McFarlin	Resner	Wohlwend
Dahl	Jopp	McMillan	Rice	Wolcott
DeGroat	Jude	Menke	Ryan	Mr. Speaker

Those who voted in the negative were:

Carlson, A.

The bill was passed and its title agreed to.

S. F. No. 3406, A bill for an act relating to historic sites; designating additional historical sites; and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Samuelson
Andersen, R.	Dirlam	Jude	Miller, M.	Sarna
Anderson, D.	Eckstein	Kahn	Moe	Savelkoul
Anderson, I.	Enebo	Kelly	Munger	Schreiber
Becklin	Erdahl	Kempe	Myrah	Schulz
Belisle	Erickson	Klaus	Nelson	Searle
Bennett	Esau	Knickerbocker	Newcome	Sherwood
Berg	Faricy	Knoll	Niehaus	Sieben, H.
Berglin	Ferderer	Kostohryz	Norton	Sieben, M.
Biersdorf	Fjoslien	Kvam	Ohnstad	Skaar
Braun	Forsythe	LaVoy	Ojala	Smith
Brinkman	Fudro	Lemke	Parish	Spanish
Carlson, A.	Fugina	Lindstrom, E.	Patton	Stanton
Carlson, B.	Graw	Lindstrom, J.	Paviak, R.	Swanson
Carlson, D.	Growe	Lombardi	Paviak, R. L.	Tomlinson
Carlson, L.	Hagedorn	Long	Pehler	Ulland
Cassery	Hanson	Mann	Peterson	Vanasek
Cleary	Haugerud	McArthur	Pieper	Vento
Clifford	Heinitz	McCarron	Pleasant	Voss
Connors	Hook	McCauley	Quirin	Wenzel
Culhane	Jacobs	McEachern	Resner	Wigley
Cummiskey	Johnson, D.	McFarlin	Rice	Wohlwend
Dahl	Johnson, J.	McMillan	Ryan	Wolcott
DeGroat	Johnson, R.	Menke	St. Onge	Mr. Speaker

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

S. F. No. 2252, A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 95, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Enebo	Jopp	Lemke
Andersen, R.	Carlson, L.	Faricy	Jude	McArthur
Anderson, I.	Cassery	Ferderer	Kahn	McCarron
Becklin	Clifford	Forsythe	Kelly	McCauley
Belisle	Connors	Fudro	Kempe	McEachern
Bennett	Culhane	Fugina	Klaus	McFarlin
Berg	Cummiskey	Growe	Knickerbocker	McMillan
Berglin	Dahl	Hanson	Knoll	Menke
Biersdorf	DeGroat	Haugerud	Kostohryz	Miller, D.
Braun	Dieterich	Jacobs	Kvam	Miller, M.
Brinkman	Dirlam	Jaros	Laidig	Moe
Carlson, A.	Eckstein	Johnson, D.	LaVoy	Mueller

Munger	Pavlak, R.	Resner	Sieben, H.	Vanasek
Nelson	Pehler	Rice	Sieben, M.	Vento
Newcome	Peterson	Ryan	Spanish	Voss
Norton	Pieper	St. Onge	Stanton	Wenzel
Ojala	Pleasant	Sarna	Swanson	Wohlwend
Parish	Prahl	Schulz	Tomlinson	Wolcott
Patton	Quirin	Sherwood	Ulland	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Fjoslien	Johnson, J.	Long	Schreiber
Cleary	Graw	Johnson, R.	Myrah	Searle
Erdahl	Hagedorn	Larson	Niehaus	Skaar
Erickson	Heinitz	Lindstrom, E.	Ohnstad	Smith
Esau	Hook	Lindstrom, J.	Pavlak, R. L.	Wigley

The bill was passed and its title agreed to.

S. F. No. 2350, A bill for an act relating to the county of Ramsey; providing for the retirement of employees thereof; providing certain benefits therefor; and authorizing the levy of certain taxes; amending Laws 1963, Chapter 852, Section 3, as amended.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, D.	Sarna
Andersen, R.	Eckstein	Kahn	Miller, M.	Savelkoul
Anderson, D.	Enebo	Kelly	Moe	Schreiber
Anderson, I.	Erdahl	Kempe	Mueller	Schulz
Becklin	Erickson	Klaus	Munger	Searle
Belisle	Esau	Knickerbocker	Myrah	Sherwood
Bennett	Faricy	Knoll	Nelson	Sieben, H.
Berg	Ferderer	Kostohryz	Newcome	Sieben, M.
Berglin	Fjoslien	Kvam	Niehaus	Skaar
Biersdorf	Forsythe	Laidig	Norton	Smith
Braun	Fudro	Larson	Ohnstad	Spanish
Brinkman	Fugina	LaVoy	Ojala	Stanton
Carlson, A.	Graw	Lemke	Parish	Swanson
Carlson, B.	Grove	Lindstrom, E.	Patton	Tomlinson
Carlson, D.	Hagedorn	Lindstrom, J.	Pavlak, R.	Ulland
Carlson, L.	Hanson	Lombardi	Pavlak, R. L.	Vanasek
Casserly	Haugerud	Long	Pehler	Vento
Cleary	Heinitz	Mann	Peterson	Voss
Clifford	Hook	McArthur	Pieper	Wenzel
Connors	Jacobs	McCarron	Pleasant	Wigley
Culhane	Jaros	McCauley	Prahl	Wohlwend
Cummiskey	Johnson, D.	McEachern	Quirin	Wolcott
Dahl	Johnson, J.	McFarlin	Resner	Mr. Speaker
DeGroat	Johnson, R.	McMillan	Ryan	
Dieterich	Jopp	Menke	St. Onge	

The bill was passed and its title agreed to.

S. F. No. 2739, A bill for an act relating to hazardous and sub-standard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 109, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Sarna
Andersen, R.	Dirlam	Jude	Miller, M.	Schulz
Anderson, D.	Eckstein	Kahn	Moe	Searle
Anderson, I.	Enebo	Kelly	Mueller	Sherwood
Belisle	Erdahl	Kempe	Munger	Sieben, M.
Bennett	Erickson	Knickerbocker	Myrah	Skaar
Berg	Esau	Knoll	Nelson	Smith
Berglin	Faricy	Kostohryz	Newcome	Spanish
Biersdorf	Ferderer	Kvam	Norton	Stangeland
Braun	Fjoslien	Laidig	Parish	Stanton
Brinkman	Forsythe	Larson	Patton	Swanson
Carlson, A.	Fudro	LaVoy	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Ulland
Carlson, L.	Grove	Lindstrom, J.	Pehler	Vanasek
Casserly	Hagedorn	Mann	Peterson	Vento
Cleary	Hanson	McArthur	Pieper	Weaver
Clifford	Haugerud	McCarron	Pleasant	Wenzel
Connors	Heinitz	McCauley	Quirin	Wigley
Culhane	Jacobs	McEachern	Resner	Wohlwend
Cummiskey	Jaros	McFarlin	Rice	Wolcott
Dahl	Johnson, J.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, R.	Menke	St. Onge	

Those who voted in the negative were:

Becklin	Hook	Lindstrom, E.	Niehaus	Prahl
Carlson, D.	Johnson, D.	Lombardi	Ohnstad	Voss
Fugina	Klaus	Long	Ojala	

The bill was passed and its title agreed to.

S. F. No. 3129, A bill for an act relating to the state arts council; providing the lieutenant governor shall be ex-officio member of the governing board in lieu of the governor; amending Minnesota Statutes 1971, Section 139.02.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Andersen, R.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Myrah	Searle
Becklin	Erickson	Knickerbocker	Nelson	Sherwood
Belisle	Esau	Knoll	Newcome	Sieben, H.
Bennett	Faricy	Kostohryz	Niehaus	Sieben, M.
Berg	Ferderer	Kvam	Norton	Skaar
Berglin	Fjoslien	Laidig	Ohnstad	Smith
Biersdorf	Forsythe	Larson	Ojala	Spanish
Braun	Fudro	LaVoy	Parish	Stangeland
Brinkman	Fugina	Lemke	Patton	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Growe	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hagedorn	Long	Pehler	Ulland
Carlson, L.	Hanson	Mann	Peterson	Vanasek
Casserly	Haugerud	McArthur	Pieper	Vento
Cleary	Heinitz	McCarron	Pleasant	Voss
Clifford	Jacobs	McCauley	Prahl	Weaver
Culhane	Jaros	McEachern	Quirin	Wenzel
Cummiskey	Johnson, D.	McFarlin	Resner	Wigley
Dahl	Johnson, J.	McMillan	Rice	Wohlwend
DeGroat	Johnson, R.	Menke	Ryan	Wolcott
Dieterich	Jopp	Miller, D.	St. Onge	

Those who voted in the negative were:

Hook Lombardi

The bill was passed and its title agreed to.

S. F. No. 3311 was reported to the House.

Pavlak, R., moved to amend S. F. No. 3311, the printed bill, as follows:

Page 1, line 24, strike the semicolon and insert in lieu thereof a period.

Page 1, strike lines 25 and 26.

Page 2, line 1, strike "*in cities of the first class*,".

Further, amend the title, in line 2, strike "*cities of the first class*,".

The motion prevailed and the amendment was adopted.

S. F. No. 3311; A bill for an act relating to the cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Moe	Savelkoul
Andersen, R.	Eken	Kelly	Mueller	Schreiber
Anderson, D.	Enebo	Kempe	Munger	Schulz
Anderson, G.	Erdahl	Klaus	Myrah	Searle
Anderson, I.	Erickson	Knickerbocker	Nelson	Sherwood
Becklin	Esau	Knoll	Newcome	Sieben, H.
Belisle	Ferderer	Kostohryz	Norton	Sieben, M.
Bennett	Fjoslien	Kvam	Ohnstad	Skaar
Berg	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Spanish
Braun	Fugina	LaVoy	Patton	Stangeland
Brinkman	Graw	Lemke	Pavlak, R.	Stanton
Carlson, A.	Grove	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Hagedorn	Lombardi	Pehler	Tomlinson
Carlson, D.	Hanson	Long	Peterson	Vanasek
Carlson, L.	Haugerud	Mann	Pieper	Vento
Casserly	Heinitz	McArthur	Pleasant	Voss
Cleary	Hook	McCarron	Prahl	Weaver
Clifford	Jacobs	McCauley	Quirin	Wenzel
Connors	Jaros	McEachern	Resner	Wigley
Culhane	Johnson, D.	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, J.	McMillan	Ryan	Wolcott
Dahl	Johnson, R.	Menke	St. Ouge	Mr. Speaker
DeGroat	Jopp	Miller, D.	Salchert	
Dirlam	Jude	Miller, M.	Sarna	

Those who voted in the negative were:

Dieterich	Faricy	Niehaus	Ulland
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The bill was passed, as amended, and its title agreed to.

S. F. No. 2715, A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into a single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Carlson, L.	DeGroat	Esau
Andersen, R.	Berglin	Casserly	Dieterich	Faricy
Anderson, D.	Biersdorf	Cleary	Dirlam	Ferderer
Anderson, G.	Braun	Clifford	Eckstein	Fjoslien
Anderson, I.	Brinkman	Connors	Eken	Forsythe
Becklin	Carlson, A.	Culhane	Enebo	Fudro
Belisle	Carlson, B.	Cummiskey	Erdahl	Fugina
Bennett	Carlson, D.	Dahl	Erickson	Graw

Grove	Knoll	Menke	Peterson	Skaar
Hagedorn	Kostohryz	Miller, D.	Pieper	Smith
Hanson	Kvam	Miller, M.	Pleasant	Spanish
Haugerud	Laidig	Moe	Prahl	Stangeland
Heinitz	Larson	Mueller	Quirin	Stanton
Hook	LaVoy	Munger	Resner	Swanson
Jacobs	Lemke	Myrah	Rice	Tomlinson
Jaros	Lindstrom, E.	Nelson	Ryan	Ulland
Johnson, D.	Lindstrom, J.	Newcome	St. Onge	Vanasek
Johnson, J.	Lombardi	Niehaus	Salchert	Vento
Johnson, R.	Long	Norton	Sarna	Voss
Jopp	Mann	Ohnstad	Savelkoul	Weaver
Jude	McArthur	Ojala	Schreiber	Wenzel
Kahn	McCarron	Parish	Schulz	Wigley
Kelly	McCauley	Patton	Searle	Wohlwend
Kempe	McEachern	Pavlak, R.	Sherwood	Wolcott
Klaus	McFarlin	Pavlak, R. L.	Sieben, H.	Mr. Speaker
Knickerbocker	McMillan	Pehler	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 3325, A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Moe	Savelkoul
Andersen, R.	Eckstein	Kelly	Mueller	Schreiber
Andersen, D.	Eken	Kempe	Munger	Searle
Anderson, G.	Enebo	Klaus	Myrah	Sherwood
Anderson, I.	Erdahl	Knickerbocker	Nelson	Sieben, H.
Becklin	Erickson	Knoll	Newcome	Sieben, M.
Belisle	Esau	Kostohryz	Niehaus	Skaar
Bennett	Faricy	Laidig	Norton	Smith
Berg	Ferderer	Larson	Ohnstad	Spanish
Biersdorf	Forsythe	LaVoy	Parish	Stangeland
Braun	Fudro	Lemke	Patton	Stanton
Brinkman	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, A.	Grove	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, B.	Hagedorn	Lombardi	Pehler	Ulland
Carlson, D.	Hanson	Long	Peterson	Vanasek
Carlson, L.	Haugerud	Mann	Pieper	Vento
Casserly	Heinitz	McArthur	Pleasant	Voss
Cleary	Hook	McCarron	Prahl	Weaver
Clifford	Jacobs	McCauley	Quirin	Wenzel
Connors	Jaros	McEachern	Resner	Wigley
Culhane	Johnson, D.	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, J.	McMillan	Ryan	Wolcott
Dahl	Johnson, R.	Menke	St. Onge	Mr. Speaker
DeGroat	Jopp	Miller, D.	Salchert	
Dieterich	Jude	Miller, M.	Sarna	

Those who voted in the negative were:

Fugina Ojala

The bill was passed and its title agreed to.

S. F. No. 2794, A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 72, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Klaus	Norton	Sherwood
Anderson, I.	Eckstein	Knickerbocker	Ohnstad	Sieben, H.
Bennett	Enebo	Knoll	Ojala	Sieben, M.
Berg	Faricy	Kostohryz	Parish	Spanish
Berglin	Ferderer	LaVoy	Patton	Stanton
Biersdorf	Forsythe	Lemke	Pavlak, R.	Tomlinson
Brinkman	Fudro	McArthur	Pehler	Ulland
Carlson, A.	Fugina	McCarron	Quirin	Vento
Carlson, B.	Growe	McEachern	Resner	Voss
Carlson, L.	Hanson	McMillan	Rice	Wenzel
Casserly	Jacobs	Menke	Ryan	Wigley
Culhane	Jaros	Miller, D.	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	Miller, M.	Salchert	
Dahl	Jude	Munger	Samuelson	
Dieterich	Kahn	Nelson	Sarna	

Those who voted in the negative were:

Anderson, D.	Erdahl	Jopp	Moe	Schulz
Anderson, G.	Erickson	Kelly	Mueller	Searle
Becklin	Esau	Kvam	Myrah	Skaar
Belisle	Fjoslien	Laidig	Niehaus	Smith
Braun	Graw	Larson	Pavlak, R. L.	Stangeland
Carlson, D.	Hagedorn	Lindstrom, E.	Peterson	Swanson
Cleary	Haugerud	Lombardi	Pieper	Vanasek
Clifford	Heinitz	Long	Pleasant	Weaver
Connors	Hook	Mann	Prahl	Wohlwend
DeGroat	Johnson, J.	McCauley	Savelkoul	Wolcott
Eken	Johnson, R.	McFarlin	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 3331, A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Moe	Schulz
Andersen, R.	Dirlam	Kempe	Mueller	Searle
Anderson, G.	Eckstein	Klaus	Munger	Sherwood
Anderson, I.	Enebo	Knickerbocker	Myrah	Sieben, H.
Becklin	Erdahl	Knoll	Nelson	Sieben, M.
Belisle	Erickson	Kostohryz	Newcome	Skaar
Bennett	Esau	Laidig	Niehaus	Smith
Berg	Faricy	Larson	Norton	Spanish
Berglin	Ferderer	LaVoy	Ohnstad	Stanton
Biersdorf	Fjoslien	Lemke	Parish	Swanson
Braun	Forsythe	Lindstrom, E.	Patton	Tomlinson
Brinkman	Fudro	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, A.	Graw	Lombardi	Pehler	Vanasek
Carlson, B.	Grove	Long	Peterson	Vento
Carlson, D.	Heinitz	Mann	Pieper	Voss
Carlson, L.	Hook	McArthur	Pleasant	Weaver
Casserly	Jacobs	McCarron	Quirin	Wenzel
Cleary	Jaros	McCauley	Resner	Wigley
Clifford	Johnson, D.	McEachern	Rice	Wohlwend
Connors	Johnson, J.	McFarlin	Ryan	Mr. Speaker
Culhane	Johnson, R.	McMillan	Samuelson	
Cummiskey	Jopp	Menke	Sarna	
Dahl	Jude	Miller, D.	Savelkoul	
DeGroat	Kahn	Miller, M.	Schreiber	

Those who voted in the negative were:

Eken	Hagedorn	Kvam	Pavlak, R.	St. Onge
Fugina	Hanson	Ojala	Prahl	Stangeland

The bill was passed and its title agreed to.

S. F. No. 3467, A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Ferderer	Jopp	Long
Andersen, R.	Cleary	Fjoslien	Jude	Mann
Anderson, D.	Clifford	Forsythe	Kahn	McArthur
Anderson, G.	Connors	Fudro	Kelly	McCarron
Anderson, I.	Culhane	Fugina	Kempe	McCauley
Becklin	Cummiskey	Graw	Klaus	McEachern
Belisle	Dahl	Grove	Knickerbocker	McFarlin
Bennett	DeGroat	Hagedorn	Knoll	McMillan
Berg	Dieterich	Hanson	Kostohryz	Menke
Berglin	Dirlam	Haugerud	Kvam	Miller, D.
Biersdorf	Eckstein	Heinitz	Laidig	Miller, M.
Braun	Eken	Hook	Larson	Moe
Brinkman	Enebo	Jacobs	LaVoy	Mueller
Carlson, A.	Erdahl	Jaros	Lemke	Munger
Carlson, B.	Erickson	Johnson, D.	Lindstrom, E.	Nelson
Carlson, D.	Esau	Johnson, J.	Lindstrom, J.	Newcome
Carlson, L.	Faricy	Johnson, R.	Lombardi	Niehaus

Norton	Pleasant	Sarna	Spanish	Weaver
Ohnstad	Prahl	Savelkoul	Stangeland	Wenzel
Ojala	Quirin	Schreiber	Stanton	Wigley
Parish	Resner	Schulz	Swanson	Wohlwend
Patton	Rice	Sherwood	Tomlinson	Mr. Speaker
Pavlak, R.	Ryan	Sieben, H.	Ulland	
Pavlak, R. L.	St. Onge	Sieben, M.	Vanasek	
Peterson	Salchert	Skaar	Vento	
Pieper	Samuelson	Smith	Voss	

Those who voted in the negative were:

Pehler

The bill was passed and its title agreed to.

S. F. No. 2005, A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Moe	Sarna
Andersen, R.	Eckstein	Kelly	Mueller	Savelkoul
Anderson, D.	Eken	Kempe	Munger	Schreiber
Anderson, G.	Enebo	Klaus	Myrah	Schulz
Anderson, I.	Erdahl	Knickerbocker	Nelson	Searle
Becklin	Erickson	Knoll	Newcome	Sherwood
Belisle	Esau	Kostohryz	Niehaus	Sieben, H.
Bennett	Faricy	Kvam	Norton	Sieben, M.
Berg	Ferderer	Laidig	Ohnstad	Skaar
Berglin	Fjoslien	Larson	Ojala	Smith
Biersdorf	Forsythe	LaVoy	Parish	Spanish
Braun	Fudro	Lemke	Patton	Stangeland
Brinkman	Fugina	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, A.	Graw	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, B.	Grove	Lombardi	Pehler	Tomlinson
Carlson, D.	Hanson	Long	Peterson	Ulland
Carlson, L.	Haugerud	Mann	Pieper	Vanasek
Cassery	Heinitz	McArthur	Pleasant	Vento
Cleary	Hook	McCarron	Prahl	Voss
Clifford	Jacobs	McCauley	Quirin	Weaver
Connors	Jaros	McEachern	Resner	Wenzel
Culhane	Johnson, D.	McFarlin	Rice	Wigley
Cummiskey	Johnson, J.	McMillan	Ryan	Wohlwend
Dahl	Johnson, R.	Menke	St. Onge	Wolcott
DeGroat	Jopp	Miller, D.	Salchert	Mr. Speaker
Dieterich	Jude	Miller, M.	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 2516, A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

The bill was read for the third time and placed upon its final passage:

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Samuelson
Andersen, R.	Eckstein	Kahn	Moe	Sarna
Anderson, D.	Eken	Kelly	Mueller	Savelkoul
Anderson, G.	Enebo	Kempe	Munger	Schreiber
Anderson, I.	Erdahl	Klaus	Myrah	Schulz
Becklin	Erickson	Knickerbocker	Nelson	Searle
Belisle	Esau	Knoll	Newcome	Sherwood
Bennett	Faricy	Kostohryz	Niehaus	Sieben, H.
Berg	Ferderer	Kvam	Norton	Sieben, M.
Berglin	Fjoslien	Laidig	Ohnstad	Skaar
Biersdorf	Forsythe	Larson	Ojala	Smith
Braun	Fudro	LaVoy	Parish	Spanish
Brinkman	Fugina	Lemke	Patton	Stangeland
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, D.	Hagedorn	Lombardi	Pehler	Tomlinson
Carlson, L.	Hanson	Long	Peterson	Ulland
Cassery	Haugerud	Mann	Pieper	Vanasek
Cleary	Heinitz	McArthur	Pleasant	Vento
Clifford	Hook	McCarron	Prahl	Voss
Connors	Jacobs	McCauley	Quirin	Weaver
Culhane	Jaros	McEachern	Resner	Wenzel
Cummiskey	Johnson, D.	McFarlin	Rice	Wigley
Dahl	Johnson, J.	McMillan	Ryan	Wohlwend
DeGroat	Johnson, R.	Menke	St. Onge	Wolcott
Dieterich	Jopp	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2611, A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands in Carlton county.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Cummiskey	Faricy	Heinitz
Andersen, R.	Brinkman	Dahl	Ferderer	Hook
Anderson, D.	Carlson, A.	DeGroat	Fjoslien	Jacobs
Anderson, G.	Carlson, B.	Dieterich	Forsythe	Jaros
Anderson, I.	Carlson, D.	Dirlam	Fudro	Johnson, D.
Becklin	Carlson, L.	Eckstein	Fugina	Johnson, J.
Belisle	Cassery	Eken	Graw	Johnson, R.
Bennett	Cleary	Enebo	Grove	Jopp
Berg	Clifford	Erdahl	Hagedorn	Jude
Berglin	Connors	Erickson	Hanson	Kelly
Biersdorf	Culhane	Esau	Haugerud	Kempe

Klaus	McCarron	Norton	Ryan	Stangeland
Knickerbocker	McCauley	Ohnstad	St. Onge	Stanton
Knoll	McEachern	Ojala	Salchert	Swanson
Kostohryz	McFarlin	Parish	Samuelson	Tomlinson
Kvam	McMillan	Patton	Sarna	Ulland
Laidig	Menke	Pavlak, R.	Savelkoul	Vanasek
Larson	Miller, D.	Pavlak, R. L.	Schreiber	Vento
LaVoy	Miller, M.	Pehler	Schulz	Voss
Lemke	Moe	Peterson	Searle	Weaver
Lindstrom, E.	Mueller	Pieper	Sherwood	Wenzel
Lindstrom, J.	Munger	Pleasant	Sieben, H.	Wigley
Lombardi	Myrah	Prahl	Sieben, M.	Wohlwend
Long	Nelson	Quirin	Skaar	Wolcott
Mann	Newcome	Resner	Smith	Mr. Speaker
McArthur	Niehaus	Rice	Spanish	

Those who voted in the negative were:

Kahn

The bill was passed and its title agreed to.

S. F. No. 2515, A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Moe	Savelkoul
Andersen, R.	Eckstein	Kahn	Mueller	Schreiber
Anderson, D.	Eken	Kelly	Munger	Schulz
Anderson, G.	Enebo	Kempe	Myrah	Searle
Anderson, I.	Erdahl	Klaus	Nelson	Sherwood
Becklin	Erickson	Knickerbocker	Newcome	Sieben, H.
Belisle	Esau	Knoll	Niehaus	Sieben, M.
Bennett	Faricy	Kostohryz	Ohnstad	Skaar
Berg	Ferderer	Kvam	Ojala	Smith
Berglin	Fjoslien	Larson	Parish	Spanish
Biersdorf	Forsythe	LaVoy	Patton	Stangeland
Braun	Fudro	Lemke	Pavlak, R.	Stanton
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Ulland
Carlson, D.	Hagedorn	Long	Pieper	Vanasek
Carlson, L.	Hanson	Mann	Pleasant	Vento
Casserly	Haugerud	McArthur	Prahl	Voss
Cleary	Heinitz	McCarron	Quirin	Weaver
Clifford	Hook	McCauley	Resner	Wenzel
Connors	Jacobs	McEachern	Rice	Wigley
Culhane	Jaros	McFarlin	Ryan	Wohlwend
Cummiskey	Johnson, D.	McMillan	St. Onge	Wolcott
Dahl	Johnson, J.	Menke	Salchert	Mr. Speaker
DeGroat	Johnson, R.	Miller, D.	Samuelson	
Dieterich	Jopp	Miller, M.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 2814, A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 98, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Mueller	Schulz
Andersen, R.	Dirlam	Kahn	Munger	Sherwood
Anderson, D.	Eken	Kelly	Newcome	Sieben, H.
Anderson, G.	Enebo	Kempe	Ohnstad	Sieben, M.
Anderson, I.	Erickson	Knoll	Ojala	Smith
Becklin	Fjoslien	Kostohryz	Parish	Spanish
Bennett	Forsythe	Laidig	Pavlak, R.	Stangeland
Berg	Fudro	LaVoy	Pavlak, R. L.	Stanton
Berglin	Fugina	Lindstrom, E.	Pleasant	Swanson
Biersdorf	Grove	Lindstrom, J.	Prahl	Tomlinson
Braun	Hagedorn	Lombardi	Quirin	Vanasek
Brinkman	Hanson	Long	Resner	Vento
Carlson, B.	Haugerud	Mann	Rice	Weaver
Carlson, D.	Hook	McArthur	Ryan	Wenzel
Carlson, L.	Jacobs	McCarron	St. Onge	Wigley
Casserly	Jaros	McFarlin	Salchert	Wohlwend
Connors	Johnson, D.	McMillan	Samuelson	Wolcott
Culhane	Johnson, J.	Menke	Sarna	Mr. Speaker
Cummiskey	Johnson, R.	Miller, D.	Savelkoul	
DeGroat	Jopp	Moe	Schreiber	

Those who voted in the negative were:

Belisle	Erdahl	Klaus	Myrah	Peterson
Carlson, A.	Esau	Knickerbocker	Nelson	Pieper
Cleary	Faricy	Kvam	Niehaus	Skaar
Clifford	Ferderer	McEachern	Patton	Ulland
Eckstein	Heintz	Miller, M.	Pehler	Voss

The bill was passed and its title agreed to.

S. F. No. 3036 was reported to the House.

Knoll moved that S. F. No. 3036 be continued on the Consent Calendar for one day. The motion prevailed.

S. F. No. 2668, A bill for an act relating to tax forfeited land sales; place of conducting sales in St. Louis and Koochiching counties; amending Minnesota Statutes 1971, Sections 282.01, Subdivision 4; 282.02; 282.16, Subdivision 1; and 282.222, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Schreiber
Andersen, R.	Eckstein	Kahn	Moe	Schulz
Anderson, D.	Eken	Kelly	Mueller	Searle
Anderson, G.	Enebo	Kempe	Munger	Sherwood
Anderson, I.	Erdahl	Klaus	Myrah	Sieben, H.
Becklin	Erickson	Knickerbocker	Nelson	Sieben, M.
Belisle	Esau	Knoll	Newcome	Skaar
Bennett	Faricy	Kostohryz	Niehaus	Smith
Berg	Ferderer	Kvam	Ohnstad	Spanish
Berglin	Fjoslien	Laidig	Ojala	Stangeland
Biersdorf	Forsythe	Larson	Parish	Stanton
Braun	Fudro	LaVoy	Patton	Swanson
Brinkman	Fugina	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, B.	Grove	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hagedorn	Lombardi	Peterson	Vento
Carlson, L.	Hanson	Long	Pieper	Voss
Casserly	Haugerud	Mann	Prahl	Weaver
Cleary	Heinitz	McArthur	Quirin	Wenzel
Clifford	Hook	McCarron	Resner	Wigley
Connors	Jacobs	McCauley	Rice	Wohlwend
Culhane	Jaros	McEachern	Ryan	Wolcott
Cummiskey	Johnson, D.	McFarlin	St. Onge	Mr. Speaker
Dahl	Johnson, J.	McMillan	Salchert	
DeGroat	Johnson, R.	Menke	Samuelson	
Dieterich	Jopp	Miller, D.	Saveikoul	

The bill was passed and its title agreed to.

S. F. No. 2820, A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Hagedorn	Laidig	Moe
Andersen, R.	Cummiskey	Hanson	LaVoy	Mueller
Anderson, G.	Dahl	Haugerud	Lemke	Munger
Anderson, I.	DeGroat	Heinitz	Lindstrom, E.	Myrah
Belisle	Dieterich	Jacobs	Lindstrom, J.	Nelson
Bennett	Dirlam	Jaros	Lombardi	Newcome
Berg	Eckstein	Johnson, D.	Mann	Niehaus
Berglin	Eken	Johnson, R.	McArthur	Ojala
Biersdorf	Enebo	Jopp	McCarron	Parish
Braun	Faricy	Jude	McCauley	Patton
Carlson, A.	Ferderer	Kahn	McEachern	Pavlak, R.
Carlson, B.	Forsythe	Kelly	McFarlin	Pavlak, R. L.
Carlson, L.	Fudro	Kempe	McMillan	Pehler
Casserly	Fugina	Knickerbocker	Menke	Peterson
Clifford	Graw	Knoll	Miller, D.	Pieper
Connors	Grove	Kostohryz	Miller, M.	Pleasant

Prahl	Salchert	Sieben, H.	Swanson	Weaver
Quirin	Samuelson	Sieben, M.	Tomlinson	Wenzel
Resner	Sarna	Smith	Ulland	Wigley
Rice	Savelkoul	Spanish	Vanasek	Wohlwend
Ryan	Schreiber	Stangeland	Vento	Wolcott
St. Onge	Schulz	Stanton	Voss	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Erdahl	Fjoslien	Klaus	Ohnstad
Becklin	Erickson	Hook	Larson	Sherwood
Carlson, D.	Esau	Johnson, J.	Long	Skaar

The bill was passed and its title agreed to.

S. F. No. 2871, A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Mueller	Schreiber
Andersen, R.	Eckstein	Kelly	Munger	Schulz
Anderson, D.	Eken	Kempe	Myrah	Searle
Anderson, G.	Enebo	Klaus	Nelson	Sherwood
Anderson, I.	Erdahl	Knickerbocker	Newcome	Sieben, H.
Becklin	Erickson	Knoll	Niehaus	Sieben, M.
Belisle	Esau	Kostohryz	Ohnstad	Skaar
Bennett	Faricy	Kvam	Ojala	Smith
Berg	Ferderer	Laidig	Parish	Spanish
Berglin	Fjoslien	Larson	Patton	Stangeland
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Stanton
Braun	Fudro	Lemke	Pavlak, R. L.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Growe	Lombardi	Pieper	Vanasek
Carlson, D.	Hagedorn	Long	Pleasant	Vento
Carlson, L.	Hanson	Mann	Prahl	Voss
Casserly	Haugerud	McArthur	Quirin	Weaver
Cleary	Heinitz	McCarron	Resner	Wenzel
Clifford	Hook	McCauley	Rice	Wigley
Connors	Jacobs	McEachern	Ryan	Wohlwend
Culhane	Jaros	McMillan	St. Onge	Wolcott
Cummiskey	Johnson, D.	Menke	Salchert	Mr. Speaker
Dahl	Johnson, J.	Miller, D.	Samuelson	
DeGroat	Johnson, R.	Miller, M.	Sarna	
Dieterich	Jopp	Moe	Savelkoul	

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House refuse to concur in the Senate amendments to H. F. No. 3571, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Parish moved that the House refuse to concur in the Senate amendments to H. F. No. 1835, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3159 and S. F. Nos. 1759 and 2661.

H. F. No. 3159, A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kelly	Miller, M.	Schulz
Anderson, D.	Eken	Kempe	Moe	Sherwood
Anderson, I.	Enebo	Knickerbocker	Munger	Sieben, H.
Becklin	Faricy	Knoll	Myrah	Sieben, M.
Belisle	Fjoslien	Kostohryz	Nelson	Smith
Berglin	Forsythe	Kvam	Norton	Spanish
Biersdorf	Fudro	Laidig	Ojala	Stangeland
Braun	Fugina	Larson	Parish	Stanton
Brinkman	Growe	LaVoy	Pavlak, R.	Swanson
Carlson, A.	Hagedorn	Lemke	Pavlak, R. L.	Tomlinson
Carlson, B.	Hanson	Lindstrom, E.	Pehler	Vento
Carlson, L.	Haugerud	Lindstrom, J.	Peterson	Voss
Casserly	Heintz	Lombardi	Prahl	Weaver
Cleary	Hook	Mann	Quirin	Wenzel
Clifford	Jacobs	McArthur	Resner	Wigley
Connors	Jaros	McCarron	Rice	Wohlwend
Culhane	Johnson, D.	McCauley	Ryan	Wolcott
Cummiskey	Johnson, J.	McEachern	St. Onge	Mr. Speaker
Dahl	Johnson, R.	McFarlin	Samuelson	
DeGroat	Jopp	McMillan	Sarna	
Dieterich	Jude	Menke	Savelkoul	
Dirlam	Kahn	Miller, D.	Schreiber	

Those who voted in the negative were:

Carlson, D.	Esau	Long	Pieper	Ulland
Erdahl	Ferderer	Niehaus	Searle	Vanasek
Erickson	Klaus	Ohnstad	Skaar	

The bill was passed and its title agreed to.

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 90, and nays 27, as follows:

Those who voted in the affirmative were :

Adams, J.	Cummiskey	Johnson, D.	Miller, D.	Samuelson
Andersen, R.	DeGroat	Johnson, J.	Moe	Sarna
Anderson, G.	Dieterich	Jude	Munger	Schreiber
Anderson, I.	Dirlam	Kahn	Nelson	Searle
Belisle	Eckstein	Kelly	Newcome	Sherwood
Bennett	Eken	Knickerbocker	Norton	Sieben, H.
Berg	Enebo	Knoll	Ojala	Sieben, M.
Berglin	Faricy	Kostohryz	Parish	Skaar
Biersdorf	Ferderer	Laidig	Pavlak, R. L.	Smith
Braun	Fjoslien	LaVoy	Pehler	Stangeland
Brinkman	Forsythe	Lemke	Peterson	Stanton
Carlson, A.	Fudro	Lindstrom, J.	Pleasant	Tomlinson
Carlson, B.	Fugina	Mann	Quirin	Vento
Carlson, L.	Grove	McArthur	Resner	Voss
Casserly	Hanson	McCarron	Rice	Wenzel
Clifford	Haugerud	McCauley	Ryan	Wohlwend
Connors	Hook	McMillan	St. Onge	Wolcott
Culhane	Jaros	Menke	Salchert	Mr. Speaker

Those who voted in the negative were :

Anderson, D.	Graw	Lindstrom, E.	Niehaus	Vanasek
Becklin	Heinitz	Lombardi	Ohnstad	Weaver
Carlson, D.	Johnson, R.	Long	Patton	Wigley
Cleary	Jopp	McFarlin	Pieper	
Erdahl	Klaus	Miller, M.	Savelkoul	
Erickson	Larson	Myrah	Swanson	

The bill was passed and its title agreed to.

S. F. No. 2661, A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; reappropriating money from the site determination study to the authority; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows :

Those who voted in the affirmative were:

Adams, J.	Brinkman	DeGroat	Forsythe	Johnson, D.
Andersen, R.	Carlson, A.	Dieterich	Fudro	Johnson, J.
Anderson, D.	Carlson, B.	Dirlam	Fugina	Johnson, R.
Anderson, G.	Carlson, D.	Eckstein	Graw	Jopp
Anderson, I.	Carlson, L.	Eken	Grove	Jude
Becklin	Casserly	Enebo	Hagedorn	Kahn
Belisle	Cleary	Erdahl	Hanson	Kelly
Bennett	Clifford	Erickson	Haugerud	Kempe
Berg	Connors	Esau	Heinitz	Klaus
Berglin	Culhane	Faricy	Hook	Knickerbocker
Biersdorf	Cummiskey	Ferderer	Jacobs	Knoll
Braun	Dahl	Fjoslien	Jaros	Kostohryz

Kvam	McEachern	Ojala	Salchert	Swanson
Laidig	McFarlin	Parish	Samuelson	Tomlinson
Larson	McMillan	Patton	Sarna	Ulland
LaVoy	Menke	Pavlak, R.	Savelkoul	Vanasek
Lemke	Miller, D.	Pavlak, R. L.	Schreiber	Vento
Lindstrom, E.	Miller, M.	Pehler	Schulz	Voss
Lindstrom J.	Moe	Pieper	Searle	Weaver
Lombardi	Munger	Pleasant	Sherwood	Wenzel
Long	Nelson	Prahl	Sieben, H.	Wigley
Mann	Newcome	Quirin	Sieben, M.	Wohlwend
McArthur	Niehaus	Rice	Skaar	Wolcott
McCarron	Norton	Ryan	Stangeland	Mr. Speaker
McCauley	Ohnstad	St. Onge	Stanton	

Those who voted in the negative were:

Resner

The bill was passed and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of H. F. No. 913 and S. F. No. 1253.

H. F. No. 913, A bill for an act relating to real estate taxes; increasing the rate of interest and penalties on delinquent real estate taxes; amending Minnesota Statutes 1971, Section 279.01.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jude	Miller, M.	Sarna
Anderson, D.	Eken	Kahn	Moe	Schreiber
Anderson, G.	Enebo	Kelly	Mueller	Schulz
Anderson, I.	Erdahl	Kempe	Munger	Searle
Becklin	Erickson	Klaus	Nelson	Sherwood
Belisle	Esau	Knickerbocker	Newcome	Sieben, H.
Bennett	Faricy	Knoll	Niehaus	Sieben, M.
Berg	Ferderer	Kostohryz	Norton	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Stangeland
Biersdorf	Forsythe	Laidig	Ojala	Stanton
Braun	Fudro	Larson	Parish	Swanson
Brinkman	Fugina	LaVoy	Patton	Tomlinson
Carlson, A.	Graw	Lemke	Pavlak, R.	Ulland
Carlson, B.	Grove	Lindstrom, E.	Pehler	Vento
Carlson, D.	Hagedorn	Lindstrom, J.	Peterson	Voss
Carlson, L.	Hanson	Lombardi	Pieper	Weaver
Casserly	Haugerud	Long	Pleasant	Wenzel
Cleary	Heimitz	Mann	Prahl	Wigley
Clifford	Hook	McArthur	Quirin	Wohlwend
Connors	Jacobs	McCarron	Resner	Wolcott
Cummiskey	Jaros	McEachern	Rice	Mr. Speaker
Dahl	Johnson, D.	McFarlin	Ryan	
DeGroat	Johnson, J.	McMillan	St. Onge	
Dieterich	Johnson, R.	Menke	Salchert	

Those who voted in the negative were:

Culhane McCauley Myrah Skaar

The bill was passed and its title agreed to.

S. F. No. 1253 was reported to the House.

Salchert moved to amend S. F. No. 1253, as follows:

Page 3, at the end of the bill, add a new section:

"Sec. 4. This act shall take effect the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 1253, A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein; amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, and by adding subdivisions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Mueller	Schreiber
Andersen, R.	Eken	Kempe	Munger	Schulz
Anderson, D.	Enebo	Klaus	Myrah	Searle
Anderson, G.	Erdahl	Knickerbocker	Nelson	Sherwood
Anderson, I.	Erickson	Knoll	Newcome	Sieben, H.
Becklin	Ferderer	Kostohryz	Niehaus	Sieben, M.
Belisle	Fjoslien	Kvam	Norton	Skaar
Bennett	Forsythe	Laidig	Ohnstad	Smith
Berg	Fudro	Larson	Ojala	Spanish
Berglin	Fugina	LaVoy	Parish	Stanton
Biersdorf	Graw	Lemke	Patton	Swanson
Braun	Growe	Lindstrom, E.	Pavlak, R.	Tomlinson
Brinkman	Hagedorn	Lindstrom J.	Pavlak, R. L.	Ulland
Carlson, A.	Hanson	Lombardi	Pehler	Vento
Carlson, B.	Haugerud	Long	Peterson	Voss
Carlson, D.	Heinitz	Mann	Pieper	Weaver
Carlson, L.	Hook	McArthur	Pleasant	Wenzel
Casserly	Jacobs	McCarron	Quirin	Wigley
Cleary	Jaros	McCauley	Resner	Wohlwend
Clifford	Johnson, D.	McEachern	Rice	Wolcott
Connors	Johnson, J.	McFarlin	St. Onge	Mr. Speaker
Culhane	Johnson, R.	McMillan	Salchert	
Cummiskey	Jopp	Menke	Samuelson	
Dahl	Jude	Miller, D.	Sarna	
DeGroat	Kahn	Miller, M.	Savelkoul	

Those who voted in the negative were:

Faricy

Prahl

Stangeland

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

SPECIAL ORDERS

S. F. No. 3163 was reported to the House.

Bennett moved to amend S. F. No. 3163 as follows:

Page 1, after line 26, insert:

"Sec. 2. Laws 1969, Chapter 783, Section 1, Subdivision 1, as amended by Laws 1971, Chapter 498, Section 1, and Laws 1973, Chapter 396, Section 1, is amended to read:

Section 1. [ST. PAUL, CITY OF; CIVIC CENTER; LIQUOR LICENSE.] Subdivision 1. In addition to the licenses now authorized by law, and notwithstanding any provision of law to the contrary contained in the charter or ordinances of such city, or statutes applicable to such city, the city of St. Paul is authorized to issue an "on-sale" liquor license for the premises known and used as the St. Paul civic center. The license so authorized may be vested, with the prior approval of the civic center authority, in any person, firm or corporation who has contracted for the use of the civic center premises for an event or a caterer of such person, firm or corporation approved by the civic center authority. The license may be vested in such person, firm, corporation or caterer notwithstanding the fact that such person, firm, corporation or caterer may hold another "on-sale" license in its own right, but such license vested by the authority shall expire upon termination of the contracted event. The fee for such license to the authority shall be fixed by the governing body of the city of St. Paul. Such liquor license shall be issued in accordance with the statutes applicable to the issuance of "on-sale" liquor licenses in cities of the first class not inconsistent herewith and in accordance with the charter and ordinances of the city of St. Paul not inconsistent herewith and shall limit the sale of intoxicating liquor to patrons of the entire civic center complex who gather therein for any convention, banquet, conference, meeting, theatrical event or social affairs, (BUT SHALL PROHIBIT THE SALE OF INTOXICATING LIQUOR TO THE PUBLIC OR TO ANY PERSONS ATTENDING OR PARTICIPATING IN ANY ATHLETIC EVENT BEING HELD ON THE CIVIC CENTER PREMISES.) *provided, such sale or consumption of liquor is restricted to rooms, exclusive of concession stands or booths, adjacent to the arena portion or auditorium when such sale or consumption permitted hereunder occurs during athletic events. Further, the sale or consumption of liquor is prohibited during athletic events sponsored by a public or private school or educational organization.*"

Remember the remaining section. Further, amend the title in line 5 after "building" by inserting: "; removing restrictions regarding the sale of intoxicating liquor at the civic center; amending Laws 1969, Chapter 783, Section 1, Subdivision 1, as amended".

The motion prevailed and the amendment was adopted.

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 96, and nays 27, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kempe	Nelson	Sieben, H.
Andersen, R.	Eckstein	Knickerbocker	Ojala	Sieben, M.
Anderson, G.	Eken	Knoll	Patton	Smith
Anderson, I.	Enebo	Kostohryz	Pavlak, R.	Spanish
Belisle	Faricy	LaVoy	Pavlak, R. L.	Stanton
Bennett	Ferderer	Lemke	Pehler	Swanson
Berg	Forsythe	Lindstrom, J.	Peterson	Tomlinson
Berglin	Fugina	Lombardi	Pieper	Ulland
Biersdorf	Grove	Mann	Prahl	Vanasek
Braun	Hagedorn	McArthur	Quirin	Vento
Brinkman	Hanson	McCarron	Resner	Voss
Carlson, A.	Haugerud	McCauley	Rice	Wenzel
Carlson, B.	Heinitz	McEachern	Ryan	Wigley
Carlson, L.	Jacobs	McFarlin	St. Onge	Wohlwend
Cassery	Johnson, D.	McMillan	Salchert	Wolcott
Cleary	Johnson, R.	Menke	Samuelson	Mr. Speaker
Clifford	Jopp	Miller, D.	Sarna	
Connors	Jude	Moe	Savelkoul	
Culhane	Kahn	Mueller	Schreiber	
Cummiskey	Kelly	Munger	Schulz	

Those who voted in the negative were:

Anderson, D.	Erdahl	Johnson, J.	Miller, M.	Sherwood
Becklin	Erickson	Klaus	Myrah	Skaar
Carlson, D.	Esau	Laidig	Niehaus	Stangeland
DeGroat	Fjoslien	Larson	Ohnstad	
Dieterich	Hook	Lindstrom, E.	Pleasant	
Dirlam	Jaros	Long	Searle	

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

S. F. No. 2850, A bill for an act relating to St. Louis county; authorizing issuance of additional seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 17, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kelly	Mueller	Schreiber
Andersen, R.	Dieterich	Kempe	Nelson	Schulz
Anderson, G.	Eckstein	Knickerbocker	Niehaus	Sieben, H.
Anderson, I.	Eken	Knoll	Ojala	Sieben, M.
Belisle	Enebo	Kostohryz	Patton	Smith
Bennett	Faricy	Laidig	Pavlak, R.	Spanish
Berg	Ferderer	LaVoy	Pavlak, R. L.	Stangeland
Berglin	Forsythe	Lemke	Pehler	Stanton
Biersdorf	Fugina	Lindstrom, E.	Peterson	Swanson
Braun	Growe	Lindstrom, J.	Pieper	Tomlinson
Brinkman	Hagedorn	Lombardi	Pleasant	Ulland
Carlson, A.	Hanson	Mann	Prahl	Vanasek
Carlson, B.	Heinitz	McArthur	Quirin	Vento
Carlson, L.	Jacobs	McCarron	Resner	Voss
Casserly	Jaros	McCauley	Rice	Wenzel
Cleary	Johnson, D.	McEachern	Ryan	Wigley
Clifford	Johnson, J.	McMillan	St. Onge	Wohlwend
Connors	Johnson, R.	Menke	Salchert	Wolcott
Culhane	Jopp	Miller, D.	Samuelson	Mr. Speaker
Cummiskey	Jude	Miller, M.	Sarna	
Dahl	Kahn	Moe	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Erdahl	Hook	McFarlin	Skaar
Becklin	Erickson	Klaus	Ohnstad	
Carlson, D.	Esau	Larson	Searle	
Dirlam	Fjoslien	Long	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 3422, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 88, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	Culhane	Enebo	Johnson, J.
Andersen, R.	Brinkman	Cummiskey	Fudro	Jopp
Anderson, G.	Carlson, B.	Dahl	Fugina	Jude
Anderson, I.	Carlson, L.	DeGroat	Hagedorn	Kahn
Belisle	Casserly	Dieterich	Heinitz	Kelly
Bennett	Cleary	Dirlam	Jacobs	Kempe
Berg	Clifford	Eckstein	Jaros	Klaus
Berglin	Connors	Eken	Johnson, D.	Knoll

Kostohryz	McMillan	Patton	Sarna	Tomlinson
Laidig	Menke	Pavlak, R.	Schulz	Vento
LaVoy	Miller, D.	Pavlak, R. L.	Sherwood	Voss
Lemke	Miller, M.	Pehler	Sieben, H.	Wenzel
Lindstrom, J.	Mueller	Peterson	Sieben, M.	Wigley
Lombardi	Munger	Prahl	Skaar	Wohlwend
Mann	Newcome	Quirin	Smith	Wolcott
McArthur	Norton	Rice	Spanish	Mr. Speaker
McCarron	Ojala	Ryan	Stanton	
McEachern	Parish	Salchert	Swanson	

Those who voted in the negative were:

Becklin	Faricy	Hook	Nelson	Savelkoul
Carlson, A.	Ferderer	Knickerbocker	Niehaus	Schreiber
Carlson, D.	Fjoslien	Larson	Ohnstad	Searle
Erdahl	Forsythe	Lindstrom, E.	Pieper	Stangeland
Erickson	Graw	Long	Pleasant	Ulland
Esau	Hanson	McCauley	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 3247, A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Moe	Sarna
Andersen, R.	Dirlam	Kempe	Mueller	Savelkoul.
Anderson, D.	Eckstein	Klaus	Munger	Schulz
Anderson, G.	Eken	Knickerbocker	Myrah	Sherwood
Anderson, I.	Enebo	Knoll	Nelson	Sieben, H.
Becklin	Esau	Kostohryz	Newcome	Sieben, M.
Belisle	Faricy	Kvam	Ohnstad	Skaar
Bennett	Ferderer	Laidig	Ojala	Smith
Berg	Fjoslien	Larson	Parish	Stangeland
Berglin	Forsythe	LaVoy	Patton	Stanton
Biersdorf	Fudro	Lemke	Pavlak, R.	Swanson
Braun	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Grove	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Hagedorn	Lombardi	Peterson	Vanasek
Carlson, B.	Hanson	Mann	Pieper	Vento
Carlson, D.	Hook	McArthur	Pleasant	Voss
Carlson, L.	Jacobs	McCarron	Prahl	Wenzel
Cassery	Jaros	McCauley	Quirin	Wohlwend
Cleary	Johnson, D.	McEachern	Resner	Wolcott
Connors	Johnson, J.	McMillan	Rice	Mr. Speaker
Culhane	Johnson, R.	Menke	Ryan	
Cummiskey	Jude	Miller, D.	St. Onge	
Dahl	Kahn	Miller, M.	Salchert	

Those who voted in the negative were:

Clifford
DeGroat

Erdahl
Erickson

Heinitz
Jopp

Long
McFarlin

Niehaus
Schreiber

The bill was passed and its title agreed to.

Hagedorn, Ojala, and Searle were excused for the remainder of today's session.

H. F. No. 3455 was reported to the House.

Anderson, G., moved that H. F. No. 3455 be continued on Special Orders until Wednesday, March 20, 1974. The motion prevailed.

S. F. No. 2576 was reported to the House.

Sherwood moved to amend S. F. No. 2576, as amended, as follows:

In the Sherwood amendment:

Page 1, line 27, strike "*and to the*".

Page 1, strike line 28.

Page 2, line 1, strike "*forth in Laws 1973, Chapter 412*".

Page 3, strike lines 18 through 24.

Page 4, line 20, strike "*may*" and insert "*shall*".

Page 5, strike lines 8 through 14.

Page 6, line 6, strike "*With the assistance and*".

Page 6, strike line 7.

Page 6, line 8, strike "*official*" and insert "*Official*".

Page 6, line 16, strike "*with the assistance and consultation of*".

Page 6, line 17, strike "*the county extension service,*".

Page 8, line 22, strike "*ordinance*" and insert "*reference*".

Page 9, line 27, after "*board*" strike "," and insert "*or*".

Page 9, line 27, strike "*, or by*".

Page 9, strike line 28.

Page 10, line 1, strike "*official controls*".

Page 10, line 5, strike "*Any amendment*".

Page 10, strike lines 6 through 24.

Page 12, line 2, after "*supervisors*" strike ",".

Page 12, line 4, strike "*concerned*" and insert "*affected*".

Page 12, line 4, strike "*The notice shall contain, in addition*".

Page 12, strike lines 5 through 8.

Page 14, line 24, strike "*Appeals to*" and insert "*An appeal from*".

Page 15, line 9, strike "*officer from*" and insert "*board of adjustment to*".

Page 15, strike line 10.

Page 15, line 11, strike "*filed*".

Page 15, line 12, strike "*In*".

Page 15, strike lines 13 through 14.

Page 15, line 15, strike "*adjustment or the district court*".

Page 15, line 22, after "*stated*" insert "*in writing*".

Page 15, line 22, strike "*The decision of such board shall not be final and*".

Page 15, strike lines 23 through 26.

Page 17, line 5, after "*involved*" strike "," and insert ".".

Page 17, line 5, strike "*as provided by the person requesting the*".

Page 17, line 6, strike "*variance*".

Page 17, line 8, strike "*Notwithstanding any other*".

Page 17, strike lines 9 through 11.

Page 17, line 17, after "any" and before "person" insert "aggrieved".

Page 17, line 18, strike "taxpayer, or any officer,".

Page 17, line 20, after "days" and before "to" insert "after receipt of notice of such decision".

Page 20, line 9, strike "or any employee of the state".

Page 20, line 10, strike "or federal government".

Page 23, line 3, after "involved" insert "."; and strike "as provided by the".

Page 23, strike lines 4 through 9.

Page 26, line 5, strike "eliminated or taken" and insert "terminated or acquired".

Page 27, line 10, strike "Subdivision 1. Land that is".

Page 27, strike lines 11 through 22.

Re-number subdivisions accordingly.

Page 28, line 13, strike "Whenever any".

Page 28, strike lines 14 through 28.

Page 30, line 1, strike "proponent" and insert "applicant".

Page 30, line 2, after "may" and before "result" insert ", in the opinion of the board,".

Re-number all sections accordingly.

Further, amend the title as follows:

Page 35, line 16, strike "subdivisions" and insert "a subdivision".

Page 35, line 18, strike "subdivisions" and insert "a subdivision".

The motion prevailed and the amendment was adopted.

Niehaus moved to amend S. F. No. 2576, as amended, as follows:

In the Sherwood amendment:

Page 13, line 2, after "members" and before "whose" insert "*, including one member from the unincorporated area,*".

Page 19, line 26, after "(BOARD.)" and before "*The manner*" insert: "*At least two members shall be residents of the portion of the county residing outside the incorporated limits of municipalities.*".

Pages 24 and 25, strike section 44, and renumber the remaining sections.

Page 28, at the end of line 10, add the following: "*One official map shall be supplied to the township officials of each township involved.*".

Page 35, line 2, strike "396.051;"

Further, amend the title, line 26, strike "394.33;" line 37, strike "396.21" and insert "396.05, 396.06 to 396.21".

The motion prevailed and the amended was adopted.

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Carlson, A.	Connors	Enebo
Andersen, R.	Berglin	Carlson, L.	Culhane	Erdahl
Anderson, I.	Biersdorf	Casserly	Cummiskey	Erickson
Belisle	Braun	Cleary	Dahl	Faricy
Bennett	Brinkman	Clifford	Dieterich	Ferderer

Forsythe	Kahn	McFarlin	Peterson	Smith
Fudro	Kelly	McMillan	Pleasant	Stangeland
Graw	Kempe	Menke	Quirin	Stanton
Growe	Knickerbocker	Miller, D.	Rice	Swanson
Hanson	Knoll	Moe	Ryan	Tomlinson
Heinitz	Kostohryz	Munger	St. Onge	Ulland
Hook	Laidig	Myrah	Salchert	Vanasek
Jacobs	LaVoy	Nelson	Sarna	Vento
Jaros	Lindstrom, E.	Newcome	Savelkoul	Voss
Johnson, D.	Lindstrom, J.	Parish	Schreiber	Wohlwend
Johnson, J.	Lombardi	Patton	Schulz	Wolcott
Johnson, R.	Mann	Pavlak, R.	Sherwood	Mr. Speaker
Jopp	McArthur	Pavlak, R. L.	Sieben, H.	
Jude	McCarron	Pehler	Sieben, M.	

Those who voted in the negative were: .

Anderson, G.	Eckstein	Kvam	Mueller	Skaar
Becklin	Eken	Larson	Niehaus	Wenzel
Carlson, D.	Fjoslien	Long	Ohnstad	Wigley
DeGroat	Fugina	McEachern	Pieper	
Dirlam	Klaus	Miller, M.	Prahl	

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

S. F. No. 2447 was reported to the House.

There being no objection, S. F. No. 2447 was continued on Special Orders until Wednesday, March 20, 1974.

S. F. No. 3060, A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforcement; amending Minnesota Statutes 1971, Sections 463.151; 463.21; and Chapter 463, by adding sections.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Graw	Kostohryz	Miller, D.
Andersen, R.	Clifford	Kvam	Miller, M.	
Anderson, D.	Connors	Hanson	Laidig	Moe
Anderson, G.	Culhane	Haugerud	Larson	Mueller
Anderson, I.	Cummiskey	Heinitz	LaVoy	Munger
Becklin	Dahl	Hook	Lemke	Myrah
Belisle	Dieterich	Jaros	Lindstrom, E.	Nelson
Bennett	Eckstein	Johnson, D.	Lindstrom, J.	Newcome
Berg	Eken	Johnson, J.	Lombardi	Niehaus
Berglin	Enebo	Johnson, R.	Long	Parish
Biersdorf	Erdahl	Jopp	Mann	Patton
Braun	Erickson	Jude	McArthur	Pavlak, R.
Brinkman	Faricy	Kahn	McCarron	Pavlak, R. L.
Carlson, A.	Ferderer	Kelly	McEachern	Pehler
Carlson, B.	Forsythe	Kempe	McFarlin	Peterson
Carlson, L.	Fudro	Knickerbocker	McMillan	Pieper
Casserly	Fugina	Knoll	Menke	Pleasant

Prahl	Savelkoul	Skaar	Tomlinson	Wigley
Quirin	Schreiber	Smith	Ulland	Wohlwend
Ryan	Schulz	Spanish	Vanasek	Wolcott
St. Onge	Sherwood	Stangeland	Vento	Mr. Speaker
Salchert	Sieben, H.	Stanton	Voss	
Sarna	Sieben, M.	Swanson	Wenzel	

Those who voted in the negative were :

Carlson, D.	DeGroat	Esau	Klaus	Ohnstad
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The bill was passed and its title agreed to.

S. F. No. 735 was reported to the House.

Cleary moved to amend S. F. No. 735, as amended, as follows :

In the committee amendment :

Page 2, line 3, after "office" and before "within" insert "which lies".

Page 3, line 22, after "office" and before "within" insert "which lies".

The motion prevailed and the amendment was adopted.

McCauley and McArthur proposed an amendment to S. F. No. 735.

POINT OF ORDER

Pursuant to Rule 45b, Anderson, I., raised a point of order that the proposed amendment to S. F. No. 735 was out of order. The Speaker ruled the point of order well taken.

S. F. No. 735, A bill for an act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Section 209.02, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows :

Those who voted in the affirmative were :

Adams, J.	Anderson, I.	Berg	Brinkman	Carlson, L.
Andersen, R.	Becklin	Berglin	Carlson, A.	Cassery
Anderson, D.	Belisle	Biersdorf	Carlson, B.	Cleary
Anderson, G.	Bennett	Braun	Carlson, D.	Clifford

Connors	Hanson	LaVoy	Niehaus	Schulz
Culhane	Haugerud	Lemke	Norton	Sherwood
Cummiskey	Heinitz	Lindstrom, E.	Ohnstad	Sieben, H.
Dahl	Hook	Lindstrom, J.	Parish	Sieben, M.
DeGroat	Jacobs	Lombardi	Patton	Skaar
Dieterich	Jaros	Long	Pavlak, R.	Smith
Dirlam	Johnson, D.	Mann	Pavlak, R. L.	Spanish
Eckstein	Johnson, J.	McArthur	Pehler	Stangeland
Eken	Johnson, R.	McCarron	Peterson	Stanton
Enebo	Jopp	McCauley	Pieper	Swanson
Erdahl	Jude	McFarlin	Pleasant	Tomlinson
Erickson	Kahn	McMillan	Prahl	Ulland
Esau	Kelly	Menke	Quirin	Vanasek
Faricy	Kempe	Miller, D.	Resner	Vento
Ferderer	Klaus	Miller, M.	Rice	Voss
Fjoslien	Knickerbocker	Moe	Ryan	Wenzel
Forsythe	Knoll	Mueller	St. Onge	Wigley
Fudro	Kostohryz	Munger	Salchert	Wohlwend
Fugina	Kvam	Myrah	Sarna	Wolcott
Graw	Laidig	Nelson	Savelkoul	Mr. Speaker
Growe	Larson	Newcome	Schreiber	

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

S. F. No. 2367 was reported to the House.

Faricy moved to amend S. F. No. 2367, the printed bill, as follows:

Page 1, line 13, after "district" strike "and no election shall be required for their sale" and insert in lieu thereof ". Proceedings for issuing bonds under this section shall be initiated by a resolution of the school board stating the amount proposed to be borrowed and the purpose for which the debt is to be incurred. This resolution shall be published once each week for two successive weeks in a legal newspaper published in the city of St. Paul. Such bonds may be issued without submission of the question of their issue to the electors unless within 20 days after the second publication of the resolution, a petition, requesting an election on the bond issue signed by a number of qualified voters equal to 5% or more of the qualified voters who voted in the last school board election is filed with the school board. In the event such petition is filed, no bonds shall be issued unless authorized by a majority of the electors voting on the question."

Page 1, line 14, strike "and issuance."

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

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 90, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jude	Moe	Sieben, H.
Andersen, R.	DeGroat	Kahn	Munger	Sieben, M.
Anderson, D.	Djeterich	Kempe	Newcome	Skaar
Anderson, G.	Dirlam	Knickerbocker	Norton	Smith
Anderson, I.	Eckstein	Knoll	Parish	Spanish
Becklin	Eken	Kvam	Patton	Stangeland
Bell	Enebo	Laidig	Pavlak, R. L.	Stanton
Bennett	Erdahl	LaVoy	Peterson	Swanson
Berglin	Erickson	Lemke	Pieper	Tomlinson
Biersdorf	Ferderer	Lindstrom, E.	Pleasant	Ulland
Braun	Fjoslien	Lindstrom, J.	Prahl	Vanasek
Carlson, A.	Fugina	Long	Quirin	Vento
Carlson, B.	Graw	Mann	Resner	Voss
Carlson, L.	Haugerud	McArthur	Ryan	Wenzel
Casserly	Jacobs	McCarron	St. Onge	Wigley
Cleary	Jaros	McMillan	Schreiber	Wohlwend
Culhane	Johnson, D.	Miller, D.	Schulz	Wolcott
Cummiskey	Johnson, J.	Miller, M.	Sherwood	Mr. Speaker

Those who voted in the negative were:

Belisle	Clifford	Hook	Lombardi	Pehler
Brinkman	Connors	Johnson, R.	Niehaus	Savelkoul
Carlson, D.	Heinitz	Jopp	Ohnstad	

The bill was passed and its title agreed to.

S. F. No. 2984 was reported to the House.

Cummiskey moved to amend S. F. No. 2984, the printed bill, as amended, as follows:

Page 1, line 14, after "*employer*" strike "*, employed by*".

Page 1, lines 15 and 16, strike all the language in the lines.

Page 1, line 17, strike "*exchanging work with the farmer employer*" and insert in lieu thereof: "*working for him or on an incorporated family farm or otherwise, or other farmers or members of their families exchanging work with the farmer employer in the same community*".

The motion prevailed and the amended was adopted.

Cummiskey moved to amend S. F. No. 2984, the printed bill, as amended, as follows:

Page 1, line 17, strike "*an incorporated family farm*" and insert in lieu thereof "*a family farm corporation as defined in Minnesota Statutes, 1973 Supplement, Section 500.24, Subdivision 1 (c)*".

The motion prevailed and the amendment was adopted.

S. F. No. 2984, A bill for an act relating to workmen's compensation; excluded employments; amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Miller, D.	Sarna
Andersen, R.	Dirlam	Kahn	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Kelly	Moe	Schreiber
Anderson, I.	Eken	Kempe	Mueller	Schulz
Becklin	Enebo	Klaus	Munger	Sherwood
Belisle	Erdahl	Knickerbocker	Myrah	Sieben, H.
Bell	Erickson	Knoll	Nelson	Sieben, M.
Bennett	Esau	Kostohryz	Newcome	Skaar
Berg	Faricy	Kvam	Niehaus	Smith
Berglin	Ferderer	Laidig	Norton	Spanish
Biersdorf	Fjoslien	Larson	Ohnstad	Stangeland
Braun	Forsythe	LaVoy	Parish	Stanton
Brinkman	Fudro	Lemke	Patton	Swanson
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Long	Peterson	Voss
Casserly	Haugerud	Mann	Pieper	Wenzel
Cleary	Heinitz	McArthur	Prahl	Wigley
Clifford	Hook	McCarron	Quirin	Wohlwend
Connors	Jacobs	McCauley	Resner	Wolcott
Culhane	Jaros	McEachern	Rice	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	Ryan	
Dahl	Johnson, J.	McMillan	St. Onge	
DeGroat	Johnson, R.	Menke	Samuelson	

Those who voted in the negative were:

Jopp

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

S. F. No. 2504, A bill for an act relating to the district court; second judicial district in Ramsey county and fourth judicial district in Hennepin county; amending Minnesota Statutes 1971, Sections 140.19; 140.20; 140.21; 140.23; 140.24; 140.25; 508.12; 508.74; 611.26, Subdivision 1; amending Minnesota Statutes, 1973 Supplement, Section 485.01; Laws 1923, Chapter 289, Sections 1, 2, 3, 4, 6, 11, and 13, as amended; Laws 1923, Chapter 77, Section 10, as amended; Laws 1951, Chapter 653, Section 1; Laws 1965, Chapter 469, Section 8; Laws 1965, Chapter 709, Section 1; Laws 1969, Chapter 838, Sections 1, 2, and 3; Laws 1969, Chapter 839, Section 1; and repealing Minnesota Statutes 1971,

Sections 260.305 and 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	McEachern	Ryan
Andersen, R.	DeGroat	Johnson, J.	McFarlin	St. Onge
Anderson, D.	Dieterich	Johnson, R.	McMillan	Salchert
Anderson, G.	Dirlam	Jopp	Miller, D.	Sarna
Anderson, I.	Eckstein	Jude	Miller, M.	Savelkoul
Becklin	Eken	Kahn	Moe	Schreiber
Belisle	Enebo	Kelly	Mueller	Schulz
Bell	Erdahl	Kempe	Munger	Sherwood
Bennett	Erickson	Klaus	Myrah	Sieben, H.
Berg	Esau	Knickerbocker	Nelson	Sieben, M.
Berglin	Faricy	Knoll	Newcome	Skaar
Biersdorf	Ferderer	Kostohryz	Niehaus	Smith
Braun	Fjoslien	Kvam	Ohnstad	Spanish
Brinkman	Forsythe	Laidig	Parish	Stangeland
Carlson, A.	Fudro	Larson	Patton	Stanton
Carlson, B.	Fugina	LaVoy	Pavlak, R.	Swanson
Carlson, D.	Graw	Lemke	Pavlak, R. L.	Tomlinson
Carlson, L.	Growe	Lindstrom, E.	Pehler	Ulland
Casserly	Hanson	Lindstrom, J.	Peterson	Vento
Cleary	Haugerud	Lombardi	Pieper	Wenzel
Clifford	Heinitz	Long	Pleasant	Wigley
Connors	Hook	Mann	Prahl	Wohlwend
Culhane	Jacobs	McArthur	Quirin	Wolcott
Cummiskey	Jaros	McCarron	Rice	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 1769 was reported to the House.

Vento moved to amend S. F. No. 1769, the printed bill, as follows:

Reinstate the stricken language on page 1, lines 28, 29 and 30; also, reinstate the stricken language on page 2, lines 1 and 2.

The motion prevailed and the amendment was adopted.

S. F. No. 1769, A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Moe	Schreiber
Andersen, R.	Eckstein	Kelly	Mueller	Schulz
Anderson, D.	Eken	Kempe	Munger	Sherwood
Anderson, G.	Enebo	Klaus	Myrah	Sieben, H.
Anderson, I.	Erdahl	Knickerbocker	Nelson	Sieben, M.
Becklin	Erickson	Knoll	Newcome	Skaar
Belisle	Esau	Kostohryz	Niehaus	Smith
Bell	Faricy	Kvam	Ohnstad	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lombardi	Peterson	Vanasek
Carlson, A.	Grove	Long	Pieper	Vento
Carlson, D.	Hanson	Mann	Pleasant	Voss
Carlson, L.	Hangerud	McArthur	Quirin	Wenzel
Casserly	Heinitz	McCarron	Resner	Wigley
Clifford	Hook	McEachern	Rice	Wohlwend
Connors	Jacobs	McFarlin	Ryan	Wolcott
Cummiskey	Jaros	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, D.	Menke	Salchert	
DeGroat	Johnson, J.	Miller, D.	Sarna	
Dieterich	Jopp	Miller, M.	Savelkoul	

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

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3035, A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tomlinson moved that the House refuse to concur in the Senate amendments to H. F. No. 3035, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2186, A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and La Grand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Fjoslien moved that the House refuse to concur in the Senate amendments to H. F. No. 2186, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

SPECIAL ORDERS

S. F. No. 2830 was reported to the House.

Anderson, I., moved to amend S. F. No. 2830, as follows:

Line 7, after the word "licenses" and before the word "for" insert "and the county of Koochiching may issue two licenses".

Line 13, after the word "effective" insert "as to each of the counties" and after the words "approval by the" insert the word "respective".

Line 14, strike the word "St. Louis" and insert in lieu thereof the word "each".

Further, amend the title as follows:

Line 2, after the word "county" insert "and Koochiching county".

The motion prevailed and the amendment was adopted.

S. F. No. 2830, A bill for an act relating to St. Louis county; authorizing the issuance of additional on-sale liquor licenses.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 20, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kelly	Newcome	Schulz
Andersen, R.	Dieterich	Kempe	Niehaus	Sieben, H.
Anderson, G.	Dirlam	Knickerbocker	Norton	Sieben, M.
Anderson, I.	Eckstein	Knoll	Parish	Smith
Belisle	Eken	Kostohryz	Patton	Spanish
Bell	Enebo	Laidig	Pavlak, R.	Stangeland
Bennett	Faricy	LaVoy	Pavlak, R. L.	Stanton
Berg	Forsythe	Lemke	Pehler	Swanson
Berglin	Fudro	Lombardi	Peterson	Tomlinson
Biersdorf	Fugina	Mann	Pieper	Ulland
Braun	Graw	McArthur	Prahl	Vanasek
Brinkman	Growe	McCarron	Quirin	Vento
Carlson, A.	Hanson	McEachern	Resner	Voss
Carlson, B.	Haugerud	McFarlin	Rice	Wenzel
Carlson, L.	Heinitz	McMillan	Ryan	Wigley
Casserly	Jacobs	Menke	St. Onge	Wohlwend
Clifford	Jaros	Miller, D.	Salchert	Wolcott
Connors	Johnson, D.	Miller, M.	Samuelson	Mr. Speaker
Culhane	Johnson, R.	Moe	Sarna	
Cummiskey	Jude	Mueller	Savelkoul	
Dahl	Kahn	Nelson	Schreiber	

Those who voted in the negative were:

Anderson, D.	Erickson	Hook	Kvam	Ohnstad
Becklin	Esau	Johnson, J.	Larson	Pleasant
Carlson, D.	Ferderer	Jopp	Lindstrom, E.	Sherwood
Erdahl	Fjoslien	Klaus	Long	Skaar

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

S. F. No. 3152, A bill for an act relating to the county of Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Biersdorf	Culhane	Erickson	Hanson
Andersen, R.	Braun	Cummiskey	Esau	Haugerud
Anderson, D.	Brinkman	Dahl	Faricy	Heinitz
Anderson, G.	Carlson, A.	DeGroat	Ferderer	Hook
Anderson, I.	Carlson, B.	Dieterich	Fjoslien	Jacobs
Belisle	Carlson, D.	Dirlam	Forsythe	Jaros
Bell	Carlson, L.	Eckstein	Fudro	Johnson, D.
Bennett	Casserly	Eken	Fugina	Johnson, J.
Berg	Clifford	Enebo	Graw	Johnson, R.
Berglin	Connors	Erdahl	Growe	Jopp

Jude	Mann	Niehaus	St. Onge	Swanson
Kahn	McArthur	Ohnstad	Salchert	Tomlinson
Kelly	McCarron	Parish	Samuelson	Ulland
Klaus	McCauley	Patton	Sarna	Vanasek
Knickerbocker	McEachern	Pavlak, R.	Savelkoul	Vento
Knoll	McFarlin	Pavlak, R. L.	Schreiber	Voss
Kostohryz	McMillan	Pehler	Schulz	Wenzel
Kvam	Menke	Peterson	Sherwood	Wigley
Laidig	Miller, D.	Pieper	Sieben, H.	Wohlwend
Larson	Miller, M.	Pleasant	Sieben, M.	Wolcott
LaVoy	Mueller	Prahl	Skaar	Mr. Speaker
Lemke	Munger	Quirin	Smith	
Lindstrom, E.	Myrah	Resner	Spanish	
Lombardi	Nelson	Rice	Stangeland	
Long	Newcome	Ryan	Stanton	

The bill was passed and its title agreed to.

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Miller, M.	Samuelson
Andersen, R.	Dirlam	Kelly	Moe	Sarna
Anderson, D.	Eckstein	Kempe	Mueller	Savelkoul
Anderson, G.	Eken	Klaus	Munger	Schreiber
Anderson, I.	Enebo	Knickerbocker	Myrah	Schulz
Becklin	Erdahl	Knoll	Nelson	Sherwood
Belisle	Erickson	Kostohryz	Newcome	Sieben, H.
Bell	Esau	Kvam	Niehaus	Sieben, M.
Bennett	Faricy	Laidig	Norton	Skaar
Berg	Ferderer	Larson	Ohnstad	Smith
Berglin	Fjoslien	LaVoy	Parish	Spanish
Biersdorf	Forsythe	Lemke	Patton	Stangeland
Braun	Fudro	Lindstrom, E.	Pavlak, R.	Stanton
Brinkman	Fugina	Lombardi	Pavlak, R. L.	Swanson
Carlson, A.	Grove	Long	Pehler	Tomlinson
Carlson, D.	Hanson	Mann	Peterson	Ulland
Carlson, L.	Heinitz	McArthur	Pieper	Vanasek
Cassery	Hook	McCarron	Prahl	Vento
Clifford	Jacobs	McCauley	Quirin	Voss
Connors	Jaros	McEachern	Resner	Wenzel
Culhane	Johnson, D.	McFarlin	Rice	Wigley
Cummiskey	Johnson, J.	McMillan	Ryan	Wohlwend
Dahl	Johnson, R.	Menke	St. Onge	Wolcott
DeGroat	Jude	Miller, D.	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 1735, A bill for an act relating to development districts in the cities of Minneapolis and Robbinsdale, amending Laws 1971, Chapter 677, Section 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 89, and nays 31, as follows:

Those who voted in the affirmative were:

Andersen, R.	Erickson	Kostohryz	Newcome	Savelkoul
Anderson, D.	Esau	Laidig	Niehaus	Schulz
Anderson, I.	Ferderer	Larson	Norton	Sherwood
Bell	Fudro	LaVoy	Parish	Sieben, H.
Bennett	Fugina	Lemke	Patton	Sieben, M.
Braun	Growe	Lindstrom, E.	Pavlak, R.	Smith
Brinkman	Hanson	Lindstrom, J.	Pavlak, R. L.	Stangeland
Carlson, A.	Haugerud	Lombardi	Peterson	Stanton
Carlson, L.	Heinitz	Mann	Pieper	Tomlinson
Casserly	Jacobs	McArthur	Pleasant	Ulland
Clifford	Jaros	McCarron	Quirin	Vanasek
Cummiskey	Johnson, D.	McEachern	Resner	Voss
Dahl	Johnson, J.	McMillan	Rice	Wenzel
Dieterich	Johnson, R.	Menke	Ryan	Wigley
Dirlam	Jopp	Miller, D.	St. Onge	Wohlwend
Eckstein	Jude	Miller, M.	Salchert	Wolcott
Eken	Kempe	Mueller	Samuelson	Mr. Speaker
Erdahl	Knickerbocker	Munger	Sarna	

Those who voted in the negative were:

Adams, J.	Carlson, D.	Graw	McCauley	Prahl
Anderson, G.	Connors	Hook	McFarlin	Skaar
Becklin	Culhane	Kahn	Moe	Swanson
Belisle	DeGroat	Kelly	Myrah	
Berg	Enebo	Klaus	Nelson	
Berglin	Farcy	Kvam	Ohnstad	
Biersdorf	Fjoslien	Long	Pehler	

The bill was passed and its title agreed to.

S. F. No. 2995, A bill for an act relating to municipal industrial development; financing of telephone facilities; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1; and Minnesota Statutes 1971, Sections 474.02, Subdivision 2, and by adding a subdivision; and 474.13.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 84, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Cummiskey	Erdahl	Fudro
Anderson, G.	Carlson, L.	Dirlam	Erickson	Fugina
Anderson, I.	Casserly	Eckstein	Esau	Graw
Becklin	Clifford	Eken	Fjoslien	Growe
Biersdorf	Connors	Enebo	Forsythe	Haugerud

Heinitz	Lombardi	Mueller	Peterson	Spanish
Johnson, D.	Long	Munger	Ryan	Stangeland
Johnson, J.	Mann	Myrah	St. Onge	Stanton
Johnson, R.	McArthur	Nelson	Samuelson	Swanson
Jopp	McCarron	Newcome	Sarna	Tomlinson
Jude	McCauley	Niehaus	Savelkoul	Voss
Kelly	McEachern	Norton	Schreiber	Wenzel
Klaus	McFarlin	Ohnstad	Sherwood	Wigley
Knickerbocker	McMillan	Parish	Sieben, H.	Wohlwend
Kvam	Menke	Patton	Sieben, M.	Wolcott
Larson	Miller, D.	Pavlak, R.	Skaar	Mr. Speaker
Lindstrom, J.	Miller, M.	Pavlak, R. L.	Smith	

Those who voted in the negative were :

Andersen, R.	Braun	Ferderer	Laidig	Schulz
Anderson, D.	Brinkman	Hanson	LaVoy	Ulland
Belisle	Carlson, A.	Hook	Lindstrom, E.	Vanasek
Bell	Cleary	Jaros	Moe	Vento
Bennett	DeGroat	Kahn	Pehler	
Berg	Dieterich	Kempe	Pieper	
Berglin	Faricy	Kostohryz	Prahl	

The bill was passed and its title agreed to.

S. F. No. 2691 was reported to the House.

There being no objection, S. F. No. 2691 was continued on Special Orders for one day.

S. F. No. 3123 was reported to the House.

Stanton moved to amend S. F. No. 3123 as follows :

Page 3, line 28, strike "one year" and insert "two years".

Page 4, line 3, strike "one year" and insert "two years".

Page 4, line 28, strike "a breach of contract,".

The motion prevailed and the amendment was adopted.

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Menke	St. Onge
Andersen, R.	Dieterich	Jopp	Miller, D.	Samuelson
Anderson, D.	Dirlam	Jude	Miller, M.	Sarna
Anderson, G.	Eckstein	Kahn	Moe	Savelkoul
Anderson, I.	Eken	Kelly	Mueller	Schreiber
Becklin	Enebo	Kempe	Munger	Schulz
Belisle	Erdahl	Klaus	Myrah	Sherwood
Bell	Erickson	Knickerbocker	Nelson	Sieben, H.
Bennett	Esau	Knoll	Newcome	Sieben, M.
Berg	Faricy	Kostohryz	Niehaus	Skaar
Berglin	Ferderer	Kvam	Norton	Smith
Biersdorf	Fjoslien	Laidig	Ohnstad	Spanish
Braun	Forsythe	LaVoy	Parish	Stangeland
Brinkman	Fudro	Lemke	Patton	Stanton
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Graw	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Grove	Lombardi	Pehler	Ulland
Carlson, L.	Hanson	Long	Peterson	Vanasek
Casserly	Haugerud	Mann	Pieper	Vento
Cleary	Heinitz	McArthur	Pleasant	Voss
Clifford	Hook	McCarron	Prahl	Wenzel
Connors	Jacobs	McCauley	Quirin	Wigley
Culhane	Jaros	McEachern	Resner	Wohlwend
Cummiskey	Johnson, D.	McFarlin	Rice	Wolcott
Dahl	Johnson, J.	McMillan	Ryan	Mr. Speaker

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

S. F. No. 2084, A bill for an act relating to public utilities; regulating the filing by certain public utilities of mortgages or deeds of trust along with instruments already required to be filed under the provisions of the uniform commercial code; amending Minnesota Statutes 1971, Chapter 300, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Fjoslien	Kahn	McEachern
Andersen, R.	Casserly	Forsythe	Kelly	McFarlin
Anderson, D.	Cleary	Fudro	Klaus	McMillan
Anderson, G.	Clifford	Fugina	Knickerbocker	Menke
Anderson, I.	Connors	Graw	Knoll	Miller, D.
Becklin	Cummiskey	Grove	Kostohryz	Miller, M.
Belisle	Dahl	Hanson	Kvam	Moe
Bell	DeGroat	Haugerud	Laidig	Mueller
Bennett	Dieterich	Heinitz	Larson	Munger
Berg	Dirlam	Hook	LaVoy	Myrah
Berglin	Eckstein	Jacobs	Lemke	Nelson
Biersdorf	Eken	Jaros	Lindstrom, E.	Newcome
Braun	Enebo	Johnson, D.	Lombardi	Niehaus
Brinkman	Erdahl	Johnson, J.	Long	Norton
Carlson, A.	Erickson	Johnson, R.	Mann	Ohnstad
Carlson, B.	Esau	Jopp	McArthur	Parish
Carlson, D.	Ferderer	Jude	McCarron	Pavlak, R. L.

Pehler	Ryan	Sherwood	Swanson	Wenzel
Peterson	Samuelson	Sieben, H.	Tomlinson	Wigley
Pieper	Sarna	Sieben, M.	Ulland	Wohlwend
Prahl	Savelkoul	Smith	Vanasek	Wolcott
Quirin	Schreiber	Stangeland	Vento	Mr. Speaker
Resner	Schulz	Stanton	Voss	

Those who voted in the negative were:

Faricy	Kempe	Patton	Pavlak, R.	Skaar
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The bill was passed and its title agreed to.

S. F. No. 2136, A bill for an act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 109, and nays 6, as follows:

Those who voted in the affirmative were:

Anderson, G.	Eckstein	Kahn	Miller, M.	Savelkoul
Anderson, I.	Eken	Kelly	Moe	Schreiber
Becklin	Erdahl	Kempe	Munger	Schulz
Belisle	Erickson	Klaus	Myrah	Sherwood
Bell	Esau	Knickerbocker	Nelson	Sieben, H.
Bennett	Faricy	Kostohryz	Newcome	Sieben, M.
Berg	Ferderer	Laidig	Niehaus	Smith
Berglin	Fjoslien	Larson	Norton	Spanish
Biersdorf	Fudro	LaVoy	Ohnstad	Stangeland
Brinkman	Fugina	Lemke	Parish	Stanton
Carlson, A.	Graw	Lindstrom, E.	Patton	Swanson
Carlson, B.	Growe	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Hanson	Lombardi	Peterson	Ulland
Carlson, L.	Haugerud	Long	Pieper	Vanasek
Cassery	Heinitz	Mann	Pleasant	Vento
Cleary	Hook	McArthur	Prahl	Voss
Clifford	Jacobs	McCarron	Quirin	Wenzel
Connors	Johnson, D.	McCauley	Resner	Wigley
Cummiskey	Johnson, J.	McFarlin	Rice	Wohlwend
Dahl	Johnson, R.	McMillan	St. Onge	Wolcott
DeGroat	Jopp	Menke	Samuelson	Mr. Speaker
Dirlam	Jude	Miller, D.	Sarna	

Those who voted in the negative were:

Andersen, R.	Braun	Enebo	Pavlak, R. L.	Skaar
Anderson, D.				

The bill was passed and its title agreed to.

S. F. No. 2558, A bill for an act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 80, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kostohryz	Miller, D.	Samuelson
Andersen, R.	Eckstein	Kvam	Miller, M.	Schreiber
Anderson, D.	Eken	Laidig	Munger	Sherwood
Anderson, I.	Erdahl	Larson	Myrah	Sieben, H.
Bell	Forsythe	Lemke	Newcome	Smith
Bennett	Fugina	Lindstrom, E.	Niehaus	Stangeland
Biersdorf	Haugerud	Lindstrom, J.	Norton	Stanton
Braun	Heinitz	Lombardi	Patton	Tomlinson
Brinkman	Johnson, J.	Mann	Pavlak, R.	Ulland
Carlson, A.	Johnson, R.	McArthur	Pavlak, R. L.	Vanasek
Casserly	Jopp	McCarron	Pieper	Voss
Cleary	Jude	McCauley	Pleasant	Wenzel
Clifford	Kelly	McEachern	Quirin	Wigley
Connors	Kempe	McFarlin	Resner	Wohlwend
Cummiskey	Klaus	McMillan	Ryan	Wolcott
Dahl	Knickerbocker	Menke	St. Onge	Mr. Speaker

Those who voted in the negative were:

Becklin	Dieterich	Hanson	Nelson	Sarna
Belisle	Enebo	Hook	Ohnstad	Schulz
Berg	Erickson	Jaros	Parish	Skaar
Berglin	Fariicy	Johnson, D.	Pehler	Vento
Carlson, D.	Ferderer	LaVoy	Prahl	
Carlson, L.	Fudro	Long	Rice	

The bill was passed and its title agreed to.

S. F. No. 3189, A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 104, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, G.	Becklin	Bell	Berg
Andersen, R.	Anderson, I.	Belisle	Bennett	Berglin

Biersdorf	Fudro	Knoll	Nelson	Samuelson
Braun	Fugina	Kostohryz	Newcome	Sarna
Brinkman	Graw	Laidig	Niehaus	Savelkoul
Carlson, A.	Growe	LaVoy	Norton	Schulz
Carlson, B.	Hanson	Lemke	Ohnstad	Sherwood
Carlson, D.	Heinitz	Lindstrom, E.	Parish	Sieben, H.
Carlson, L.	Hook	Lombardi	Patton	Sieben, M.
Casserly	Jacobs	Mann	Pavлак, R.	Smith
Cleary	Jaros	McArthur	Pavлак, R. L.	Stanton
Clifford	Johnson, D.	McCarron	Pehler	Swanson
Connors	Johnson, J.	McCauley	Peterson	Tomlinson
Dahl	Johnson, R.	McEachern	Pieper	Ulland
Dieterich	Jopp	McFarlin	Pleasant	Vanasek
Eckstein	Jude	McMillan	Prahl	Vento
Enebo	Kahn	Menke	Quirin	Voss
Erdahl	Kelly	Miller, D.	Resner	Wohlwend
Faricy	Kempe	Moe	Rice	Wolcott
Ferderer	Klaus	Munger	Ryan	Mr. Speaker
Forsythe	Knickerbocker	Myrah	St. Onge	

Those who voted in the negative were:

Anderson, D.	Erickson	Lindstrom, J.	Skaar	Wenzel
DeGroat	Esau	Long	Stangeland	Wigley
Dirlam	Kvam	Miller, M.		
Eken	Larson	Schreiber		

The bill was passed and its title agreed to.

Biersdorf, McEachern, and Wohlwend were excused for the remainder of today's session.

S. F. No. 3115, A bill for an act relating to labor; public employees; powers and duties of the public employment relations board; amending Minnesota Statutes 1971, Section 179.72, Subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Ferderer	Jude	Mann
Andersen, R.	Cleary	Fjoslien	Kahn	McArthur
Anderson, D.	Clifford	Forsythe	Kelly	McCarron
Anderson, G.	Connors	Fudro	Kempe	McCauley
Anderson, I.	Cummiskey	Fugina	Klaus	McFarlin
Becklin	Dahl	Graw	Knickerbocker	McMillan
Belisle	DeGroat	Growe	Knoll	Menke
Bennett	Dieterich	Hanson	Kostohryz	Miller, D.
Berg	Dirlam	Haugerud	Laidig	Miller, M.
Berglin	Eckstein	Heinitz	Larson	Moe
Braun	Eken	Hook	LaVoy	Munger
Brinkman	Enebo	Jacobs	Lemke	Myrah
Carlson, A.	Erdahl	Johnson, D.	Lindstrom, E.	Nelson
Carlson, B.	Erickson	Johnson, J.	Lindstrom, J.	Newcome
Carlson, D.	Esau	Johnson, R.	Lombardi	Niehaus
Carlson, L.	Faricy	Jopp	Long	Norton

Ohnstad	Pieper	Sarna	Skaar	Ulland
Parish	Pleasant	Savelkoul	Smith	Vento
Patton	Prahl	Schreiber	Spanish	Voss
Pavlak, R.	Quirin	Schulz	Stangeland	Wenzel
Pavlak, R. L.	Ryan	Sherwood	Stanton	Wigley
Pehler	St. Onge	Sieben, H.	Swanson	Wolcott
Peterson	Samuelson	Sieben, M.	Tomlinson	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3119, A bill for an act relating to labor; public employees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	McMillan	St. Onge
Andersen, R.	Dirlam	Jopp	Menke	Samuelson
Anderson, D.	Eckstein	Jude	Miller, D.	Sarna
Anderson, G.	Eken	Kahn	Miller, M.	Savelkoul
Anderson, I.	Enebo	Kelly	Moe	Schreiber
Becklin	Erdahl	Kempe	Munger	Schulz
Belisle	Erickson	Klaus	Myraus	Sherwood
Bell	Esau	Knickerbocker	Nelson	Sieben, H.
Bennett	Faricy	Knoll	Newcome	Sieben, M.
Berg	Ferderer	Kostohryz	Niehaus	Skaar
Berglin	Fjoslien	Kvam	Norton	Smith
Braun	Forsythe	Laidig	Ohnstad	Spanish
Brinkman	Fudro	Larson	Parish	Stangeland
Carlson, A.	Fugina	LaVoy	Patton	Stanton
Carlson, B.	Graw	Lemke	Pavlak, R.	Swanson
Carlson, D.	Growe	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, L.	Hanson	Lindstrom, J.	Pehler	Ulland
Casserly	Haugerud	Lombardi	Peterson	Vanasek
Cleary	Heinitz	Long	Pieper	Vento
Clifford	Hook	Mann	Pleasant	Voss
Connors	Jacobs	McArthur	Prahl	Wenzel
Cummiskey	Jaros	McCarron	Quirin	Wigley
Dahl	Johnson, D.	McCauley	Rice	Wolcott
DeGroat	Johnson, J.	McFarlin	Ryan	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3009, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Pine and Carlton counties to the city of Moose Lake, Minnesota.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Menke	Sarna
Andersen, R.	Eckstein	Jude	Miller, D.	Savelkoul
Anderson, D.	Eken	Kahn	Miller, M.	Schreiber
Anderson, G.	Enebo	Kelly	Moe	Schulz
Anderson, I.	Erdahl	Kempe	Munger	Sherwood
Becklin	Erickson	Klaus	Myrah	Sieben, H.
Belisle	Esau	Knickerbocker	Nelson	Sieben, M.
Bell	Faricy	Knoll	Newcome	Skaar
Bennett	Ferderer	Kostohryz	Niehaus	Smith
Berg	Fjoslien	Kvam	Norton	Spanish
Berglin	Forsythe	Laidig	Ohnstad	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hanson	Lindstrom, J.	Pehler	Vento
Carlson, L.	Haugerud	Lombardi	Peterson	Voss
Casserly	Heinitz	Long	Pieper	Wenzel
Cleary	Hook	Mann	Pleasant	Wigley
Clifford	Jacobs	McArthur	Prahl	Wolcott
Connors	Jaros	McCarron	Quirin	Mr. Speaker
Cummiskey	Johnson, D.	McCauley	Ryan	
Dahl	Johnson, J.	McFarlin	St. Onge	
DeGroat	Johnson, R.	McMillan	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 1104, A bill for an act relating to public indebtedness, amending the school district debt limit, authorizing the issuance of temporary obligations in anticipation of state or federal grants, and revising and clarifying other provisions; amending Minnesota Statutes 1971, Sections 475.51, Subdivision 9; 475.53, Subdivisions 1, 2, 3, 4, and 5; 475.56; 475.58, Subdivisions 1 and 2; 475.61, by adding a subdivision; 475.66; and 475.71.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Fjoslien	Kahn	McArthur
Andersen, R.	Cleary	Forsythe	Kelly	McCarron
Anderson, D.	Clifford	Fudro	Kempe	McCauley
Anderson, G.	Connors	Fugina	Klaus	McFarlin
Anderson, I.	Cummiskey	Graw	Knickerbocker	McMillan
Becklin	Dahl	Grove	Knoll	Menke
Belisle	DeGroat	Hanson	Kostohryz	Miller, D.
Bell	Dieterich	Haugerud	Kvam	Miller, M.
Bennett	Dirlam	Heinitz	Laidig	Moe
Berg	Eckstein	Hook	Larson	Munger
Berglin	Eken	Jacobs	LaVoy	Myrah
Braun	Enebo	Jaros	Lemke	Nelson
Brinkman	Erdahl	Johnson, D.	Lindstrom, E.	Newcome
Carlson, A.	Erickson	Johnson, J.	Lindstrom, J.	Niehaus
Carlson, B.	Esau	Johnson, R.	Lombardi	Norton
Carlson, D.	Faricy	Jopp	Long	Ohnstad
Carlson, L.	Ferderer	Jude	Mann	Parish

Patton	Quirin	Schreiber	Stangeland	Wenzel
Paviak, R.	Resner	Schulz	Stanton	Wigley
Paviak, R. L.	Rice	Sherwood	Swanson	Wolcott
Pehler	Ryan	Sieben, H.	Tomlinson	Mr. Speaker
Peterson	St. Onge	Sieben, M.	Ulland	
Pieper	Samuelson	Skaar	Vanasek	
Pleasant	Sarna	Smith	Vento	
Prahl	Savelkoul	Spanish	Voss	

The bill was passed and its title agreed to.

S. F. No. 2970 was reported to the House.

Eckstein moved to amend S. F. No. 2970, as follows:

Page 14, after line 27, add the following:

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

The motion prevailed and the amendment was adopted.

S. F. No. 2970, A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 205.041.

The bill was read for 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 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Hanson	Laidig	Myrah
Andersen, R.	Dahl	Haugerud	Larson	Nelson
Anderson, D.	DeGroat	Heinitz	LaVoy	Newcome
Anderson, G.	Dieterich	Hook	Lemke	Niehaus
Anderson, I.	Dirlam	Jacobs	Lindstrom, E.	Norton
Becklin	Eckstein	Jaros	Lindstrom, J.	Ohnstad
Bell	Eken	Johnson, D.	Lombardi	Parish
Bennett	Enebo	Johnson, J.	Long	Patton
Berg	Erdahl	Johnson, R.	Mann	Paviak, R.
Berglin	Erickson	Jopp	McArthur	Paviak, R. L.
Braun	Esau	Jude	McCarron	Pehler
Brinkman	Faricy	Kahn	McCauley	Peterson
Carlson, A.	Ferderer	Kelly	McFarlin	Pieper
Carlson, D.	Fjoslien	Kempe	McMillan	Prahl
Carlson, L.	Forsythe	Klaus	Menke	Quirin
Casserly	Fudro	Knickerbocker	Miller, D.	Resner
Cleary	Fugina	Knoll	Miller, M.	Ryan
Clifford	Graw	Kostohryz	Moe	St. Onge
Connors	Growe	Kvam	Munger	Samuelson

Sarna	Sieben, H.	Stangeland	Vanasek	Wolcott
Savelkoul	Sieben, M.	Stanton	Vento	Mr. Speaker
Schreiber	Skaar	Swanson	Voss	
Schulz	Smith	Tomlinson	Wenzel	
Sherwood	Spanish	Ulland	Wigley	

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

S. F. No. 3002, A bill for an act relating to Lake county; consolidating the offices of treasurer and auditor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 101, and nays 12, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Menke	Samuelson
Andersen, R.	Eckstein	Kahn	Miller, D.	Sarna
Anderson, D.	Eken	Kelly	Munger	Schreiber
Anderson, I.	Enebo	Kempe	Myrah	Schulz
Becklin	Erdahl	Klaus	Nelson	Sieben, H.
Belisle	Erickson	Knickerbocker	Newcome	Sieben, M.
Bell	Forsythe	Knoll	Niehaus	Smith
Bennett	Fudro	Kostohryz	Norton	Stangeland
Berg	Fugina	Kvam	Ohnstad	Swanson
Berglin	Graw	Laidig	Parish	Tomlinson
Brinkman	Growe	LaVoy	Patton	Ulland
Carlson, A.	Hanson	Lemke	Pavlak, R. L.	Vanasek
Carlson, D.	Haugerud	Lindstrom, E.	Pehler	Voss
Carlson, L.	Heinitz	Lindstrom, J.	Peterson	Wenzel
Casserly	Hook	Lombardi	Pieper	Wigley
Cleary	Jacobs	Long	Pleasant	Wolcott
Clifford	Jaros	McArthur	Prahl	Mr. Speaker
Connors	Johnson, D.	McCarron	Quirin	
Cummiskey	Johnson, J.	McCauley	Resner	
DeGroat	Johnson, R.	McFarlin	Rice	
Dieterich	Jopp	McMillan	St. Onge	

Those who voted in the negative were:

Anderson, G.	Ferderer	Mann	Pavlak, R.	Stanton
Braun	Fjoslien	Miller, M.	Ryan	
Faricy	Larson	Moe		

The bill was passed and its title agreed to.

S. F. No. 3079, A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Menke	St. Onge
Andersen, R.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, D.	Eken	Kahn	Miller, M.	Sarna
Anderson, G.	Enebo	Kelly	Moe	Savelkoul
Anderson, I.	Erdahl	Kempe	Munger	Schreiber
Becklin	Erickson	Klaus	Myrah	Schulz
Belisle	Esau	Knickerbocker	Nelson	Sherwood
Bell	Faricy	Knoll	Newcome	Sieben, H.
Bennett	Ferderer	Kostohryz	Niehaus	Sieben, M.
Berg	Fjoslien	Kvam	Norton	Skaar
Berglin	Forsythe	Laidig	Ohnstad	Smith
Braun	Fudro	Larson	Parish	Spanish
Brinkman	Fugina	LaVoy	Patton	Stangeland
Carlson, A.	Graw	Lemke	Pavlak, R.	Stanton
Carlson, D.	Grove	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, L.	Hanson	Lindstrom, J.	Pehler	Tomlinson
Casserly	Haugerud	Lombardi	Peterson	Ulland
Cleary	Heinitz	Long	Pieper	Vanasek
Clifford	Hook	Mann	Pleasant	Vento
Connors	Jacobs	McArthur	Prahl	Voss
Cummiskey	Jaros	McCarron	Quirin	Wenzel
Dahl	Johnson, D.	McCauley	Resner	Wigley
DeGroat	Johnson, J.	McFarlin	Rice	Wolcott
Dieterich	Johnson, R.	McMillan	Ryan	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3208 was reported to the House.

There being no objection, S. F. No. 3208 was continued on Special Orders for one day.

S. F. No. 2161, A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Brinkman	Clifford	Eckstein
Andersen, R.	Bell	Carlson, A.	Connors	Eken
Anderson, D.	Bennett	Carlson, B.	Cummiskey	Enebo
Anderson, G.	Berg	Carlson, D.	DeGroat	Erdahl
Anderson, I.	Berglin	Carlson, L.	Dieterich	Erickson
Becklin	Braun	Casserly	Dirlam	Esau

Faricy	Kahn	McCarron	Pavlak, R. L.	Skaar
Ferderer	Kelly	McCauley	Pehler	Smith
Fjoslien	Kempe	McFarlin	Peterson	Spanish
Forsythe	Klaus	McMillan	Pieper	Stangeland
Fudro	Knickerbocker	Menke	Pleasant	Stanton
Fugina	Knoll	Miller, D.	Prahl	Swanson
Growe	Kostohryz	Miller, M.	Quirin	Tomlinson
Hanson	Kvam	Moe	Resner	Ulland
Haugerud	Laidig	Munger	Rice	Vanasek
Heinitz	Larson	Myrah	Ryan	Vento
Hook	LaVoy	Nelson	St. Onge	Voss
Jacobs	Lemke	Newcome	Samuelson	Wenzel
Jaros	Lindstrom, E.	Niehaus	Sarna	Wigley
Johnson, D.	Lindstrom, J.	Norton	Schreiber	Wolcott
Johnson, J.	Lombardi	Ohnstad	Schulz	Mr. Speaker
Johnson, R.	Long	Parish	Sherwood	
Jopp	Mann	Patton	Sieben, H.	
Jude	McArthur	Pavlak, R.	Sieben, M.	

The bill was passed and its title agreed to.

S. F. No. 3276, A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Section 346.215; and 346.27.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	McMillan	Ryan
Andersen, R.	Dirlam	Jopp	Menke	St. Onge
Anderson, D.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, G.	Eken	Kahn	Miller, M.	Sarna
Anderson, I.	Enebo	Kelly	Moe	Savelkoul
Becklin	Erdahl	Kempe	Munger	Schreiber
Belisle	Erickson	Klaus	Myrah	Sherwood
Bell	Esau	Knickerbocker	Nelson	Sieben, H.
Bennett	Faricy	Knoll	Newcome	Sieben, M.
Berg	Ferderer	Kostohryz	Niehaus	Skaar
Berglin	Fjoslien	Kvam	Norton	Smith
Braun	Forsythe	Laidig	Ohnstad	Spanish
Brinkman	Fudro	Larson	Parish	Stangeland
Carlson, A.	Fugina	LaVoy	Patton	Stanton
Carlson, B.	Graw	Lemke	Pavlak, R.	Swanson
Carlson, D.	Growe	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, L.	Hanson	Lindstrom, J.	Pehler	Ulland
Casserly	Haugerud	Lombardi	Peterson	Vanasek
Cleary	Heinitz	Long	Pieper	Vento
Clifford	Hook	Mann	Pleasant	Voss
Connors	Jacobs	McArthur	Prahl	Wenzel
Cummiskey	Jaros	McCarron	Quirin	Wigley
Dahl	Johnson, D.	McCauley	Resner	Wolcott
DeGroat	Johnson, J.	McFarlin	Rice	Mr. Speaker

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued in sequence on Special Orders for Tuesday, March 19, 1974, immediately following the Consent Calendar. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3571:

Anderson, I.; Sabo; and Dirlam.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1835:

Parish, Kelly, and Newcome.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3035:

Tomlinson, Voss, Salchert, Bell, and Wolcott.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2186:

Fjoslien, Larson and Patton.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, March 19, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Tuesday, March 19, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 19, 1974

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Adams, S.	Eckstein	Kahn	Moe	Savelkoul
Anderson, D.	Eken	Kelly	Mueller	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Myrah	Searle
Becklin	Erickson	Knickerbocker	Nelson	Sieben, H.
Belisle	Esau	Knoll	Newcome	Sieben, M.
Bennett	Faricy	Kostohryz	Niehaus	Skaar
Berg	Ferderer	Kvam	Norton	Smith
Berglin	Fjoslien	Laidig	Ohnstad	Spanish
Biersdorf	Forsythe	Larson	Ojala	Stangeland
Braun	Fudro	LaVoy	Parish	Stanton
Brinkman	Fugina	Lemke	Patton	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Long	Peterson	Vento
Casserly	Haugerud	Mann	Pieper	Voss
Cleary	Heinitz	McArthur	Pleasant	Weaver
Clifford	Hook	McCarron	Prahl	Wenzel
Connors	Jacobs	McCauley	Quirin	Wigley
Culhane	Jaros	McEachern	Resner	Wohlwend
Cummiskey	Johnson, D.	McFarlin	Rice	Wolcott
Dahl	Johnson, J.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, R.	Menke	St. Onge	
Dieterich	Jopp	Miller, D.	Samuelson	

A quorum was present.

Andersen, R., and Sherwood were excused until 11:00 a.m. Bell and Salchert were excused until 3:00 p.m. Graba and Johnson, C., were excused until 7:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Pieper, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2737, 2900, 3056, 3670, 3707, and 2644 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	713	144	March 15	March 15
	995	145	March 15	March 15
	2717	146	March 15	March 15
	2876	147	March 15	March 15
	2888	148	March 15	March 15
	2908	149	March 15	March 15
	2909	150	March 15	March 15
	3039	151	March 15	March 15
	3058	152	March 15	March 15
	3119	153	March 15	March 15
767		154	March 15	March 15

108th Day]

TUESDAY, MARCH 19, 1974

6327

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
1099		155	March 15	March 15
1174		156	March 15	March 15
1269		157	March 15	March 15
1427		158	March 15	March 15
1591		159	March 15	March 15
2055		160	March 15	March 15
2353		161	March 15	March 15
2449		162	March 15	March 15
2586		163	March 15	March 15
2684		164	March 15	March 15
2688		165	March 15	March 15
2780		166	March 15	March 15
2796		167	March 15	March 15
2860		168	March 15	March 15
2910		169	March 15	March 15
2944		170	March 15	March 15
3001		171	March 15	March 15
3029		172	March 15	March 15
3053		173	March 15	March 15
3200		174	March 15	March 15
3267		175	March 15	March 15

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on those Special Orders continued to Tuesday, March 19, 1974:

S. F. Nos. 3194, 2818, 2957, 3108, 2875, 2347, 3352, 3372, 1728, 2716, 1900, 1887, 423, 2865, 1985, 2295, 1079, 2170, and 1977; H. F. No. 1405; and S. F. Nos. 2177, 2128, and 2747.

REPORTS OF STANDING COMMITTEES

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 3281, A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Reported the same back with the following amendments:

Page 1, line 6, strike "that the existing".

Page 1, strike line 7 in its entirety.

Page 1, line 8, strike "and facilities and".

Page 1, line 15, strike "(1) the number of".

Page 1, line 16, strike "students in average daily membership in the district;".

Page 1, line 16, strike "(2)" and insert "(1)".

Page 1, line 18, strike "(3) the type".

Page 1, strike line 19 in its entirety.

Page 1, strike line 20 in its entirety.

Page 1, line 21, strike "the months of December, January and February;".

Page 1, line 21, strike "(5)" and insert "(2)".

Page 1, line 23, strike "(6) the number and kind of".

Page 1, line 24, strike "transportation vehicles operated by the district;".

Page 1, line 24, strike "(7)" and insert "(3)".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [METROPOLITAN TRANSIT COMMISSION; AUTOMATED SMALL VEHICLE FIXED GUIDEWAY SYSTEM; STUDY.] Subdivision 1. The metropolitan transit commission shall conduct a study of automated small vehicle fixed guideway systems capable of regional type application. In conducting its study, the metropolitan transit commission shall include recent studies and developments in transit technology. The metropolitan council shall cooperate with the metropolitan transit commission and provide general policy guidance. The study shall include features which provide for demand activated origin to destination service, at least during nonpeak or nonrush hour periods. "Demand activated" means, for the purpose of this section, that a vehicle is waiting or comes within a very short time for the private use of one individual or party. "Origin to destination" means, for the purpose of this section, that the vehicle travels to any other station in the system without stops or transfers.

Subd. 2. The study shall include safe and reliable systems which are compatible with local circulation routes and which are adaptable to carry freight as well as passengers. The plans resulting from the study shall have a positive impact on efforts to minimize urban sprawl.

Subd. 3. The study shall include systems which are flexible to allow for expansion and improvement in order to accommodate changes made possible by changes in technology. The systems studied shall maximize compatibility with the environment, including, but not limited to, such techniques as tunneling, to the extent practically and economically feasible; and above-ground guideways, designed to be as small as possible and aesthetically coordinated with the surrounding community.

Subd. 4. The study shall specify general routes, route mileage, vehicle size, vehicle type and other technical matters.

Subd. 5. The study shall be in such form that direct, valid comparison can be made with other mass transit options reported in metropolitan transit commission consultant report III-A-2 on the following factors: capital cost, operating cost, 30 year net present cost, number of riders, completion date, route miles, safety, reliability, environmental impact, effect on the urban structure, reduction of energy requirements, capacity to meet future passenger levels higher than estimated and technological feasibility. The determination of the final plan shall be based on a thorough alternative systems analysis.

Subd. 6. The study described in this section shall be completed at the earliest possible date, but no later than December 1, 1974.

Subd. 7. The metropolitan transit commission shall issue written monthly reports to the metropolitan council and to members of the House and Senate metropolitan and urban affairs committees summarizing the status of the studies described in this section.

Sec. 2. [TAX LEVY; SMALL VEHICLE FIXED GUIDEWAY SYSTEM STUDY AND SUBSEQUENT STUDIES.]

Subdivision 1. The metropolitan transit commission shall levy for the studies authorized by sections 1 and 3 upon all taxable property within the metropolitan transit district a tax in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area. The levy made for the purposes of sections 1 and 3 shall not exceed one-tenth of a mill on each dollar of assessed valuation of all taxable property in the metropolitan taxing district. The certification and collection of the tax levied pursuant to this section shall be accomplished in accordance with Minnesota Statutes, Section 473A.111, Subdivision 3.

Subd. 2. This section shall be effective for taxes assessed in 1974 and payable in 1975.

Sec. 3. [PREPARATION OF STUDIES.] Following the completion of the study required under section 1 the metropolitan transit commission shall report its findings to the Minnesota legislature by January 31, 1975.

Sec. 4. This act is effective on the day following its final enactment.”

Further amend the title in line 2, strike “public transit” insert “government”.

Further amend the title in line 4, strike "plan an" insert "conduct a study of".

Further amend the title in line 5, strike "system" insert "systems and providing funds therefor".

Further amend the title, strike lines 6 and 7.

Further amend the title in line 8, strike "commission;".

Further amend the title in line 8, after "authorizing" insert "a".

Further amend the title in line 8, strike "levies" insert "levy".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 3561, A bill for an act relating to taxation; disallowing certain interest costs to determine occupation tax due; amending Minnesota Statutes 1971, Section 298.03.

Reported the same back with the following amendments:

Page 2, line 19, strike "*deduction or*".

Page 2, line 20, strike "*(a) interest on plant*".

Page 2, strike line 21.

Page 2, line 22, strike "*paid during the calendar year, or (b)*".

Page 2, line 22, after "*ore*", strike the period and insert in lieu thereof the following: "*, except that which can be measured in a manner determined by the commissioner of revenue. In no case shall the shrinkage subtraction exceed one half of one percent of the value of the ore.*".

Page 2, after line 22, add a section to read as follows:

"Sec. 2. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 4. [IRON ORE.] Newly discovered iron ore shall be entered on the assessment books for the six years immediately preceding the year of discovery and taxed as omitted property.

The tax on such omitted property shall be determined by applying the rates of levy for the respective years in which the property was omitted."

Renumber the remaining section accordingly.

Further, amend the title as follows:

Line 3, strike "certain interest costs" and insert "subtraction for shrinkage of iron ore".

Line 4, after "due;" insert "providing for assessment of certain omitted property;"

Line 5, strike "Section" and insert "Sections 273.02, by adding a subdivision; and".

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 3561 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3281 and 2703 were read for the second time.

UNANIMOUS CONSENT

Berglin requested unanimous consent to offer a motion. The request was granted.

Berglin moved that S. F. No. 1934 be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Appropriations. The motion prevailed.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2200

March 14, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2200, re-

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

That the House accede to the Senate amendment.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: ARNE CARLSON, E. W. QUIRIN, and ROBERT J. MCFARLIN.

Senate Conferees: J. ROBERT STASSEN, ROGER D. MOE, and EUGENE STOKOWSKI.

Carlson, A., moved that the report of the Conference Committee on H. F. No. 2200 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2200, A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 104, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jude	Menke	Samuelson
Adams, S.	Dieterich	Kahn	Miller, M.	Sarna
Anderson, G.	Dirlam	Kelly	Moe	Savelkoul
Anderson, I.	Eckstein	Kempe	Munger	Schreiber
Becklin	Enebo	Knickerbocker	Nelson	Schulz
Belisle	Esau	Knoll	Newcome	Searle
Bennett	Faricy	Kostohryz	Niehaus	Sieben, H.
Berg	Ferderer	Laidig	Ohnstad	Skaar
Berglin	Fjoslien	Larson	Parish	Spanish
Biersdorf	Forsythe	LaVoy	Pattou	Stangeland
Braun	Fudro	Lemke	Pavlak, R.	Tomlinson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, A.	Grove	Lindstrom, J.	Pehler	Vanasek
Carlson, B.	Hagedorn	Lombardi	Peterson	Vento
Carlson, D.	Hanson	Long	Pieper	Weaver
Carlson, L.	Heinitz	McArthur	Pleasant	Wenzel
Cleary	Hook	McCarron	Quirin	Wigley
Clifford	Jacobs	McCauley	Resner	Wohlwend
Connors	Johnson, D.	McEachern	Rice	Wolcott
Culhane	Johnson, J.	McFarlin	Ryan	Mr. Speaker
Cummiskey	Johnson, R.	McMillan	St. Onge	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2728

March 15, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2728, 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. 2728 be further amended as follows:

Page 4, line 27, strike "office" and insert "offices"; after "governor" insert "*and of the lieutenant governor*".

Page 9, line 13, delete the new language.

Page 9, line 19, delete the new language.

Page 27, after line 28, add a section to read:

"Sec. 22. Notwithstanding any other law to the contrary, until such time as personnel rules concerning travel and relocation expenses are promulgated by the commissioner of personnel pursuant to Minnesota Statutes, 1973 Supplement, Section 43.327, the commissioner of personnel shall approve reasonable, proper and actual relocation expense claims submitted to him for approval by the agencies of the state, directing the commissioner of finance to provide for payment therefor to the affected employee. Nothing shall prevent the affected employee of the state from submitting a proper claim for reimbursement for relocation expenses after the effective date of Minnesota Statutes, 1973 Supplement, Section 43.327. Relocation payments so made shall be reviewed by the commissioner of finance after subsequent adoption of said rules by the commissioner of personnel to ensure proper payment under the claim."

Renumber the following sections in sequence.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RICHARD J. MENKE, DAVID R. CUMMISKEY, and LEONARD C. MYRAH.

Senate Conferees: WINSTON W. BORDEN, JACK I. KLEINBAUM, and GEORGE S. PILLSBURY.

Menke moved that the report of the Conference Committee on H. F. No. 2728 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2728, A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kelly	Munger	Schreiber
Adams, S.	Dieterich	Kempe	Myrah	Schulz
Anderson, G.	Dirlam	Knickerbocker	Nelson	Sieben, H.
Anderson, I.	Eckstein	Knoll	Newcome	Sieben, M.
Becklin	Enebo	Kostohryz	Niehaus	Skaar
Belisle	Faricy	Laidig	Ojala	Spanish
Bennett	Ferderer	Larson	Parish	Stangeland
Berg	Fjoslien	LaVoy	Patton	Stanton
Berglin	Forsythe	Lemke	Pavlak, R.	Tomlinson
Biersdorf	Fudro	Lindstrom, E.	Pavlak, R. L.	Ulland
Braun	Fugina	Lindstrom, J.	Pehler	Vanasek
Brinkman	Growe	Lombardi	Peterson	Vento
Carlson, A.	Hagedorn	Long	Pleasant	Weaver
Carlson, B.	Hanson	McArthur	Prahl	Wenzel
Carlson, D.	Heinitz	McCarron	Quirin	Wigley
Carlson, L.	Hook	McCauley	Resner	Wohlwend
Casserly	Jacobs	McEachern	Rice	Wolcott
Cleary	Johnson, D.	McFarlin	Ryan	Mr. Speaker
Clifford	Johnson, J.	McMillan	St. Onge	
Connors	Johnson, R.	Menke	Samuelson	
Cummiskey	Jude	Miller, M.	Sarna	
Dahl	Kahn	Moe	Savelkoul	

Those who voted in the negative were:

Ohnstad Pieper

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3533

March 18, 1974

Honorable Martin O. Sabo
 Speaker of the House of Representatives
 Honorable Alec G. Olson
 President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3533, 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 in accordance therewith.

House Conferees: GLEN SHERWOOD, AL PATTON, and GARY W. LAIDIG.

Senate Conferees: G. WILLET, ED SCHROM, and ROBERT J. BROWN.

Patton moved that the report of the Conference Committee on H. F. No. 3533 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3533, A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 109, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Eckstein	Heinitz	Kostohryz
Adams, S.	Carlson, D.	Enebo	Hook	Laidig
Anderson, G.	Carlson, L.	Esau	Jacobs	Larson
Becklin	Casserly	Faricy	Johnson, D.	LaVoy
Belisle	Cleary	Ferderer	Johnson, J.	Lenke
Bennett	Clifford	Fjoslien	Johnson, R.	Lindstrom, E.
Berg	Connors	Forsythe	Jude	Lindstrom, J.
Berglin	Cummiskey	Fudro	Kahn	Lombardi
Biersdorf	Dahl	Fugina	Kelly	Long
Braun	DeGroat	Grove	Kempe	McArthur
Brinkman	Dieterich	Hagedorn	Knickerbocker	McCarron
Carlson, A.	Dirlam	Hanson	Knoll	McCauley

McEachern	Niehaus	Pleasant	Schulz	Ulland
McFarlin	Ohnstad	Prahl	Searle	Vanasek
McMillan	Ojala	Quirin	Sieben, H.	Vento
Menke	Parish	Resner	Sieben, M.	Weaver
Miller, M.	Patton	Rice	Skaar	Wenzel
Moe	Pavlak, R.	Ryan	Spanish	Wigley
Munger	Pavlak, R. L.	St. Onge	Stangeland	Wohlwend
Myrah	Pehler	Sarna	Stanton	Wolcott
Nelson	Peterson	Savelkoul	Swanson	Mr. Speaker
Newcome	Pieper	Schreiber	Tomlinson	

The bill was repassed, as amended by Conference, and its title agreed to.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Berg reported on the progress of H. F. No. 951, now in Conference Committee.

Pursuant to Joint Rule 13, McCarron reported on the progress of H. F. No. 1292, now in Conference Committee.

Pursuant to Joint Rule 13, Ojala reported on the progress of H. F. No. 1136, now in Conference Committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3279, A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Quirin moved that the House concur in the Senate amendments to H. F. No. 3279 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3279, A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 112, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Munger	Savelkoul
Adams, S.	Dirlam	Kempe	Myrah	Schreiber
Anderson, G.	Eckstein	Knickerbocker	Nelson	Schulz
Anderson, I.	Enebo	Knoll	Newcome	Sieben, H.
Becklin	Erickson	Kostohryz	Niehaus	Sieben, M.
Belisle	Esau	Kvam	Ohnstad	Skaar
Bennett	Faricy	Laidig	Ojala	Spanish
Berg	Ferderer	Larson	Parish	Stangeland
Berglin	Fjoslien	LaVoy	Patton	Stanton
Biersdorf	Forsythe	Lemke	Pavlak, R.	Swanson
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Fugina	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Grove	Long	Peterson	Vanasek
Carlson, B.	Hagedorn	McArthur	Pieper	Vento
Carlson, D.	Hanson	McCarron	Pleasant	Weaver
Carlson, L.	Heinitz	McCauley	Prahl	Wenzel
Cassery	Jacobs	McEachern	Quirin	Wigley
Cleary	Johnson, D.	McFarlin	Resner	Wohlwend
Clifford	Johnson, J.	McMillan	Rice	Wolcott
Connors	Johnson, R.	Menke	Ryan	Mr. Speaker
Cummiskey	Jopp	Miller, M.	St. Onge	
Dahl	Jude	Moe	Samuelson	
DeGroat	Kahn	Mueller	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3190, A bill for an act relating to the metropolitan transit taxing district; establishing the outer limits as existing

on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jacobs moved that the House concur in the Senate amendments to H. F. No. 3190 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3190, A bill for an act relating to the metropolitan transit taxing district; establishing the outer limits as existing on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Mueller	Sarna
Adams, S.	Dirlam	Kelly	Munger	Savelkoul
Anderson, G.	Eckstein	Kempe	Myrah	Schreiber
Anderson, I.	Enebo	Knickerbocker	Nelson	Schulz
Becklin	Erickson	Knoll	Newcome	Sieben, H.
Belisle	Esau	Kostohryz	Niehaus	Sieben, M.
Bennett	Faricy	Kvam	Ohnstad	Skaar
Berg	Ferderer	Laidig	Ojala	Spanish
Berglin	Fjoslien	Larson	Parish	Stangeland
Biersdorf	Forsythe	LaVoy	Patton	Stanton
Braun	Fudro	Lemke	Pavlak, R.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Growe	Lindstrom, J.	Pehler	Ulland
Carlson, B.	Hagedorn	Lombardi	Peterson	Vanasek
Carlson, D.	Hanson	Long	Pieper	Vento
Carlson, L.	Heinitz	McArthur	Pleasant	Weaver
Casserly	Hook	McCarron	Prahl	Wenzel
Cleary	Jacobs	McEachern	Quirin	Wigley
Clifford	Johnson, D.	McFarlin	Resner	Wohlwend
Connors	Johnson, J.	McMillan	Rice	Wolcott
Cummiskey	Johnson, R.	Menke	Ryan	Mr. Speaker
Dahl	Jopp	Miller, M.	St. Onge	
DeGroat	Jude	Moe	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3422, A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 3422 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3422, A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 105, and nays 6, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Menke	Sarna
Adams, S.	Enebo	Kahn	Miller, M.	Schreiber
Anderson, G.	Erickson	Kelly	Mueller	Schulz
Anderson, I.	Esau	Kempe	Munger	Searle
Becklin	Faricy	Knickerbocker	Myrah	Sieben, H.
Belisle	Ferderer	Knoll	Nelson	Sieben, M.
Bennett	Fjoslien	Kostohryz	Newcome	Skaar
Berg	Forsythe	Kvam	Ojala	Spanish
Biersdorf	Fudro	Laidig	Parish	Stangeland
Braun	Fugina	Larson	Patton	Stanton
Brinkman	Grove	LaVoy	Pavlak, R.	Swanson
Carlson, A.	Hagedorn	Lemke	Pavlak, R. L.	Tomlinson
Carlson, D.	Hanson	Lindstrom, E.	Pehler	Ulland
Carlson, L.	Heinitz	Lombardi	Peterson	Vanasek
Cassery	Hook	Long	Pieper	Vento
Cleary	Jacobs	McArthur	Pleasant	Weaver
Clifford	Jaros	McCarron	Quirin	Wenzel
Connors	Johnson, D.	McCauley	Resner	Wigley
Cummiskey	Johnson, J.	McEachern	Rice	Wohlwend
Dahl	Johnson, R.	McFarlin	Ryan	Wolcott
Dieterich	Jopp	McMillan	St. Onge	Mr. Speaker

Those who voted in the negative were:

Berglin	Moe	Niehaus	Ohnstad	Prahl
DeGroat				

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3242, A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 3242 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3242, A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 99, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jude	Mueller	Samuelson
Adams, S.	Dahl	Kahn	Munger	Sarna
Anderson, G.	Dieterich	Kelly	Myrah	Savelkoul
Anderson, I.	Dirlam	Kempe	Nelson	Schreiber
Becklin	Eckstein	Knickerbocker	Newcome	Schulz
Belisle	Enebo	Kostohryz	Norton	Sieben, H.
Bennett	Faricy	Kvam	Ojala	Sieben, M.
Berg	Ferderer	LaVoy	Parish	Spanish
Berglin	Forsythe	Lenke	Patton	Stanton
Biersdorf	Fudro	Lindstrom, J.	Pavlak, R.	Swanson
Braun	Fugina	Lombardi	Pavlak, R. L.	Tomlinson
Brinkman	Growe	McArthur	Pehler	Uliand
Carlson, A.	Hanson	McCarron	Peterson	Vanasek
Carlson, B.	Heinitz	McCauley	Pieper	Vento
Carlson, D.	Hook	McEachern	Prahl	Weaver
Carlson, L.	Jacobs	McFarlin	Quirin	Wenzel
Casserly	Jaros	McMillan	Resner	Wohlwend
Cleary	Johnson, D.	Menke	Rice	Wolcott
Clifford	Johnson, R.	Miller, M.	Ryan	Mr. Speaker
Connors	Jopp	Moe	St. Onge	

Those who voted in the negative were:

DeGroat	Fjoslien	Larson	Niehaus	Skaar
Erickson	Hagedorn	Lindstrom, E.	Ohnstad	Stangeland
Esau	Johnson, J.	Long	Searle	Wigley

The bill was repassed, as amended by the Senate, and its title agreed to.

CONSENT CALENDAR

SUSPENSION OF RULES

Vento moved that the Rules be so far suspended that the bills on the Technical Consent Calendar be advanced to the Consent Calendar for consideration today. The motion prevailed.

S. F. No. 3036, A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Section 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 81, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Menke	Schreiber
Adams, S.	Dirlam	Kempe	Moe	Schulz
Anderson, I.	Eckstein	Knickerbocker	Munger	Sieben, H.
Bennett	Enebo	Knoll	Newcome	Sieben, M.
Berg	Forsythe	Kostohryz	Norton	Stanton
Berglin	Fudro	Laidig	Ojala	Tomlinson
Braun	Fugina	LaVoy	Parish	Ulland
Brinkman	Growe	Lemke	Pavlak, R.	Vanasek
Carlson, A.	Heinitz	Lindstrom, E.	Pavlak, R. L.	Vento
Carlson, B.	Hook	Lindstrom, J.	Pehler	Weaver
Carlson, L.	Jacobs	Lombardi	Pieper	Wohlwend
Casserly	Jaros	McArthur	Pleasant	Wolcott
Clifford	Johnson, D.	McCarron	Quirin	Mr. Speaker
Connors	Johnson, J.	McCauley	Resner	
Cummiskey	Johnson, R.	McEachern	Rice	
Dahl	Jude	McFarlin	Ryan	
DeGroat	Kahn	McMillan	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Erickson	Jopp	Niehaus	Spanish
Anderson, G.	Esau	Klaus	Ohnstad	Stangeland
Becklin	Faricy	Kvam	Patton	Swanson
Belisle	Ferderer	Larson	Peterson	Wenzel
Biersdorf	Fjoslien	Long	Prahl	Wigley
Cleary	Hagedorn	Miller, M.	St. Onge	
Eken	Hanson	Myrah	Searle	
Erdahl	Haugerud	Nelson	Skaar	

The bill was passed and its title agreed to.

S. F. No. 3428, A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Munger	Schreiber
Anderson, D.	Dirlam	Jopp	Nelson	Schulz
Anderson, G.	Eckstein	Jude	Newcome	Searle
Anderson, I.	Eken	Kahn	Niehaus	Sherwood
Becklin	Enebo	Kelly	Norton	Sieben, H.
Belisle	Erdahl	Kempe	Ojala	Sieben, M.
Bennett	Erickson	Knickerbocker	Parish	Skaar
Berg	Esau	Knoll	Patton	Smith
Berglin	Farcy	Kostohryz	Pavlak, R.	Spanish
Biersdorf	Ferderer	LaVoy	Pavlak, R. L.	Stangeland
Braun	Fjoslien	Lemke	Pehler	Stanton
Brinkman	Forsythe	Lindstrom, E.	Peterson	Swanson
Carlson, A.	Fudro	Lindstrom, J.	Pieper	Tomlinson
Carlson, B.	Fugina	Lombardi	Pleasant	Ulland
Carlson, D.	Growe	Long	Prahl	Vanasek
Carlson, L.	Hagedorn	McArthur	Quirin	Vento
Casserly	Hanson	McCarron	Resner	Weaver
Cleary	Haugerud	McCauley	Rice	Wenzel
Clifford	Heinitz	McEachern	Ryan	Wigley
Connors	Hook	McMillan	St. Onge	Wohlwend
Cummiskey	Jacobs	Menke	Samuelson	Wolcott
Dahl	Jaros	Miller, M.	Sarna	Mr. Speaker
DeGroat	Johnson, D.	Moe	Savelkoul	

Those who voted in the negative were:

Klaus Larson Myrah

The bill was passed and its title agreed to.

S. F. No. 1149, A bill for an act relating to state government; permitting use of duplicating machines for police training in the bureau of criminal apprehension; amending Minnesota Statutes 1971, Section 16.02, Subdivision 16.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Munger	Schulz
Adams, S.	Eken	Kelly	Myrah	Searle
Anderson, D.	Enebo	Kempe	Nelson	Sherwood
Anderson, G.	Erdahl	Klaus	Newcome	Sieben, H.
Anderson, I.	Erickson	Knickerbocker	Niehaus	Sieben, M.
Becklin	Esau	Kostohryz	Norton	Skaar
Belisle	Faricy	Kvam	Ohnstad	Smith
Bennett	Ferderer	Laidig	Parish	Spanish
Berg	Fjoslien	Larson	Patton	Stangeland
Berglin	Forsythe	LaVoy	Pavlak, R.	Stanton
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Swanson
Braun	Fugina	Lindstrom, E.	Pehler	Tomlinson
Brinkman	Grove	Lindstrom, J.	Peterson	Ulland
Carlson, A.	Hagedorn	Lombardi	Pieper	Vanasek
Carlson, B.	Hanson	Long	Pleasant	Vento
Carlson, D.	Haugerud	McArthur	Prahl	Weaver
Carlson, L.	Heinitz	McCarron	Quirin	Wenzel
Casserly	Hook	McCauley	Resner	Wigley
Cleary	Jacobs	McEachern	Rice	Wohlwend
Clifford	Jaros	McFarlin	Ryan	Wolcott
Connors	Johnson, D.	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, J.	Menke	Samuelson	
DeGroat	Johnson, R.	Miller, M.	Sarna	
Dieterich	Jopp	Moe	Saveikoul	
Dirlam	Jude	Mueller	Schreiber	

Those who voted in the negative were:

Cummiskey Ojala

The bill was passed and its title agreed to.

S. F. No. 2779, A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Erickson	Jaros	Larson
Adams, S.	Carlson, L.	Esau	Johnson, D.	LaVoy
Anderson, D.	Casserly	Faricy	Johnson, J.	Lemke
Anderson, G.	Cleary	Ferderer	Johnson, R.	Lindstrom, E.
Anderson, I.	Clifford	Fjoslien	Jopp	Lindstrom, J.
Becklin	Connors	Forsythe	Jude	Lombardi
Belisle	Cummiskey	Fudro	Kahn	Long
Bennett	Dahl	Fugina	Kelly	McArthur
Berg	DeGroat	Grove	Kempe	McCarron
Berglin	Dieterich	Hagedorn	Klaus	McCauley
Biersdorf	Dirlam	Hanson	Knickerbocker	McEachern
Braun	Eckstein	Haugerud	Knoll	McFarlin
Brinkman	Eken	Heinitz	Kostohryz	McMillan
Carlson, A.	Enebo	Hook	Kvam	Menke
Carlson, B.	Erdahl	Jacobs	Laidig	Miller, M.

Moe	Parish	Resner	Sherwood	Ulland
Mueller	Patton	Rice	Sieben, H.	Vanasek
Munger	Pavlak, R.	Ryan	Sieben, M.	Vento
Myrah	Pavlak, R. L.	St. Onge	Skaar	Weaver
Nelson	Pehler	Samuelson	Smith	Wenzel
Newcome	Peterson	Sarna	Spanish	Wigley
Niehaus	Pieper	Savelkoul	Stangeland	Wohlwend
Norton	Pleasant	Schreiber	Stanton	Wolcott
Ohnstad	Prahl	Schulz	Swanson	Mr. Speaker
Ojala	Quirin	Searle	Tomlinson	

The bill was passed and its title agreed to.

S. F. No. 3048, A bill for an act relating to crimes and criminals; contraband articles forbidden in state institutions and county jails; penalties; amending Minnesota Statutes 1971, Sections 243.55; and 641.165.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Mueller	Schulz
Adams, S.	Eckstein	Kahn	Munger	Searle
Anderson, D.	Eken	Kelly	Myrah	Sherwood
Anderson, G.	Enebo	Kempe	Nelson	Sieben, H.
Anderson, I.	Erdahl	Klaus	Newcome	Sieben, M.
Becklin	Erickson	Knickerbocker	Niehaus	Skaar
Belisle	Esau	Knoll	Norton	Smith
Bennett	Faricy	Kostohryz	Ohnstad	Spanish
Berg	Ferderer	Kvam	Ojala	Stangeland
Berglin	Fjoslien	Laidig	Parish	Stanton
Biersdorf	Forsythe	Larson	Patton	Swanson
Braun	Fudro	LaVoy	Pavlak, R.	Tomlinson
Brinkman	Fugina	Lemke	Pavlak, R. L.	Ulland
Carlson, A.	Grove	Lindstrom, E.	Pehler	Vanasek
Carlson, B.	Hagedorn	Lindstrom, J.	Peterson	Vento
Carlson, D.	Hanson	Long	Pieper	Weaver
Carlson, L.	Haugerud	McArthur	Quirin	Wenzel
Casserly	Heinitz	McCarron	Resner	Wigley
Cleary	Hook	McCauley	Rice	Wohlwend
Clifford	Jacobs	McEachern	Ryan	Wolcott
Connors	Jaros	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McMillan	Samuelson	
Dahl	Johnson, J.	Menke	Sarna	
DeGroat	Johnson, R.	Miller, M.	Savelkoul	
Dieterich	Jopp	Moe	Schreiber	

The bill was passed and its title agreed to.

S. F. No. 3409, A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Mueller	Savelkoul
Adams, S.	Eckstein	Kelly	Munger	Schreiber
Andersen, R.	Enebo	Kempe	Myrah	Schulz
Anderson, D.	Erdahl	Klaus	Nelson	Searle
Anderson, G.	Erickson	Knickerbocker	Newcome	Sherwood
Anderson, I.	Esau	Knoll	Niehhaus	Sieben, H.
Becklin	Faricy	Kostohryz	Norton	Sieben, M.
Belisle	Ferderer	Kvam	Ohnstad	Skaar
Berg	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Growe	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Hagedorn	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Hanson	Lombardi	Peterson	Ulland
Carlson, D.	Haugerud	Long	Pieper	Vanasek
Carlson, L.	Heinitz	McArthur	Pleasant	Vento
Casserly	Hook	McCarron	Prahl	Weaver
Cleary	Jacobs	McCauley	Quirin	Wenzel
Clifford	Jaros	McEachern	Resner	Wigley
Connors	Johnson, D.	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, J.	McMillan	Ryan	Wolcott
Dahl	Johnson, R.	Menke	St. Onge	Mr. Speaker
DeGroat	Jopp	Miller, M.	Samuelson	
Dieterich	Jude	Moe	Sarna	

The bill was passed and its title agreed to.

S. F. No. 3394 was reported to the House.

There being no objection, S. F. No. 3394 was returned to General Orders.

S. F. No. 2878 was reported to the House.

Carlson, A., proposed an amendment to S. F. No. 2878.

POINT OF ORDER

Pursuant to Rule 45b, Faricy raised a point of order that the proposed amendment to S. F. No. 2878 was out of order. The Speaker ruled the point of order well taken.

S. F. No. 2878, A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	Menke	Resner
Adams, S.	DeGroat	Johnson, R.	Miller, M.	St. Onge
Andersen, R.	Dieterich	Jopp	Moe	Samuelson
Anderson, G.	Dirlam	Jude	Mueller	Sarna
Anderson, I.	Eckstein	Kahn	Munger	Schulz
Belisle	Eken	Kelly	Myrah	Sieben, H.
Bennett	Enebo	Kempe	Nelson	Sieben, M.
Berg	Faricy	Knickerbocker	Newcome	Smith
Berglin	Ferderer	Knoll	Niehaus	Spanish
Biersdorf	Forsythe	Kostohryz	Norton	Stanton
Braun	Fudro	Larson	Ohnstad	Swanson
Brinkman	Fugina	LaVoy	Ojala	Tomlinson
Carlson, A.	Growe	Lemke	Patton	Ulland
Carlson, B.	Hagedorn	Lindstrom, E.	Pavlak, R.	Vanasek
Carlson, D.	Hanson	Lombardi	Pavlak, R. L.	Vento
Carlson, L.	Haugerud	McArthur	Pehler	Weaver
Casserly	Heinitz	McCarron	Peterson	Wenzel
Cleary	Hook	McCauley	Pieper	Wigley
Clifford	Jacobs	McEachern	Pleasant	Wohlwend
Connors	Jaros	McFarlin	Prahl	Wolcott
Cummiskey	Johnson, D.	McMillan	Quirin	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Erickson	Klaus	Searle	Stangeland
Becklin	Esau	Kvam	Sherwood	
Erdahl	Fjoslien	Long	Skaar	

The bill was passed and its title agreed to.

S. F. No. 3245, A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Graw	Jude
Adams, S.	Carlson, A.	Eckstein	Growe	Kahn
Andersen, R.	Carlson, B.	Eken	Hagedorn	Kelly
Anderson, D.	Carlson, D.	Enebo	Hanson	Kempe
Anderson, G.	Carlson, L.	Erdahl	Haugerud	Klaus
Anderson, I.	Casserly	Erickson	Heinitz	Knickerbocker
Becklin	Cleary	Esau	Hook	Knoll
Belisle	Clifford	Faricy	Jacobs	Kostohryz
Bennett	Connors	Ferderer	Jaros	Kvam
Berg	Cummiskey	Fjoslien	Johnson, D.	Laidig
Berglin	Dahl	Forsythe	Johnson, J.	Larson
Biersdorf	DeGroat	Fudro	Johnson, R.	LaVoy
Braun	Dieterich	Fugina	Jopp	Lemke

Lindstrom, E.	Mueller	Pavlak, R. L.	Sarna	Swanson
Lombardi	Munger	Pehler	Savelkoul	Tomlinson
Long	Myrah	Peterson	Schulz	Ulland
McArthur	Nelson	Pieper	Searle	Vanasek
McCarron	Newcome	Pleasant	Sherwood	Vento
McCauley	Niehaus	Prahl	Sieben, H.	Weaver
McEachern	Norton	Quirin	Sieben, M.	Wenzel
McFarlin	Ohnstad	Resner	Skaar	Wigley
McMillan	Ojala	Rice	Smith	Wohlwend
Menke	Parish	Ryan	Spanish	Wolcott
Miller, M.	Patton	St. Onge	Stangeland	Mr. Speaker
Moe	Pavlak, R.	Samuelson	Stanton	

The bill was passed and its title agreed to.

S. F. No. 3246 was reported to the House.

There being no objection, S. F. No. 3246 was continued on the Consent Calendar for one day.

S. F. No. 3350 was reported to the House.

Faricy moved to amend S. F. No. 3350, as follows:

Page 1, line 22, after "required" strike "and such bonds" and insert a period.

Page 1, strike lines 23 through 26.

Page 2, strike lines 2 through 4, and insert a new section 4, as follows:

"Sec. 4. This act upon passage shall be published for two weeks, and shall not take effect if, within 20 days following the second week of publication, there shall be filed with the director of the department of property taxation of Ramsey county a petition or petitions signed by not less than five percent of the qualified voters who voted in the last county general election requesting that a referendum be held to determine the question of the issuance of the bonds by Ramsey county in the amount of and for the purposes designated in this act. Each of the signers of any petition shall affix his signature and his permanent address to the petition in the presence of a notary public authorized to take the oath of the signer and the signer shall swear that he is a resident of Ramsey county and is presently qualified to vote at a general election therein. Any petition or petitions demanding a referendum of this act shall refer to the act by chapter number, title, date of passage and shall state fully the subject matter of this act. If the 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 the requirements set forth in this section, the board of county commissioners of Ramsey county shall fix a time for the holding of the referendum, which shall be not less than 30 days and not more than 180 days after the petition or

petitions are filed and the signatures thereon are found to be genuine and sufficient, by the board of county commissioners, to answer the requirements set out herein and the election shall be held at the time and places within the county as the board of county commissioners shall designate.

If the petition or petitions referred to herein are insufficient and do not comply with the requirements as set out in this section, and the board of county commissioners shall so find, then the board by formal resolution shall declare its finding of the insufficiency of the petition or petitions to answer the requirements for the petition or petitions as provided in this section.

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 immediately upon compliance with Minnesota Statutes, Section 645.021.

If a majority of the voters voting on the question submitted to the voters of Ramsey county shall vote in the negative, this act shall not take effect.

Sec. 5. Except as provided in section 4, this act shall take effect upon its approval by the board of county commissioners of Ramsey county and upon compliance with Minnesota Statutes, Section 645.021."

The motion prevailed and the amendment was adopted.

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dahl	Ferderer	Hook
Andersen, R.	Carlson, A.	DeGroat	Fjoslien	Jacobs
Anderson, G.	Carlson, B.	Dieterich	Fudro	Jaros
Anderson, I.	Carlson, D.	Dirlam	Fugina	Johnson, D.
Becklin	Carlson, L.	Eckstein	Graw	Johnson, R.
Belisle	Cassery	Eken	Growe	Jopp
Bennett	Cleary	Enebo	Hagedorn	Jude
Berg	Clifford	Erdahl	Hanson	Kahn
Biersdorf	Connors	Erickson	Haugerud	Kelly
Braun	Cummiskey	Faricy	Heintz	Kempe

Klaus	McCarron	Norton	Ryan	Stanton
Knickerbocker	McEachern	Ohnstad	St. Onge	Swanson
Knoll	McFarlin	Ojala	Samuelson	Tomlinson
Kostohryz	McMillan	Parish	Sarna	Ulland
Kvam	Menke	Patton	Schreiber	Vanasek
Laidig	Miller, M.	Pavlak, R.	Schulz	Vento
Larson	Moe	Pavlak, R. L.	Sherwood	Voss
LaVoy	Mueller	Pehler	Sieben, H.	Weaver
Lemke	Munger	Peterson	Sieben, M.	Wenzel
Lindstrom, J.	Myrah	Pieper	Skaar	Wigley
Lombardi	Nelson	Prahl	Smith	Wohlwend
Long	Newcome	Quirin	Spanish	Wolcott
McArthur	Niehaus	Rice	Stangeland	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Forsythe	Lindstrom, E.	Resner	Searle
Berglin	Johnson, J.			

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

S. F. No. 3046, A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Sarna
Adams, S.	Dirlam	Jopp	Moe	Schreiber
Andersen, R.	Eckstein	Jude	Mueller	Schulz
Anderson, D.	Eken	Kahn	Munger	Searle
Anderson, G.	Enebo	Kelly	Myrah	Sherwood
Anderson, I.	Erdahl	Kempe	Nelson	Sieben, H.
Becklin	Erickson	Klaus	Niehaus	Sieben, M.
Belisle	Esau	Knickerbocker	Norton	Skaar
Bennett	Faricy	Knoll	Ohnstad	Smith
Berg	Ferderer	Kostohryz	Ojala	Spanish
Berglin	Fjoslien	Kvam	Parish	Stangeland
Biersdorf	Forsythe	Laidig	Patton	Stanton
Braun	Fudro	Larson	Pavlak, R.	Swanson
Brinkman	Fugina	LaVoy	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lemke	Pehler	Ulland
Carlson, B.	Growe	Lindstrom, E.	Peterson	Vanasek
Carlson, D.	Hagedorn	Lindstrom, J.	Pieper	Vento
Carlson, L.	Hanson	Lombardi	Pleasant	Voss
Casserly	Haugerud	Long	Prahl	Weaver
Cleary	Heinitz	McArthur	Quirin	Wenzel
Clifford	Hook	McCarron	Resner	Wigley
Connors	Jacobs	McEachern	Rice	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, J.	Menke	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 1231, A bill for an act relating to planning commissions of certain counties and municipalities, and their controls; amending Minnesota Statutes 1971, Sections 394.25, by adding a subdivision; and 462.352, Subdivision 10.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Myrah	Searle
Adams, S.	Eken	Kempe	Nelson	Sherwood
Andersen, R.	Enebo	Klaus	Newcome	Sieben, H.
Anderson, D.	Erdahl	Knickerbocker	Niehaus	Sieben, M.
Anderson, I.	Erickson	Knoll	Norton	Skaar
Becklin	Esau	Kostohryz	Ohnstad	Smith
Belisle	Faricy	Kvam	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stanton
Berg	Fjoslien	Larson	Patton	Swanson
Berglin	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Biersdorf	Fudro	Lindstrom, E.	Pavlak, R. L.	Ulland
Brinkman	Fugina	Lindstrom, J.	Pehler	Vanasek
Carlson, A.	Grove	Lombardi	Peterson	Vento
Carlson, B.	Hagedorn	Long	Pieper	Voss
Carlson, D.	Hanson	McArthur	Prahl	Weaver
Carlson, L.	Haugerud	McCarron	Quirin	Wenzel
Casserly	Hook	McEachern	Resner	Wigley
Cleary	Jacobs	McFarlin	Rice	Wohlwend
Clifford	Jaros	McMillan	Ryan	Wolcott
Connors	Johnson, D.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	Miller, M.	Samuelson	
Dahl	Jopp	Moe	Sarna	
DeGroat	Jude	Mueller	Schreiber	
Dieterich	Kahn	Munger	Schulz	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 3016.

S. F. No. 3016, A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 2, as follows:

Those who voted in the affirmative were :

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jopp	Moe	Schulz
Andersen, R.	Eckstein	Jude	Mueller	Searle
Anderson, D.	Eken	Kahn	Munger	Sherwood
Anderson, G.	Enebo	Kelly	Nelson	Sieben, H.
Anderson, I.	Erdahl	Kempe	Newcome	Sieben, M.
Becklin	Erickson	Klaus	Norton	Skaar
Belisle	Esau	Knickerbocker	Ohnstad	Smith
Bennett	Faricy	Knoll	Ojala	Spanish
Berg	Ferderer	Kostohryz	Parish	Stanton
Berglin	Fjoslien	Kvam	Patton	Swanson
Biersdorf	Forsythe	Laidig	Pavlak, R.	Tomlinson
Braun	Fudro	Larson	Pavlak, R. L.	Ulland
Brinkman	Fugina	LaVoy	Pehler	Vanasek
Carlson, A.	Graw	Lemke	Peterson	Vento
Carlson, B.	Growe	Lindstrom E.	Pieper	Voss
Carlson, D.	Hagedorn	Lindstrom, J.	Pleasant	Weaver
Carlson, L.	Hanson	Lombardi	Prahl	Wenzel
Casserly	Haugerud	Long	Quirin	Wigley
Cleary	Heinitz	McArthur	Resner	Wohlwend
Clifford	Hook	McCarron	Rice	Wolcott
Connors	Jacobs	McEachern	Ryan	Mr. Speaker
Cummiskey	Jaros	McFarlin	St. Onge	
Dahl	Johnson, D.	McMillan	Samuelson	
DeGroat	Johnson, J.	Menke	Sarna	

Those who voted in the negative were :

Niehaus Schreiber

The bill was passed and its title agreed to.

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 3712 and 452.

H. F. No. 3712, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 7, as follows :

Those who voted in the affirmative were :

Adams, J.	Biersdorf	Cummiskey	Ferderer	Hook
Adams, S.	Brinkman	Dahl	Fjoslien	Jacobs
Andersen, R.	Carlson, A.	DeGroat	Forsythe	Jaros
Anderson, D.	Carlson, B.	Dieterich	Fudro	Johnson, D.
Anderson, G.	Carlson, D.	Dirlam	Fugina	Johnson, J.
Anderson, I.	Carlson, L.	Eken	Graw	Johnson, R.
Becklin	Casserly	Enebo	Growe	Jopp
Belisle	Cleary	Erdahl	Hagedorn	Jude
Bennett	Clifford	Erickson	Hanson	Kahn
Berg	Connors	Esau	Haugerud	Kelly
Berglin	Culhane	Faricy	Heinitz	Kempe

Klaus	McArthur	Niehaus	Ryan	Swanson
Knickerbocker	McCarron	Norton	St. Onge	Tomlinson
Knoll	McEachern	Ohnstad	Samuelson	Ulland
Kostohryz	McFarlin	Ojala	Sarna	Vanasek
Kvam	McMillan	Parish	Savelkoul	Vento
Laidig	Menke	Pavlak, R.	Schreiber	Voss
Larson	Miller, M.	Pavlak, R. L.	Schulz	Weaver
LaVoy	Moe	Pehler	Sherwood	Wenzel
Lemke	Mueller	Peterson	Sieben, H.	Wigley
Lindstrom, E.	Munger	Pieper	Sieben, M.	Wohlwend
Lindstrom, J.	Myrah	Quirin	Smith	Wolcott
Lombardi	Nelson	Resner	Spanish	Mr. Speaker
Mann	Newcome	Rice	Stanton	

Those who voted in the negative were:

Braun	Long	Prahl	Skaar	Stangeland
Eckstein	Patton			

The bill was passed and its title agreed to.

H. F. No. 452 was reported to the House.

Moe moved to amend H. F. No. 452, the printed bill, as follows:

Page 5, line 22, after "corrections" strike ", the adult correction".

Page 5, line 23, strike "commission, or the youth conservation commission".

The motion prevailed and the amendment was adopted.

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Enebo	Jacobs	Kvam
Adams, S.	Carlson, L.	Erdahl	Jaros.	Laidig
Andersen, R.	Cassery	Erickson	Johnson, D.	Larson
Anderson, D.	Cleary	Esau	Johnson, J.	LaVoy
Anderson, I.	Clifford	Faricy	Johnson, R.	Lindstrom, E.
Becklin	Connors	Ferderer	Jopp	Lindstrom, J.
Belisle	Culhane	Forsythe	Jude	Lombardi
Bennett	Cummiskey	Fudro	Kahn	Long
Berg	Dahl	Fugina	Kelly	Mann
Berglin	DeGroat	Growe	Kempe	McArthur
Biernsdorf	Dieterich	Hanson	Klaus	McCarron
Braun	Dirlam	Haugerud	Knickerbocker	McEachern
Brinkman	Eckstein	Heinitz	Knoll	McFarlin
Carlson, A.	Eken	Hook	Kostohryz	McMillan

Menke	Ojala	Resner	Sherwood	Vanasek
Miller, M.	Parish	Rice	Sieben, H.	Vento
Moe	Patton	Ryan	Sieben, M.	Voss
Mueller	Pavlak, R.	St. Onge	Skaar	Weaver
Munger	Pavlak, R. L.	Samuelson	Smith	Wenzel
Myrah	Pehler	Sarna	Spanish	Wigley
Nelson	Peterson	Savelkoul	Stanton	Wohlwend
Newcome	Pieper	Schreiber	Swanson	Wolcott
Niehaus	Prahl	Schulz	Tomlinson	Mr. Speaker
Norton	Quirin	Searle	Ulland	

Those who voted in the negative were :

Anderson, G. Fjoslien Ohnstad

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

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 1713, A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. The following amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted the constitution will read as follows:

CONSTITUTION OF THE STATE OF MINNESOTA

Preamble

We, the people of the state of Minnesota, grateful to God for our civil and religious liberty, and desiring to perpetuate its blessings and secure the same to ourselves and our posterity, do ordain and establish this Constitution.

ARTICLE I

BILL OF RIGHTS

Section 1. Government is instituted for the security, benefit and protection of the people, in whom all political power is inherent, together with the right to alter, modify or reform (SUCH) government (,) whenever *required by* the public good (MAY REQUIRE IT).

Sec. 2. No member of this state shall be disfranchised (,) or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land (,) or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the state otherwise than (THE) *as* punishment (OF) *for a crime* (, WHEREOF) *of which* the party (SHALL HAVE BEEN DULY) *has been* convicted.

Sec. 3. The liberty of the press shall forever remain inviolate, and all persons may freely speak, write and publish their sentiments on all subjects, being responsible for the abuse of such right.

Sec. 4. The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy (, BUT). A jury trial may be waived by the parties in all cases in the manner prescribed by law (; AND). The legislature may provide that the agreement of five-sixths of (ANY) a jury in (ANY) a civil action or proceeding, after not less than six ((6)) hours' deliberation, (SHALL BE) *is a sufficient verdict* (THEREIN).

Sec. 5. Excessive bail shall not be required, nor (SHALL) excessive fines (BE) imposed (;), nor (SHALL) cruel or unusual punishments (BE) inflicted.

Sec. 6. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial (,) by an impartial jury of the county or district wherein the crime shall have been committed, which county or district shall have been previously ascertained by law (, AND). *The accused shall enjoy the right* to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor (,) and to have the assistance of counsel in his defense.

Sec. 7. No person shall be held to answer for a criminal offense without due process of law, and no person (FOR THE SAME OFFENSE) shall be put twice in jeopardy of punishment *for the same offense*, nor (SHALL) be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law. All persons (SHALL) before conviction *shall* be bailable by sufficient sure-

ties, except for capital offenses when the proof is evident or the presumption great (; AND). The privilege of the writ of habeas corpus shall not be suspended unless (WHEN) *the public safety requires it* in case of rebellion or invasion (THE PUBLIC SAFETY MAY REQUIRE).

Sec. 8. Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive (IN) *to his person, property or character* (; HE OUGHT), *and to obtain justice freely and without purchase* (;), completely and without denial (;), promptly and without delay, conformable to the laws.

Sec. 9. Treason against the state (SHALL CONSIST) *consists only in levying war against the (SAME) state, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act* (,) or on confession in open court.

Sec. 10. The right of the people to be secure in their persons, houses, papers, and effects (,) against unreasonable searches and seizures (,) shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

Sec. 11. No bill of attainder, ex post facto law, (NOR) *or any law impairing the obligation of contracts shall (EVER) be passed, and no conviction shall work corruption of blood or forfeiture of estate.*

Sec. 12. No person shall be imprisoned for debt in this state, but this shall not prevent the legislature from providing for imprisonment, or holding to bail, persons charged with fraud in contracting said debt. A reasonable amount of property shall be exempt from seizure or sale for the payment of any debt or liability. The amount of such exemption shall be determined by law. Provided, however, that all property so exempted shall be liable to seizure and sale for any debts incurred to any person for work done or materials furnished in the construction, repair or improvement of the same, and provided further, that such liability to seizure and sale shall also extend to all real property for any debt (INCURRED) to any laborer or servant for labor or service performed.

Sec. 13. Private property shall not be taken, destroyed or damaged for public use without just compensation therefor, first paid or secured.

Sec. 14. The military shall be subordinate to the civil power (,) and no standing army shall be (KEPT UP) *maintained* in this state in times of peace.

Sec. 15. All lands within the state are (DECLARED TO BE) allodial (,) and feudal tenures of every description (,) with all their incidents (,) are prohibited. Leases and grants of agricultural lands for a longer period than (TWENTY ONE) 21 years (HEREAFTER MADE, IN WHICH SHALL BE RESERVED ANY) *reserving* rent or service of any kind (,) shall be void.

Sec. 16. The enumeration of rights in this constitution shall not (BE CONSTRUED TO) deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed (,); nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness (,) or justify practices inconsistent with the peace or safety of the state. nor shall any money be drawn from the treasury for the benefit of any religious societies (,) or religious or theological seminaries.

Sec. 17. No religious test or amount of property shall (EVER) be required as a qualification for any office of public trust (UNDER) *in* the state. No religious test or amount of property shall (EVER) be required as a qualification of any voter at any election in this state; nor shall any person be rendered incompetent to give evidence in any court of law or equity in consequence of his opinion upon the subject of religion.

ARTICLE II

NAME AND BOUNDARIES

Section 1. This State shall be called (AND KNOWN BY THE NAME OF) the state of Minnesota (,) and shall consist of and have jurisdiction over the territory embraced (IN THE FOLLOWING BOUNDARIES, TO WIT: BEGINNING AT THE POINT IN THE CENTER OF THE MAIN CHANNEL OF THE RED RIVER OF THE NORTH, WHERE THE BOUNDARY LINE BETWEEN THE UNITED STATES AND BRITISH POSSESSIONS CROSSES THE SAME; THENCE UP THE MAIN CHANNEL OF SAID RIVER TO THAT OF THE BOIS DES SIOUX RIVER; THENCE UP THE MAIN CHANNEL OF SAID RIVER TO LAKE TRAVERSE, THENCE UP THE CENTER OF SAID LAKE TO THE SOUTHERN EXTREMITY THEREOF; THENCE IN A DIRECT LINE TO THE HEAD OF BIG STONE LAKE; THENCE THROUGH ITS CENTER TO ITS OUTLET; THENCE BY A DUE SOUTH LINE TO THE NORTH LINE OF THE STATE OF IOWA; THENCE EAST ALONG THE NORTHERN BOUNDARY OF SAID STATE TO THE MAIN CHANNEL OF THE MISSIS-

SIPPI RIVER; THENCE UP THE MAIN CHANNEL OF SAID RIVER AND FOLLOWING THE BOUNDARY LINE OF THE STATE OF WISCONSIN UNTIL THE SAME INTERSECTS THE ST. LOUIS RIVER; THENCE DOWN THE SAID RIVER TO AND THROUGH LAKE SUPERIOR, ON THE BOUNDARY LINE OF WISCONSIN AND MICHIGAN, UNTIL IT INTERSECTS THE DIVIDING LINE BETWEEN THE UNITED STATES AND BRITISH POSSESSIONS; THENCE UP PIGEON RIVER AND FOLLOWING SAID DIVIDING LINE TO THE PLACE OF BEGINNING) *in the act of Congress entitled, "An act to authorize the people of the Territory of Minnesota to form a constitution and state government, preparatory to their admission into the Union on equal footing with the original states," and the propositions contained in that act are hereby accepted, ratified and confirmed, and remain irrevocable without the consent of the United States.*

Sec. 2. The state of Minnesota (SHALL HAVE) *has* concurrent jurisdiction on the Mississippi and on all other rivers and waters (BORDERING ON THE SAID STATE OF MINNESOTA, SO FAR AS THE SAME SHALL FORM) *forming* a common boundary (TO SAID STATE, AND) *with* any other state or states. (NOW OR HEREAFTER TO BE FORMED BY THE SAME; AND SAID RIVERS AND WATERS, AND) Navigable waters leading into the same, shall be common highways and forever free (, AS WELL TO THE INHABITANTS OF SAID STATE AS) to (OTHER) citizens of the United States (,) without any tax, duty, impost (,) or toll therefor.

(SEC. 3. THE PROPOSITIONS CONTAINED IN THE ACT OF CONGRESS ENTITLED, "AN ACT TO AUTHORIZE THE PEOPLE OF THE TERRITORY OF MINNESOTA TO FORM A CONSTITUTION AND STATE GOVERNMENT, PREPARATORY TO THEIR ADMISSION INTO THE UNION ON EQUAL FOOTING WITH THE ORIGINAL STATES," ARE HEREBY ACCEPTED, RATIFIED AND CONFIRMED, AND SHALL REMAIN IRREVOCABLE WITHOUT THE CONSENT OF THE UNITED STATES; AND IT IS HEREBY ORDAINED THAT THIS STATE SHALL NEVER INTERFERE WITH THE PRIMARY DISPOSAL OF THE SOIL WITHIN THE SAME, BY THE UNITED STATES, OR WITH ANY REGULATIONS CONGRESS MAY FIND NECESSARY FOR SECURING THE TITLE TO SAID SOIL TO BONA FIDE PURCHASERS THEREOF; AND NO TAX SHALL BE IMPOSED ON LANDS BELONGING TO THE UNITED STATES AND IN NO CASE SHALL NON-RESIDENT PROPRIETORS BE TAXED HIGHER THAN RESIDENTS.)

ARTICLE III

DISTRIBUTION OF THE POWERS OF GOVERNMENT

Section 1. The powers of government shall be divided into three distinct departments: legislative, executive (,) and judi-

cial (; AND). No person or persons belonging to or constituting one of these departments shall exercise any of the powers properly belonging to either of the others (,) except in the instances expressly provided in this constitution.

ARTICLE IV

LEGISLATIVE DEPARTMENT

Section 1. The legislature (SHALL CONSIST) *consists of the senate and house of representatives.*

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed by law (, BUT THE REPRESENTATION IN THE SENATE SHALL NEVER EXCEED ONE MEMBER FOR EVERY 5,000 INHABITANTS, AND IN THE HOUSE OF REPRESENTATIVES ONE MEMBER FOR EVERY 2,000 INHABITANTS). The representation in both houses shall be apportioned equally throughout the different sections of the state (,) in proportion to the population thereof.

Sec. (23) 3. (THE LEGISLATURE SHALL HAVE THE POWER TO PROVIDE BY LAW FOR AN ENUMERATION OF THE INHABITANTS OF THIS STATE, AND ALSO HAVE THE POWER AT THEIR FIRST SESSION) *At its first session* after each enumeration of the inhabitants of this state made by the authority of the United States, (TO) *the legislature shall have the power to* prescribe the bounds of congressional (, SENATORIAL AND REPRESENTATIVE) *and legislative districts (, AND TO APPORTION ANEW THE SENATORS AND REPRESENTATIVES).* (AMONG THE SEVERAL DISTRICTS ACCORDING TO THE PROVISIONS OF SECTION SECOND OF THIS ARTICLE. SEC. 24. THE) Senators shall (ALSO) be chosen by single districts of convenient contiguous territory (, AT THE SAME TIME THAT MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE REQUIRED TO BE CHOSEN, AND IN THE SAME MANNER; AND). No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. (THE TERMS OF OFFICE OF SENATORS AND REPRESENTATIVES SHALL BE THE SAME AS NOW PRESCRIBED BY LAW UNTIL THE GENERAL ELECTION OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878), AT WHICH TIME THERE SHALL BE AN ENTIRE NEW ELECTION OF ALL SENATORS AND REPRESENTATIVES.)

Sec. 4. Representatives (CHOSEN AT SUCH ELECTION, OR AT ANY ELECTION THEREAFTER,) shall (HOLD THEIR OFFICE) *be chosen for (THE) a term of two years, except (IT BE) to fill a vacancy (; AND THE SENATORS CHOSEN AT SUCH ELECTION BY DISTRICTS DESIG-*

NATED AS ODD NUMBERS SHALL GO OUT OF OFFICE AT THE EXPIRATION OF THE SECOND YEAR, AND SENATORS CHOSEN BY DISTRICTS DESIGNATED BY EVEN NUMBERS SHALL GO OUT OF OFFICE AT THE EXPIRATION OF THE FOURTH YEAR; AND THEREAFTER. Senators shall be chosen for *a term of four years, except to fill a vacancy and* except there shall be an entire new election of all the senators at the *first* election of representatives (NEXT) *after* (SUCCEEDING) each new *legislative* apportionment provided for in this article. (SEC. 17.) The governor shall (ISSUE WRITS OF ELECTION) *call elections* to fill (SUCH) vacancies (AS MAY OCCUR, BY RESIGNATION OR ANY OTHER CAUSE,) in either house of the legislature.

Sec. (9) 5. No senator or representative shall hold any other office under the authority of the United States or the state of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the legislature by tendering his resignation to the governor.

Sec. (25) 6. Senators and representatives shall be qualified voters of the state, and shall have resided one year in the state and six months immediately preceding the election in the district from which (THEY ARE) elected. (SEC. 3.) Each house shall be the judge of the election returns and eligibility of its own members. The legislature shall prescribe by law the manner (IN WHICH) *for taking* evidence in cases of contested seats in either house (SHALL BE TAKEN).

Sec. (4) 7. Each house may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and (,) with the concurrence of two-thirds (,) expel a member; but no member shall be expelled (THE) a second time for the same offense.

Sec. (29) 8. (ALL MEMBERS) *Each member and* (OFFICERS OF BOTH BRANCHES) *officer* of the legislature (SHALL,) before entering upon (THE) *his* duties (OF THEIR RESPECTIVE TRUSTS,) *shall take* (AND SUBSCRIBE) an oath or affirmation to support the Constitution of the United States, the constitution of (THE) *this* state (OF MINNESOTA), and (FAITHFULLY AND IMPARTIALLY) to discharge *faithfully* the duties (DEVOLVING UPON HIM AS SUCH MEMBER OR OFFICER) *of his office to the best of his judgment and ability.*

Sec. (7) 9. The compensation of senators and representatives shall be prescribed by law. (BUT) No increase of compensation shall (BE PRESCRIBED WHICH SHALL) take effect during the period for which the members of the existing house of representatives may have been elected.

Sec. (8) 10. The members of each house (SHALL) in all cases (,) except treason, felony (,) and breach of the peace, *shall* be privileged from arrest during the session of their respective houses (,) and in going to or returning from the same. For any speech or debate in either house they shall not be questioned in any other place.

Sec. (16) 11. Two or more members of either house (SHALL HAVE LIBERTY TO) *may* dissent and protest against any act or resolution which they (MAY) think injurious to the public or to any individual (,) and have the reason of their dissent entered (ON) *in* the journal.

Sec. 12. The legislature shall meet at the seat of government in regular session in each biennium at the times prescribed by law for not exceeding a total of 120 legislative days. The legislature shall not meet in regular session, nor in any adjournment thereof, after the first Monday following the third Saturday in May of any year. After meeting at a time prescribed by law, the legislature may adjourn to another time. "Legislative day" shall be defined by law. A special session of the legislature may be called (AS OTHERWISE PROVIDED BY THIS CONSTITUTION) *by the governor on extraordinary occasions.*

(SEC. 6.) Neither house (SHALL,) during a session of the legislature (,) *shall* adjourn for more than three days (Sundays excepted) (,) nor to any other place than that in which the two houses shall be assembled (,) without the consent of the other house.

Sec. 13. A majority of each (SHALL CONSTITUTE) *house constitutes* a quorum to transact business, but a smaller number may adjourn from day to day (,) and compel the attendance of absent members in (SUCH) *the* manner and under (SUCH) *the* penalties (AS) it may provide.

Sec. (19) 14. Each house shall be open to the public during (THE) *its* sessions (THEREOF,) except in (SUCH) cases (AS) *which* in (THEIR) *its* opinion (MAY) require secrecy.

Sec. (5) 15. Each house shall elect its presiding officer and (SUCH) other officers as may be provided by law (;). (THEY) *Both houses* shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered (ON SUCH) *in the* journals.

Sec. (30) 16. In all elections (TO BE MADE) by the legislature (, THE) members (THEREOF) shall vote viva voce (,) and their votes shall be entered (ON) *in* the journal.

Sec. (27) 17. No law shall embrace more than one subject, which shall be expressed in its title.

Sec. (10) 18. All bills for raising (A) revenue shall originate in the house of representatives, but the senate may propose and concur with the amendments as on other bills.

Sec. (20) 19. Every bill shall be (READ) *reported* on three different days in each (SEPARATE) house, unless, in case of urgency, two-thirds of the house where (SUCH) *the* bill is pending (SHALL) deem it expedient to dispense with this rule (AND NO BILL SHALL BE PASSED BY EITHER HOUSE UNTIL IT SHALL HAVE BEEN PREVIOUSLY READ TWICE AT LENGTH).

Sec. (21) 20. Every bill (HAVING) passed *by* both houses shall be (CAREFULLY) enrolled (,) and (SHALL BE) signed by the presiding officer of each house. Any presiding officer refusing to sign a bill (WHICH SHALL HAVE PREVIOUSLY) passed *by* both houses shall thereafter be (INCAPABLE OF HOLDING A SEAT IN EITHER BRANCH OF THE LEGISLATURE, OR HOLD ANY OTHER) *disqualified from any* office of honor or profit in the state (, AND IN CASE OF SUCH REFUSAL,). Each house (SHALL,) by rule (,) *shall* provide the manner in which (SUCH) *a* bill shall be (PROPERLY) certified for presentation to the governor *in case of such refusal*.

Sec. (22) 21. No bill shall be passed by either house (OF THE LEGISLATURE) upon the day prescribed for (THE) adjournment (OF THE TWO HOUSES). (BUT) This section shall not (BE SO CONSTRUED AS TO) preclude the enrollment of a bill (,) or (THE SIGNATURE AND PASSAGE) *its transmittal* from one house to another (, OR THE REPORTS THEREON FROM COMMITTEES,) or (ITS TRANSMISSION) to the executive for his signature.

Sec. (13) 22. The style of all laws of this state shall be: "Be it enacted by the legislature of the state of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each (BRANCH) *house* of the legislature, and the vote entered (UPON) *in* the journal of each house.

Sec. (11) 23. Every bill (WHICH SHALL HAVE) passed (THE SENATE AND THE HOUSE OF REPRESENTATIVES,) in conformity to the rules of each house and the joint rules of the two houses (,) shall (, BEFORE IT BECOMES A LAW,) be presented to the governor (OF THE STATE). If he approves *a bill*, he shall sign *it* (AND), deposit it in the office of the secretary of state (FOR PRESERVATION,) and notify the house (WHERE) *in which* it originated of (THE) *that fact*. (BUT IF NOT,) *If he vetoes a bill*, he shall return it (,) with his objections (,) to the house in which it (SHALL HAVE) originated (; WHEN SUCH). *His* objections shall be entered (AT LARGE ON) *in* the journal (OF THE SAME, AND THE HOUSE SHALL PROCEED TO RECONSIDER THE BILL). If, after (SUCH) reconsideration, two-thirds of that house (SHALL) agree to pass the bill, it shall be sent, together with

the governor's objections, to the other house, (BY) which (IT) shall likewise (BE RECONSIDERED;) *reconsider it.* (AND) If (IT BE) approved by two-thirds of that house it (SHALL BECOME) *becomes a law and shall be deposited in the office of the secretary of state.* (BUT) In (ALL) such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered (ON) *in the journal of each house (, RESPECTIVELY).* (IF) Any bill (SHALL) not (BE) returned by the governor within three days (Sundays excepted) after it (SHALL HAVE BEEN) *is presented to him (, THE SAME SHALL BE) becomes a law (IN LIKE MANNER)* as if he had signed it, unless the legislature (,) by adjournment within that time (,) prevents its return. (BILLS) *Any bill passed during the last three days of a session* may be presented to the governor during the three days following the day of (THE) final adjournment (OF THE LEGISLATURE AND THE LEGISLATURE MAY PRESCRIBE THE METHOD OF PERFORMING THE ACTS NECESSARY TO PRESENT BILLS TO THE GOVERNOR AFTER ADJOURNMENT.) *and becomes law if the governor (MAY APPROVE, SIGN) signs and (FILE) deposits it* in the office of the secretary of state (,) within 14 days after the adjournment of the legislature (, ANY ACT PASSED DURING THE LAST THREE DAYS OF THE SESSION, AND THE SAME SHALL BECOME A LAW). (IF) Any bill passed during the last three days of the session *which is not signed and (FILED) deposited* within 14 days after (THE) adjournment (, IT SHALL) *does not become a law.*

If (ANY) a bill presented to the governor (CONTAIN) *contains* several items of appropriation of money, he may (OBJECT TO) *veto* one or more of (SUCH) *the* items (,) while approving (OF THE OTHER PORTION OF) the bill. (IN SUCH CASE HE SHALL APPEND TO THE BILL,) At the time (OF SIGNING IT,) *he signs the bill the governor shall append to it* a statement of the items (TO WHICH HE OBJECTS, AND THE APPROPRIATION SO OBJECTED TO) *he vetoes and the vetoed items* shall not take effect. If the legislature (BE) *is* in session, he shall transmit to the house in which the bill originated a copy of (SUCH) *the* statement, and the items (OBJECTED TO) *vetoed* shall be separately reconsidered. If (,) on reconsideration (, ONE OR MORE OF SUCH ITEMS BE) *any item is* approved by two-thirds of the members elected to each house, (THE SAME SHALL BE) *it is* a part of the law (,) notwithstanding the objections of the governor. (ALL THE PROVISIONS OF THIS SECTION, IN RELATION TO BILLS NOT APPROVED BY THE GOVERNOR, SHALL APPLY IN CASES IN WHICH HE SHALL WITHHOLD HIS APPROVAL FROM ANY ITEM OR ITEMS CONTAINED IN A BILL APPROPRIATING MONEY.)

Sec. (12) 24. (NO MONEY SHALL BE APPROPRIATED EXCEPT BY BILL. EVERY) *Each* order, resolution or vote requiring the concurrence of the two houses (()) except such as

relate to the business or adjournment of the (SAME)) *legislature* shall be presented to the governor (FOR HIS SIGNATURE, AND, BEFORE THE SAME SHALL TAKE EFFECT, SHALL BE APPROVED BY HIM, OR, BEING RETURNED BY HIM WITH HIS OBJECTIONS, SHALL BE REPASSED BY TWO-THIRDS OF THE MEMBERS OF THE TWO HOUSES, ACCORDING TO THE RULES AND LIMITATIONS) *and is subject to his veto as prescribed in case of a bill.*

Sec. (18) 25. *During a session each house may punish by imprisonment (, DURING ITS SESSION,) for not more than 24 hours any person (,) not a member (,) who (SHALL BE) is guilty of any disorderly or contemptuous behavior in (THEIR) its presence (, BUT NO SUCH IMPRISONMENT SHALL AT ANY TIME EXCEED TWENTY-FOUR HOURS).*

Sec. 26. (TO PASS) *Passage of a general banking law requires the vote of two thirds of the members of each house of the legislature.*

(SEC. 15. THE LEGISLATURE SHALL HAVE FULL POWER TO EXCLUDE FROM THE PRIVILEGE OF ELECTING OR BEING ELECTED ANY PERSON CONVICTED OF BRIBERY, PERJURY, OR ANY OTHER INFAMOUS CRIME.)

(SEC. 26. DIVORCES SHALL NOT BE GRANTED BY THE LEGISLATURE.)

(SEC. 32. [B] ALL LANDS DONATED TO THE STATE OF MINNESOTA FOR THE PURPOSE OF INTERNAL IMPROVEMENT, UNDER THE EIGHTH SECTION OF THE ACT OF CONGRESS, APPROVED SEPTEMBER FOURTH, EIGHTEEN HUNDRED AND FORTY-ONE, BEING "AN ACT TO APPROPRIATE THE PROCEEDS OF THE SALE OF THE PUBLIC LANDS, AND TO GRANT PRE-EMPTION RIGHTS," SHALL BE APPRAISED AND SOLD, IN THE SAME MANNER AND BY THE SAME OFFICERS, AND THE MINIMUM PRICE SHALL BE THE SAME AS IS PROVIDED BY LAW FOR THE APPRAISEMENT AND SALE OF THE SCHOOL LANDS, UNDER THE PROVISIONS OF TITLE ONE (1), CHAPTER THIRTY-EIGHT, OF THE GENERAL STATUTES, EXCEPT THE MODIFICATIONS HEREINAFTER MENTIONED. ALL MONEYS DERIVED FROM THE SALES OF SAID LANDS SHALL BE INVESTED IN THE BONDS OF THE UNITED STATES, OR OF THE STATE OF MINNESOTA ISSUED SINCE 1860; AND THE MONEYS SO INVESTED SHALL CONSTITUTE THE INTERNAL IMPROVEMENT LAND FUND OF THE STATE. ALL MONEYS RECEIVED BY THE COUNTY TREASURER UNDER THE PROVISIONS OF TITLE ONE (1), CHAPTER THIRTY-EIGHT (38), AFORESAID, DERIVED FROM THE SALE OF INTERNAL IMPROVEMENT LANDS, SHALL BE

HELD AT ALL TIMES SUBJECT TO THE ORDER AND DIRECTION OF THE STATE TREASURER, FOR THE BENEFIT OF THE FUND TO WHICH IT BELONGS; AND ON THE FIFTEENTH DAY OF JUNE IN EACH YEAR, AND AT SUCH OTHER TIMES AS HE MAY BE REQUESTED SO TO DO BY THE STATE TREASURER, HE SHALL PAY OVER TO THE SAID STATE TREASURER ALL MONEYS RECEIVED ON ACCOUNT OF SUCH FUND.)

(THE BONDS PURCHASED IN ACCORDANCE WITH THIS AMENDMENT SHALL BE TRANSFERABLE ONLY UPON THE ORDER OF THE GOVERNOR, AND ON EACH BOND SHALL BE WRITTEN "MINNESOTA INTERNAL IMPROVEMENT LAND FUND OF THE STATE, TRANSFERABLE ONLY ON THE ORDER OF THE GOVERNOR." THE PRINCIPAL SUM FROM ALL SALES OF INTERNAL IMPROVEMENT LANDS SHALL NOT BE REDUCED BY ANY CHARGES OR COSTS OF OFFICERS BY FEES, OR BY ANY OTHER MEANS WHATSOEVER; AND SECTION FIFTY (50), OF TITLE ONE (1), CHAPTER THIRTY-EIGHT (38), OF THE GENERAL STATUTES, SHALL NOT BE APPLICABLE TO THE PROVISIONS OF THIS AMENDMENT, AND WHEREVER THE WORDS "SCHOOL LANDS" ARE USED IN SAID TITLE, IT SHALL READ AS APPLICABLE TO THIS AMENDMENT, "INTERNAL IMPROVEMENT LANDS." THE FORCE OF THIS AMENDMENT SHALL BE TO AUTHORIZE THE SALE OF THE INTERNAL IMPROVEMENT LANDS, WITHOUT FURTHER LEGISLATIVE ENACTMENT.)

(SEC. 34. THE LEGISLATURE SHALL PROVIDE GENERAL LAWS FOR THE TRANSACTION OF ANY BUSINESS THAT MAY BE PROHIBITED BY SECTION ONE (1) OF THIS AMENDMENT, AND ALL SUCH LAWS SHALL BE UNIFORM IN THEIR OPERATION THROUGHOUT THE STATE.)

ARTICLE V

EXECUTIVE DEPARTMENT

Section 1. The executive department (SHALL CONSIST) *consists* of a governor, lieutenant governor, secretary of state, auditor, treasurer and attorney general, who shall be chosen by the electors of the state. The governor and lieutenant governor shall be chosen jointly by a single vote applying to both offices (,) in a manner prescribed by law.

Sec. (3) 2. The term of office for the governor and lieutenant governor (SHALL BE) *is* four years (,) and until (THEIR SUCCESSORS ARE) *a successor is* chosen and qualified. Each shall have attained the age of 25 years and, shall have been a bona fide resident of the state for one year next preceding his

election (. BOTH), *and* shall be (CITIZENS) *a citizen* of the United States.

Sec. (4) 3. The governor shall communicate by message to each session of the legislature (SUCH) information touching the state and (CONDITION OF THE) country (AS HE MAY DEEM EXPEDIENT). He (SHALL BE) *is* commander-in-chief of the military and naval forces (,) and may call *them* out (SUCH FORCES) to execute the laws, suppress insurrection and repel invasion. He may require the opinion (,) in writing (,) of the principal officer in each of the executive departments upon any subject relating to (THE) *his* duties (OF THEIR RESPECTIVE OFFICES;). (HE SHALL HAVE POWER, BY AND) With the advice and consent of the senate (TO) *he may* appoint notaries public (,) and (SUCH) other officers (AS MAY BE) provided by law. He (SHALL HAVE POWER TO) *may* appoint commissioners to take the acknowledgment of deeds or other instruments in writing (,) to be used in the state. (HE SHALL HAVE A NEGATIVE UPON ALL LAWS PASSED BY THE LEGISLATURE, UNDER SUCH RULES AND LIMITATIONS AS ARE IN THIS CONSTITUTION PRESCRIBED. HE MAY ON EXTRAORDINARY OCCASIONS CONVENE BOTH HOUSES OF THE LEGISLATURE.) He shall take care that the laws be faithfully executed (,). *He shall* fill any vacancy that may occur in the (OFFICE) *offices* of secretary of state, treasurer, auditor, attorney general (,) and (SUCH) *the* other state and district offices (AS MAY BE) hereafter created by law (,) until the end of the term for which the person who had vacated the office was elected (,) or the first Monday in January following the next general election, whichever is sooner, and until (THEIR SUCCESSORS ARE) *a successor is* chosen and qualified.

Sec. (5) 4. The (OFFICIAL TERM) *term of office* of the secretary of state, treasurer, attorney general (,) and state auditor (SHALL BE) *is* four years (,) and (EACH SHALL CONTINUE IN OFFICE) until (HIS) *a* successor (SHALL HAVE BEEN ELECTED) *is chosen* and qualified. The (FURTHER) duties and salaries of the executive officers shall (EACH) be prescribed by law.

Sec. (6) 5. In case a vacancy (SHOULD OCCUR,) *occurs* from any cause whatever (,) in the office of governor, the lieutenant governor shall be governor during such vacancy. The compensation of the lieutenant governor shall be prescribed by law. The last elected presiding officer of the senate shall become lieutenant governor in case a vacancy (SHOULD OCCUR) *occurs* in that office. In case the governor (SHALL BE) *is* unable to discharge the powers and duties of his office, the same (SHALL DEVOLVE) *devolves* on the lieutenant governor. The legislature may (BY LAW) provide *by law* for the case of the removal, death, resignation, or inability both of the governor and lieutenant governor to discharge the duties of governor and may

provide by law for continuity of government in periods of emergency resulting from disasters caused by enemy attack in this state, including but not limited to, succession to the powers and duties of public office and change of the seat of government.

(SEC. 7. THE TERM OF EACH OF THE EXECUTIVE OFFICERS NAMED IN THIS ARTICLE, SHALL COMMENCE ON TAKING THE OATH OF OFFICE ON OR AFTER THE FIRST DAY OF MAY, 1858, AND CONTINUE UNTIL THE FIRST MONDAY OF JANUARY, 1860, EXCEPT THE AUDITOR, WHO SHALL CONTINUE IN OFFICE TILL THE FIRST MONDAY OF JANUARY, 1861, AND UNTIL THEIR SUCCESSORS SHALL HAVE BEEN DULY ELECTED AND QUALIFIED; AND THE SAME ABOVE-MENTIONED TIME FOR QUALIFICATION AND ENTRY UPON THE DUTIES OF THEIR RESPECTIVE OFFICES SHALL EXTEND AND APPLY TO ALL OTHER OFFICERS ELECTED UNDER THE STATE CONSTITUTION, WHO HAVE NOT ALREADY TAKEN THE OATH OF OFFICE, AND COMMENCED THE PERFORMANCE OF THEIR OFFICIAL DUTIES.)

Sec. (8) 6. Each officer created by this article (SHALL,) before entering upon his duties (,) *shall* take an oath or affirmation to support the constitution of the United States and of this state (,) and *to* (FAITHFULLY) discharge *faithfully* the duties of his office to the best of his judgment and ability.

Sec. 7. The governor, the attorney general and the chief justice of the supreme court *constitute* a board of pardons. *Its* powers and duties shall be defined and regulated by law. The governor in conjunction with the board of pardons *has* power to grant reprieves and pardons after conviction for an offense against the state (,) except in cases of impeachment.

ARTICLE VI

JUDICIARY

Section 1. The judicial power of the state is (HEREBY) vested in a supreme court, a district court (,) and such other courts, judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Sec. 2. The supreme court (SHALL CONSIST) *consists* of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as (MAY BE) *are* prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in (SAID) *the supreme* court.

As provided by law judges of the district court may be assigned (AS PROVIDED BY LAW) temporarily to act as judges of the supreme court upon its request.

The supreme court shall appoint (,) to serve at its pleasure (,) a clerk, a reporter, a state law librarian (,) and (SUCH) other *necessary* employees (AS IT MAY DEEM NECESSARY).

Sec. (5) 3. The district court (SHALL HAVE) *has* original jurisdiction in all civil and criminal cases (,) and shall have (SUCH) appellate jurisdiction as (MAY BE) prescribed by law.

Sec. (3) 4. The number and boundaries of judicial districts shall be established (OR CHANGED) in the manner provided by law but the office of a district judge (MAY) *shall* not be abolished during his term. There shall be two or more district judges in each district. Each judge of the district court in any district shall be a resident of (SUCH) *that* district at the time of his selection and during his continuance in office.

Sec. (7) 5. Judges of the supreme court and the district court shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

Sec. (9) 6. (JUDGES) A *judge* of the supreme court (AND) *or* the district court shall not hold any office under the United States except a commission in a reserve component of the military forces of the United States and shall not hold any other office under this state. (THE) *His* term of office (OF ANY SUCH JUDGE) shall terminate at the time he files as a candidate for an elective office of the United States or for a nonjudicial office of this state.

Sec. (8) 7. The term of office of all judges shall be six years and until their successors are qualified (,). (AND) They shall be elected (IN THE MANNER PROVIDED BY LAW) by the (ELECTORS OF THE STATE, DISTRICT, COUNTY, MUNICIPALITY, OR OTHER TERRITORY WHEREIN) *voters from the area which they are to serve in the manner provided by law.*

Sec. (11) 8. Whenever there is a vacancy in the office of judge the governor shall appoint in the manner provided by law a qualified person to fill the vacancy (, TO HOLD OFFICE) until (HIS) successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after (SUCH) *the* appointment.

Sec. (10) 9. The legislature may provide by law for retirement of all judges (,) *and* for the extension of the term of any

judge who (SHALL BECOME) *becomes* eligible for retirement within three years after expiration of the term for which he is selected. (AND) *The legislature may also provide* for the retirement, removal or other discipline of any judge who is disabled, incompetent or guilty of conduct prejudicial to the administration of justice.

Sec. (12) 10. As provided by law (,) a retired judge may be assigned to hear and decide any cause over which the court to which he is assigned (SHALL HAVE) *has* jurisdiction.

Sec. (6) 11. Original jurisdiction in law and equity for the administration of the estates of deceased persons and all guardianship and incompetency proceedings, including jurisdiction over the administration of trust estates and for the determination of taxes contingent upon death, shall be provided by law.

Sec. (13) 12. If the probate court is abolished by law, judges of that court who are learned in the law shall become judges of the court that assumes jurisdiction of matters described in section (6) 11.

Sec. (4) 13. There shall be in each county one clerk of the district court (,) whose qualifications (AND), duties *and compensation* shall be prescribed by law (,). (AND WHO) *He* shall serve at the pleasure of a majority of the judges of *the* district court in each district. (HIS COMPENSATION SHALL BE PROVIDED BY LAW.)

ARTICLE VII

ELECTIVE FRANCHISE

Section 1. Every person (OF THE AGE OF 19) *18* years of age or more who has been a citizen of the United States for three months and who has resided (IN THIS STATE SIX MONTHS AND) in the precinct for (THIRTY) *30* days next preceding an election shall be entitled to vote in that precinct (, AND). The place of voting by one otherwise qualified who has changed his residence within (THIRTY) *30* days preceding the election (MAY) *shall* be prescribed by law. (SEC. 2. NO) *The following persons shall not be entitled or permitted to vote at any election in this state:* A person not (BELONGING TO ONE OF THE CLASSES SPECIFIED IN THE PRECEDING SECTION) *meeting the above requirements;* (NO) a person who has been convicted of treason or (ANY) felony, unless restored to civil rights; (AND NO) a person under guardianship, or a person who (MAY BE NON COMPOS MENTIS) *is* (OR) *insane or not mentally competent* (, SHALL BE ENTITLED OR PERMITTED TO VOTE AT ANY ELECTION IN THIS STATE).

Sec. (3) 2. For the purpose of voting (,) no person (SHALL BE DEEMED TO HAVE LOST A) *loses* residence *solely* by

reason of his absence while employed in the service of the United States; nor while engaged upon the waters of this state or of the United States; nor while a student in any (SEMINARY) *institution* of learning; nor while kept at any almshouse or asylum; nor while confined in any public prison. (SEC. 4.) No soldier, seaman or marine in the army or navy of the United States (SHALL BE DEEMED) *is* a resident of this state *solely* in consequence of being stationed within the (SAME) *state*.

Sec. 3. The legislature shall provide for a uniform oath or affirmation to be administered at elections (,) and no person shall be compelled to take any other or different form of oath to entitle him to vote.

Sec. (5) 4. During the day on which (ANY) *an* election (SHALL BE) *is* held (,) no person shall be arrested by virtue of any civil process.

Sec. (6) 5. All elections shall be by ballot (,) except for such town officers as may be directed by law to be otherwise chosen.

Sec. (7) 6. Every person who by the provisions of this article (SHALL BE) *is* entitled to vote at any election and is (TWENTY-ONE) 21 years of age (SHALL BE) *is* eligible (TO) *for* any office (WHICH NOW IS, OR HEREAFTER SHALL BE,) elective by the people in the district wherein he (SHALL HAVE) *has* resided (THIRTY) 30 days previous to (SUCH) *the* election, except as otherwise provided in this constitution, or the constitution and law of the United States.

Sec. (9) 7. The official year for the state of Minnesota (SHALL COMMENCE) *commences* on the first Monday in January in each year (,) and all terms of office (SHALL) terminate at that time (; AND). The general election shall be held on the first Tuesday after the first Monday in November (. THE GENERAL ELECTION SHALL BE HELD BIENNIALLY) in each even numbered year.

Sec. (2) 8. The returns of every election for (THE OFFICERS NAMED IN THE FOREGOING SECTION) *officeholders elected statewide* shall be made to the secretary of state (,) who shall call to his assistance two or more of the judges of the supreme court (,) and two disinterested judges of the district courts (OF THE STATE, WHO). *They* shall constitute a board of canvassers (, WHO SHALL OPEN AND) *to canvass* (SAID) *the* returns and declare the result within three days after (SUCH) *the* canvass.

ARTICLE (XIII) VIII

IMPEACHMENT AND REMOVAL FROM OFFICE

(SEC. 14) *Section 1.* The house of representatives (SHALL HAVE) *has* the sole power of impeachment (,) through a con-

currence of a majority of all (THE) *its* members (ELECTED TO SEATS THEREIN). All impeachments shall be tried by the senate (; AND). When sitting for that purpose (THE), senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the (MEMBERS) *senators* present.

(SECTION 1) *Sec. 2.* The governor, secretary of state, treasurer, auditor, attorney general (,) and the judges of the supreme and district courts (,) may be impeached for corrupt conduct in office (,) or for crimes and misdemeanors; but judgment (IN SUCH CASE) shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this state. The party convicted (THEREOF SHALL NEVERTHELESS BE LIABLE AND) *shall also be* subject to indictment, trial, judgment and punishment (,) according to law.

Sec. 3. No officer shall exercise the duties of his office after he (SHALL HAVE) *has* been impeached and before his acquittal.

(SEC. 4. ON THE TRIAL OF AN IMPEACHMENT AGAINST THE GOVERNOR, THE LIEUTENANT GOVERNOR SHALL NOT ACT AS A MEMBER OF THE COURT.)

Sec. (5) 4. No person shall be tried on impeachment before he (SHALL HAVE) *has* been served with a copy thereof at least (TWENTY) 20 days previous to the day set for trial.

Sec. (2) 5. The legislature of this state may provide for the removal of inferior officers (FROM OFFICE,) for malfeasance or nonfeasance in the performance of their duties.

ARTICLE (XIV) IX

AMENDMENTS TO THE CONSTITUTION

Section 1. (WHENEVER) A majority of (BOTH HOUSES) *the members elected to each house* of the legislature (SHALL DEEM IT NECESSARY TO ALTER OR AMEND THIS CONSTITUTION, THEY) may propose (SUCH ALTERATIONS or) amendments *to this constitution.* (, WHICH) Proposed amendments shall be published with the laws (WHICH HAVE BEEN) passed at the same session (,) and (SAID AMENDMENTS SHALL BE) submitted to the people for their approval or rejection at (ANY) *a* general election. (, AND IF IT SHALL APPEAR, IN A MANNER TO BE PROVIDED BY LAW, THAT) *If* a majority of all the electors voting at (SAID) *the* election (SHALL HAVE VOTED FOR AND RATIFIED SUCH ALTERATIONS OR AMENDMENTS, THE SAME SHALL BE VALID TO ALL INTENTS AND PURPOSES AS) *vote to ratify an amendment, it becomes a part of this constitution.* If

two or more (ALTERATIONS OR) amendments (SHALL BE) *are* submitted at the same time, (IT SHALL BE SO REGULATED THAT THE) voters shall vote for or against each separately.

Sec. 2. (WHENEVER) Two-thirds of the members elected to each (BRANCH) *house* of the legislature (SHALL THINK IT NECESSARY TO CALL A CONVENTION TO REVISE THIS CONSTITUTION, THEY SHALL RECOMMEND) *may submit* to the electors (TO VOTE) at the next *general* election (FOR MEMBERS OF THE LEGISLATURE, FOR OR AGAINST A CONVENTION, AND) *the question of calling a convention to revise this constitution.* If a majority of all electors voting at (SAID) *the* election (SHALL HAVE VOTED) *vote* for a convention, the legislature (SHALL,) at (THEIR) *its* next session, *shall* provide by law for calling the (SAME) *convention.* The convention shall consist of as many (MEMBERS) *delegates as there are members* of the house of representatives (, WHO). *Delegates* shall be chosen in the same manner (,) *as members of the house of representatives* and shall meet within three months after their election (FOR THE PURPOSE AFORESAID). *Section 5 of Article IV of the constitution does not apply to election to the convention.*

Sec. 3. (ANY) A convention called to revise this constitution shall submit any revision (THEREOF BY SAID CONVENTION) to the people (OF THE STATE OF MINNESOTA) for (THEIR) approval or rejection at the next general election held not less than 90 days after (THE ADOPTION) *submission* of (SUCH) *the* revision (,). (AND,) If (IT SHALL APPEAR IN THE MANNER PROVIDED BY LAW THAT) three-fifths of all the electors voting on the question (SHALL HAVE VOTED FOR AND RATIFIED SUCH) *vote to ratify* the revision, (THE SAME SHALL CONSTITUTE) *it becomes* a new constitution of the state of Minnesota. (WITHOUT SUCH SUBMISSION AND RATIFICATION, SAID REVISION SHALL BE OF NO FORCE OR EFFECT. SECTION 9 OF ARTICLE IV OF THE CONSTITUTION SHALL NOT APPLY TO ELECTION TO THE CONVENTION.)

(ARTICLE X)

(CORPORATIONS HAVING NO BANKING PRIVILEGES)

(SECTION 1. THE TERM "CORPORATION," AS USED IN THIS ARTICLE, SHALL BE CONSTRUED TO INCLUDE ALL ASSOCIATIONS AND JOINT STOCK COMPANIES HAVING ANY OF THE POWERS AND PRIVILEGES NOT POSSESSED BY INDIVIDUALS OR PARTNERSHIPS, EXCEPT SUCH AS EMBRACE BANKING PRIVILEGE AND ALL CORPORATIONS SHALL HAVE THE RIGHT TO SUE, AND SHALL BE LIABLE TO BE SUED IN ALL COURTS, IN LIKE MANNER AS NATURAL PERSONS.)

SEC. 2. NO CORPORATIONS SHALL BE FORMED UNDER SPECIAL ACTS, EXCEPT FOR MUNICIPAL PURPOSES.)

(SEC. 3. THE LEGISLATURE SHALL HAVE POWER FROM TIME TO TIME TO PROVIDE FOR, LIMIT AND OTHERWISE REGULATE THE LIABILITY OF STOCKHOLDERS OR MEMBERS OF CORPORATIONS AND CO-OPERATE CORPORATIONS OR ASSOCIATIONS, HOWEVER ORGANIZED.)

ARTICLE (IX) X

(FINANCES OF THE STATE AND BANKS AND BANKING) TAXATION

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects(,) and shall be levied and collected for public purposes, but public burying grounds, public school houses, public hospitals, academies, colleges, universities, (AND) all seminaries of learning, all churches, church property (AND), houses of worship, institutions of purely public charity, and public property used exclusively for any public purpose, shall be exempt from taxation except as provided in this section(,). (AND) There may be exempted from taxation personal property not exceeding in value \$200(,) for each household, individual or head of a family, and household goods and farm machinery(,) as the legislature (MAY DETERMINE;) *determines*. (PROVIDED, THAT) The legislature may authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to (A) cash valuation. The legislature (MAY) by law *may* define or limit the property exempt under this section(,) other than churches, houses of worship, and property solely used for educational purposes by academies, colleges, universities and seminaries of learning.

(SECTION 1) *Sec. 2.* (LAWS MAY BE ENACTED FOR THE PURPOSE OF ENCOURAGING AND PROMOTING) *To encourage and promote* forestation and reforestation of lands (IN THIS STATE,) whether owned by private persons or the public, (INCLUDING THE) *laws may be enacted* fixing in advance (OF) a definite and limited annual tax on (SUCH) *the* lands for a term of years and *imposing a yield tax on the timber and other forest products* at or after the end of (SUCH) *the* term (UPON THE TIMBER AND OTHER FOREST PRODUCTS SO GROWN, BUT THE TAXATION OF MINERAL DEPOSITS SHALL NOT BE AFFECTED BY THIS AMENDMENT).

Sec. (1A) 3. Every person(, CO-PARTNERSHIP, COMPANY, JOINT STOCK COMPANY, CORPORATION, OR AS-

SOCIATION HOWEVER OR FOR WHATEVER PURPOSE ORGANIZED,) engaged in the business of mining or producing iron ore or other ores in this state(,) shall pay to the state (OF MINNESOTA) an occupation tax on the valuation of all ores mined or produced, which tax shall be in addition to all other taxes provided by law(, SAID). *The tax (TO BE) is due (AND PAYABLE FROM SUCH PERSON, CO-PARTNERSHIP, COMPANY, JOINT STOCK COMPANY, CORPORATION, OR ASSOCIATION HOWEVER OR FOR WHATEVER PURPOSE ORGANIZED,) on (MAY FIRST OF) the first day of May in the calendar year next following the mining or producing (THEREOF).* The valuation of ore for the purpose of determining the amount of tax (TO BE PAID) shall be ascertained (IN THE MANNER AND METHOD) *as* provided by law. Funds derived from the tax (HEREIN PROVIDED FOR) shall be used as follows: 50 percent to the state general revenue fund, 40 percent for the support of elementary and secondary schools and ten percent for the general support of the university. (THE LEGISLATURE SHALL BY LAW MAKE THE NECESSARY PROVISIONS FOR CARRYING OUT THE PROVISIONS OF THIS SECTION.)

Sec. (3) 4. The State may levy (A STATE) *an* excise tax upon any (FLUID OR OTHER) means *or substance* (OR INSTRUMENTALITIES, OR THE BUSINESS OF DEALING IN, SELLING, OR PRODUCING ANY OR ALL THEREOF, USED IN PRODUCING OR GENERATING POWER) for propelling aircraft (OF ANY KIND NOW KNOWN OR HEREAFTER INVENTED,) or for propelling or operating motor or other vehicles(,) or other equipment used for airport purposes and not used on the public highways of this state.

Sec. (4) 5. The legislature (IS HEREBY AUTHORIZED TO PROVIDE, BY LAW, FOR THE TAXATION OF) *may tax* aircraft using the air space overlying the state (OF MINNESOTA AND THE AIRPORTS THEREOF(INCLUDING ANY CONTRIVANCE, NOW KNOWN OR HEREAFTER INVENTED, USED OR DESIGNED FOR NAVIGATION OF OR FLIGHT IN THE AIR,) on a more onerous basis than other personal property(; PROVIDED, HOWEVER, THAT). Any such tax on aircraft shall be in lieu of all other (TAXATION THEREON, AND EXCEPT THAT) *taxes*. The legislature may impose (SUCH) *the tax (UPON) on* aircraft of companies paying taxes under any gross earnings system of taxation(, AND UPON THE RIGHT TO USE SUCH AIRCRAFT IN THE AIR SPACE OVERLYING THE STATE OF MINNESOTA AND UPON THE AIRPORTS THEREOF,) notwithstanding (THE FACT) that earnings from (SUCH) *the aircraft (MAY BE) are* included in the earnings (OF SUCH COMPANIES UPON) *on* which (SUCH) gross earnings taxes are computed. (ANY SUCH) *The law may(, IN THE DISCRETION OF THE LEGISLATURE, PROVIDE FOR THE EXEMPTION) exempt* from taxation (OF ANY) aircraft owned by a nonresident of the state (AND TRANSIENTLY OR) temporarily using the air space

overlying the state (OF MINNESOTA OR THE AIRPORTS THEREOF).

(SECTION 1) *Sec. 6.* (NOTWITHSTANDING ANY OTHER PROVISION OF THIS CONSTITUTION,) Laws of Minnesota 1963, Chapter 81, relating to the taxation of taconite and semi-taconite, and facilities for the mining, production and beneficiation thereof shall not be repealed, modified or amended, nor shall any laws in conflict therewith be valid (, FOR A PERIOD OF 25 YEARS AFTER THE ADOPTION OF THIS AMENDMENT) *until November 4, 1989.* (; AND) Laws may be enacted (,) fixing or limiting for a period (OF NOT MORE THAN 25 YEARS BUT) not extending beyond the year 1990, the tax to be imposed (UPON) *on* persons (OR CORPORATIONS) engaged in (1) the mining, production or beneficiation of copper, (2) (IN) the mining, production or beneficiation of copper-nickel, or (3) (IN) the mining, production or beneficiation of nickel. Taxes imposed (UPON) *on* the mining or quarrying of taconite or semi-taconite and (UPON) *on* the production of iron ore concentrates therefrom, which are in lieu of a tax on real or personal property, shall not be considered to be occupation, royalty, or excise taxes within the meaning of this amendment.

Sec. (32. [A]) 7. Any law (PROVIDING FOR THE REPEAL OR AMENDMENT OF ANY LAW OR LAWS) heretofore or hereafter enacted (,) which provides that (ANY) railroad (COMPANY NOW EXISTING IN THIS STATE OR OPERATING ITS ROAD THEREIN, OR WHICH MAY BE HEREAFTER ORGANIZED,) *companies* shall (,) *pay a certain percentage of their gross earnings* in lieu of all other taxes and assessments (UPON) *on* their real estate, roads, rolling stock (,) and other personal property (, AT AND DURING THE TIME AND PERIODS THEREIN SPECIFIED, PAY INTO THE TREASURY OF THIS STATE A CERTAIN PERCENTAGE THEREIN MENTIONED OF THE GROSS EARNINGS OF SUCH RAILROAD COMPANIES NOW EXISTING OR HEREAFTER ORGANIZED, SHALL, BEFORE THE SAME SHALL TAKE EFFECT OR BE IN FORCE, BE SUBMITTED TO A VOTE OF THE PEOPLE OF THE STATE, AND BE ADOPTED AND) *may be amended or repealed only by a law ratified by a majority of the electors of the state voting at the election at which (THE SAME SHALL BE) it is submitted (TO THEM).*

ARTICLE XI

APPROPRIATIONS AND FINANCES

(SEC. 9) *Section 1.* No money shall (EVER) be paid out of the treasury of this state except in pursuance of an appropriation by law.

Sec. (10) 2. The credit of the state shall (NEVER) *not* be given or loaned in aid of any individual, association or corporation (,) except as hereinafter provided. (NOR SHALL THERE BE ANY FURTHER ISSUE OF BONDS DENOMINATED "MINNESOTA STATE RAILROAD BONDS," UNDER WHAT PURPORTS TO BE AN AMENDMENT TO SECTION TEN (10) OF ARTICLE NINE (9) OF THE CONSTITUTION, ADOPTED APRIL 15TH, 1858, WHICH IS HEREBY EXPUNGED FROM THE CONSTITUTION, SAVING, EXCEPTING AND RESERVING TO THE STATE, NEVERTHELESS, ALL RIGHTS, REMEDIES AND FORFEITURES ACCRUING UNDER SAID AMENDMENT.)

Sec. (5) 3. The state shall (NEVER) *not* be a party in carrying on works of internal improvements (,) except as authorized by this constitution (,) . (BUT IT MAY LEVY AN EXCISE TAX UPON ANY SUBSTANCE, MATERIAL, FLUID, FORCE, OR OTHER MEANS OR INSTRUMENTALITY, OR THE BUSINESS OF DEALING IN, SELLING, OR PRODUCING ANY OR ALL THEREOF, USED OR USEFUL, IN PRODUCING OR GENERATING POWER FOR PROPELLING MOTOR OR OTHER VEHICLES USED ON THE PUBLIC HIGHWAYS OF THIS STATE, AND SHALL PLACE THE PROCEEDS OF SUCH TAX IN THE HIGHWAY USER TAX DISTRIBUTION FUND PROVIDED FOR IN THIS CONSTITUTION, AND FURTHER EXCEPT IN CASES WHERE) *If grants (OF LAND OR OTHER PROPERTY SHALL) have been made to the state (,) especially dedicated (BY THE GRANT) to specific purposes, (AND IN SUCH CASES) the state shall devote (THERETO) the (AVAILS) proceeds of (SUCH) the grants to those purposes (,) and may pledge or appropriate the revenues derived from (SUCH) the works in aid of their completion.*

Sec. (6) 4. (SUBDIVISION 1.) The state may contract public debts (,) for which its full faith, credit (,) and taxing powers may be pledged (,) at (SUCH) *the* times and in (SUCH) *the* manner (AS SHALL BE) authorized by law, but only for the purposes and subject to the conditions stated in (THIS) section 5. Public debt includes any obligation payable directly (,) in whole or in part (,) from a tax of state wide application on any class of property, income, transaction or privilege, but does not include any obligation which is payable from revenues other than taxes.

(SUBD. 2) Sec. 5. Public debt may be contracted *and works of internal improvements carried on for the following purposes:*

(a) (FOR THE ACQUISITION AND BETTERMENT OF) *to acquire and to better public land and buildings and other public improvements of a capital nature(,) and to provide (MONEYS) money to be appropriated or loaned to any agency or political subdivision of the state for such purposes(; PRO-*

VIDED ANY) *if the law authorizing (SUCH) the debt is adopted by the vote of at least three fifths of the members of each (BRANCH) house of the legislature;*

(b) (AS AUTHORIZED IN ANY OTHER SECTION OR ARTICLE OF THIS CONSTITUTION;) to repel invasion or suppress insurrection;

(c) (FOR TEMPORARY BORROWING) *to borrow temporarily as authorized in (SUBDIVISION 3) section 6;*

(d) (FOR REFUNDING) *to refund outstanding bonds of the state or any of its agencies(,) whether or not the full faith and credit of the state has been pledged for the payment of (SUCH) the bonds; (AND FOR REFUNDING CERTIFICATES OF INDEBTEDNESS AUTHORIZED BY THE LEGISLATURE PRIOR TO JANUARY 1, 1963.)*

(e) *to establish and maintain highways subject to the limitations of article XIV;*

(f) *to promote forestation and prevent and abate forest fires, including the compulsory clearing and improving of wild lands whether public or private;*

(g) (SECTION 1. THE STATE MAY CONSTRUCT, IMPROVE, MAINTAIN, AND OPERATE AND MAY ASSIST COUNTIES, CITIES, TOWNS, VILLAGES, BOROUGHES, AND PUBLIC CORPORATIONS IN CONSTRUCTING, IMPROVING, MAINTAINING, AND OPERATING) *to construct, improve and operate airports and other air navigation facilities(.);*

(h) (PROVIDED, HOWEVER, THAT FOR THE PURPOSE OF DEVELOPING) *to develop the state's agricultural resources (OF THE STATE, THE STATE MAY ESTABLISH AND MAINTAIN A SYSTEM OF RURAL CREDITS AND THEREBY LOAN MONEY AND EXTEND) by extending credit (TO THE PEOPLE OF THE STATE UPON) on real estate security in (SUCH) the manner and (UPON SUCH) on the terms and conditions (AS MAY BE) prescribed by law(, AND TO ISSUE AND NEGOTIATE BONDS TO PROVIDE MONEY TO BE SO LOANED. THE LIMIT OF INDEBTEDNESS CONTAINED IN SECTION 5 OF THIS ARTICLE SHALL NOT APPLY TO THE PROVISIONS OF THIS SECTION, AND THE PURPOSES FOR WHICH THE CREDIT OF THE STATE OR THE AFORESAID MUNICIPAL SUBDIVISIONS THEREOF MAY BE GIVEN OR LOANED AS HEREIN PROVIDED ARE DECLARED TO BE PUBLIC PURPOSES.); and*

(i) *as otherwise authorized in this constitution.*

As authorized by law political subdivisions may engage in the works permitted by (f) and (g) and contract debt therefor.

(SUBD. 3) *Sec. 6.* As authorized by law(,) certificates of indebtedness may be issued during (EACH) a biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, in anticipation of the collection of taxes levied for and other revenues appropriated to any fund of the state for expenditure during that biennium.

No (SUCH) certificates shall be issued (WITH RESPECT TO ANY FUND WHEN THE) *in an amount (THEREOF) which* with interest thereon to maturity, added to the then outstanding certificates against (THE SAME) a fund and interest thereon to maturity, will exceed the then unexpended balance of all (MONEYS) *money* which will be credited to that fund during the biennium under existing laws(; EXCEPT THAT). The maturities of (ANY SUCH) certificates may be extended by refunding to a date not later than December 1 of the first full calendar year following the biennium in which (SUCH) *the* certificates were issued. If (MONEYS) *money* on hand in any fund (ARE) *is* not sufficient to pay all non-refunding certificates of indebtedness issued on (SUCH) a fund during any biennium and all certificates refunding the same, plus interest thereon, which are outstanding on December 1 immediately following the close of (SUCH) *the* biennium, the state auditor shall levy upon all taxable property in the state a tax collectible in the (THEN) ensuing year sufficient to pay the same on or before December 1 of (SUCH) *the* ensuing year(,) with interest to the date or dates of payment.

(SUBD. 4) *Sec. 7.* Public debt other than certificates of indebtedness authorized in (SUBDIVISION 3) *section 6* shall be evidenced by the issuance of (THE) bonds of (THIS) *the* state. All bonds issued under the provisions of this section shall mature (WITHIN) not more than 20 years from their respective dates of issue (,) and each law authorizing the issuance of (SUCH) bonds shall distinctly specify the (PURPOSE OR) purposes thereof and the maximum amount of the proceeds authorized to be expended for each purpose. The state treasurer shall maintain a separate and special state bond fund on his official books and records (, AND). When the full faith and credit of the state has been pledged for the payment of (SUCH) bonds, the state auditor shall levy each year on all taxable property within the state a tax sufficient (,) with the balance then on hand in (SAID) *the* fund (,) to pay all principal and interest on (STATE) bonds issued under (THE PROVISIONS OF) this section (,) due and to become due within the (THEN) ensuing year and to and including July 1 in the second ensuing year. The legislature (MAY) by law *may* appropriate funds from any source to the state bond fund (,). (AND) The amount of (MONEYS) *money* actually received and on hand pursuant to

(SUCH) appropriations prior to the levy of (SUCH) *the* tax in any year (,) shall be used to reduce the amount of tax otherwise required to be levied.

Sec. (4) 8. The permanent school fund of the state (SHALL CONSIST) *consists* of (a) the proceeds of (SUCH) lands (AS ARE OR HEREAFTER MAY BE) granted by the United States for the use of schools within each township, (b) the proceeds derived from swamp lands granted to the state, (AND) (c) all cash and investments (NOW OR HEREAFTER) credited to the permanent school fund and the swamp land fund, *and (d) all cash and investments credited to the internal improvement land fund and the lands therein.* No portion of (SAID) *these* lands shall be sold otherwise than at public sale, and in the manner provided by law. All funds arising from the sale or other disposition of (SUCH) *the* lands, or income accruing in any way before the sale or disposition thereof, shall be credited to the permanent school fund. Within limitations prescribed by law, to secure the maximum return thereon consistent with the maintenance of the perpetuity of the fund, (SUCH) *and with the approval of the board of investment, the fund* may be invested in: (1) interest bearing fixed income securities of the United States and of its agencies, fixed income securities guaranteed in full as to payment of principal and interest by the United States, bonds of the state of Minnesota (,) or its political subdivisions or agencies, or of other states, but not more than 50 percent of any issue by a political subdivision (,) shall be purchased; (2) stocks of corporations on which cash dividends have been paid from earnings for five consecutive years or longer immediately prior to purchase, but not more than 20 percent of (SAID) *the* fund shall be invested therein at any given time (,) nor more than one percent in stock of any one corporation, nor shall more than five percent of the voting stock of any one corporation be owned; (3) bonds of corporations whose earnings have been at least three times the interest requirements on outstanding bonds for five consecutive years or longer immediately prior to purchase, but not more than 40 percent of (SAID) *the* fund shall be invested in corporate bonds at any given time. The percentages referred to above shall be computed using the cost price of the stocks or bonds. The principal of the permanent school fund shall be perpetual and inviolate forever (;). (PROVIDED, THAT) This (SHALL) *does* not prevent the sale of any public or private stocks or bonds at less than the cost (THEREOF) to the fund; however, all losses not offset by (ALL) gains (,) shall be repaid to the fund from the interest and dividends earned thereafter. The net interest and dividends arising from the (INVESTMENT THEREOF) *fund* shall be distributed to the different school districts of the state in proportion to the number of (SCHOLARS) *students* in each district between the ages of (FIVE) 5 and (TWENTY-ONE) 21 years. (NO SUCH INVESTMENT SHALL BE MADE UNTIL APPROVED BY)

A board of investment consisting of the governor, the state auditor, the state treasurer, the secretary of state, and the attor-

ney general (, WHO ARE) *is* hereby constituted (A STATE BOARD OF INVESTMENT) for the purpose of administering and directing the investment of all state funds. The (STATE) board (OF INVESTMENT) shall not permit (THE FUND) *state funds* to be used for the underwriting or direct purchase of municipal securities from the issuer or his agent.

Sec. (5) 9. The permanent university fund of this state may be loaned to or invested in the bonds of any county, school district, city (,) *or* town (, OR VILLAGE) of this state and in first mortgage loans secured upon improved and cultivated farm lands of this state, but no such investment or loan shall be made until approved by the board of (COMMISSIONERS) *investment* (DESIGNATED BY LAW TO REGULATE THE INVESTMENT OF THE PERMANENT SCHOOL FUND AND THE PERMANENT UNIVERSITY FUND OF THIS STATE); nor shall (SUCH) *a* loan or investment be made when the bonds to be issued or purchased would make the entire bonded indebtedness exceed 15 percent of the assessed valuation of the taxable property of the county, school district, city (,) *or* town (, OR VILLAGE) issuing (SUCH) *the* bonds; nor shall any (SUCH) farm loan or investment be made when (SUCH) *the* investment or loan would exceed 30 percent of the actual cash value of the farm land mortgaged to secure (SAID) *the* investment; nor shall (SUCH) investments or loans be made at a lower rate of interest than two percent per annum (,) nor for a shorter period than one year nor for a longer period than 30 years (AND NO CHANGE OF THE TOWN, SCHOOL DISTRICT, CITY, VILLAGE, OR COUNTY LINES SHALL RELIEVE THE REAL PROPERTY IN SUCH TOWN, SCHOOL DISTRICT, COUNTY, VILLAGE, OR CITY IN THIS STATE AT THE TIME OF ISSUING SUCH BONDS FROM ANY LIABILITY FOR TAXATION TO PAY SUCH BONDS).

Sec. (7) 10. *As the legislature may provide*, any of the public lands of the state, including lands held in trust for any purpose, may (, WITH THE UNANIMOUS APPROVAL OF A COMMISSION CONSISTING OF THE GOVERNOR, THE ATTORNEY GENERAL AND THE STATE AUDITOR,) be exchanged for lands of the United States (AND/) or privately (OWNED) *held* lands (IN SUCH MANNER AS THE LEGISLATURE MAY PROVIDE, AND THE) *with the unanimous approval of the governor, the attorney general and the state auditor*. Lands so acquired shall be subject to the trust, if any, to which the lands exchanged therefor were subject (, AND). The state shall reserve all mineral and water power rights in lands (SO) transferred by the state.

Sec. (6) 11. (SUCH OF THE) School and other public lands of the state (AS ARE) better adapted for the production of timber than for agriculture (,) may be set apart as state school forests, or other state forests (,) as the legislature may provide (, AND). The legislature may *also* provide for (THE) *their* management (OF THE SAME) on forestry principles. The net

revenue therefrom shall be used for the purposes for which the lands were granted to the state.

Sec. (15) 12. The legislature shall not authorize any county, township (, CITY,) or (OTHER) municipal corporation to (ISSUE BONDS, OR TO) become indebted (IN ANY MANNER,) to aid in the construction or equipment of (ANY OR ALL) railroads to any amount that (SHALL EXCEED) *exceeds* five ((5)) per (CENTUM) *cent* of the value of the taxable property within (SUCH) *that* county, township (, CITY,) or (OTHER) municipal corporation. The amount of (SUCH) taxable property (TO BE ASCERTAINED, AND) *shall be* determined by the last assessment (OF SAID PROPERTY MADE, FOR THE PURPOSE OF STATE AND COUNTY TAXATION,) previous to the incurring of (SUCH) *the* indebtedness.

Sec. (12) 13. (SUITABLE LAWS SHALL BE PASSED BY THE LEGISLATURE FOR THE SAFE KEEPING, TRANSFER AND DISBURSEMENTS OF THE STATE AND SCHOOL FUNDS; AND) All officers and other persons charged with the (SAME OR ANY PART OF THE SAME, OR THE SAFE KEEPING) *safekeeping* (THEREOF,) *of state funds* shall be required to give ample security for (ALL MONEYS AND) funds (OF ANY KIND) received by them (;) *and* to (MAKE FORTHWITH AND) keep an accurate entry of each sum received (,) and of each payment and transfer (; AND). If any (OF SAID OFFICERS OR OTHER PERSONS SHALL CONVERT) *person converts* to his own use in any manner or form, or shall loan, with or without interest, or shall deposit in his own name, or otherwise than in the name of the state of Minnesota; or shall deposit in banks or with any person or persons (,) or exchange for other funds or property, any portion of the funds of the state or the school funds aforesaid, except in the manner prescribed by law, every such act shall be and constitute an embezzlement of so much of the aforesaid state and school funds, or either of the same, as shall thus be taken, or loaned, or deposited or exchanged, and shall be a felony (; AND). Any failure to pay over, produce or account for the state school funds, or any part of the same entrusted to such officer or persons as by law required on demand, shall be held and be taken to be prima facie evidence of such embezzlement.

(SEC. 7. THE STATE SHALL NEVER CONTRACT ANY PUBLIC DEBT, UNLESS IN TIME OF WAR, EXCEPT IN THE CASES AND IN THE MANNER PROVIDED AND REFERRED TO IN THE SIXTH SECTION OF THIS ARTICLE.)

(SEC. 8. THE MONEY ARISING FROM ANY LOAN MADE, OR DEBT OR LIABILITY CONTRACTED, SHALL BE APPLIED TO THE OBJECT SPECIFIED IN THE ACT AUTHORIZING SUCH DEBT OR LIABILITY, OR TO THE REPAYMENT OF SUCH DEBT OR LIABILITY, AND TO NO OTHER PURPOSE WHATEVER.)

(SEC. 11. THERE SHALL BE PUBLISHED BY THE TREASURER, IN AT LEAST ONE NEWSPAPER PRINTED AT THE SEAT OF GOVERNMENT, DURING THE FIRST WEEK IN JANUARY IN EACH YEAR, AND IN THE NEXT VOLUME OF THE ACTS OF THE LEGISLATURE, DETAILED STATEMENTS OF ALL MONEYS DRAWN FROM THE TREASURY DURING THE PRECEDING YEAR, FOR WHAT PURPOSE AND TO WHOM PAID, AND BY WHAT LAW AUTHORIZED; AND ALSO OF ALL MONEYS RECEIVED, AND BY WHAT AUTHORITY AND FROM WHOM.)

(SEC. 13. THE LEGISLATURE MAY, BY A TWO THIRDS VOTE, PASS A GENERAL BANKING LAW, WITH THE FOLLOWING RESTRICTIONS AND REQUIREMENTS, VIZ. :)

(FIRST—THE LEGISLATURE SHALL HAVE NO POWER TO PASS ANY LAW SANCTIONING IN ANY MANNER, DIRECTLY, OR INDIRECTLY, THE SUSPENSION OF SPECIE PAYMENTS BY ANY PERSON, ASSOCIATION OR CORPORATION ISSUING BANK NOTES OF ANY DESCRIPTION.)

(SECOND—THE LEGISLATURE SHALL PROVIDE BY LAW FOR THE REGISTRY OF ALL BILLS OR NOTES ISSUED OR PUT IN CIRCULATION AS MONEY, AND SHALL REQUIRE AMPLE SECURITY IN UNITED STATES STOCK OR STATE STOCKS FOR THE REDEMPTION OF THE SAME IN SPECIE; AND IN CASE OF A DEPRECIATION OF SAID STOCKS, OR ANY PART THEREOF, TO THE AMOUNT OF TEN PERCENT OR MORE ON THE DOLLAR, THE BANK OR BANKS OWNING SAID STOCKS SHALL BE REQUIRED TO MAKE UP SAID DEFICIENCY BY ADDITIONAL STOCKS.)

(THIRD—THE STOCKHOLDERS IN ANY CORPORATION AND JOINT ASSOCIATION FOR BANKING PURPOSES, ISSUING BANK NOTES, SHALL BE INDIVIDUALLY LIABLE IN AN AMOUNT EQUAL TO DOUBLE THE AMOUNT OF STOCK OWNED BY THEM FOR ALL THE DEBTS OF SUCH CORPORATION OR ASSOCIATION; AND SUCH INDIVIDUAL LIABILITY SHALL CONTINUE FOR ONE YEAR AFTER ANY TRANSFER OR SALE OF STOCK BY ANY STOCKHOLDER OR STOCKHOLDERS.)

(FOURTH—IN CASE OF THE INSOLVENCY OF ANY BANK OR BANKING ASSOCIATION, THE BILL HOLDERS THEREOF SHALL BE ENTITLED TO PREFERENCE IN PAYMENT OVER ALL OTHER CREDITORS OF SUCH BANK OR ASSOCIATION.)

(FIFTH—ANY GENERAL BANKING LAW WHICH MAY BE PASSED IN ACCORDANCE WITH THIS ARTICLE SHALL PROVIDE FOR RECORDING THE NAMES OF ALL STOCKHOLDERS IN SUCH CORPORATION, THE AMOUNT OF STOCK HELD BY EACH, THE TIME OF TRANSFER, AND TO WHOM TRANSFERRED.)

ARTICLE (XI) XII

SPECIAL LEGISLATION; LOCAL GOVERNMENT

(SEC. 33) *Section 1.* In all cases when a general law can be made applicable, (NO) a special law shall *not* be enacted (,) except as provided in (ARTICLE XI;) *section 2.* (AND) Whether a general law could have been made applicable in any case (IS HEREBY DECLARED A JUDICIAL QUESTION, AND AS SUCH) shall be judicially determined without regard to any legislative assertion on that subject. The legislature shall pass no local or special law authorizing the laying out, opening, altering, vacating or maintaining of roads, highways, streets or alleys; remitting fines, penalties or forfeitures; changing the names of persons, places, lakes or rivers; authorizing the adoption or legitimation of children; changing the law of descent or succession; conferring rights (UPON) *on* minors; declaring any named person of age; giving effect to informal or invalid wills or deeds, or affecting the estates of minors or persons under disability; *granting divorces*; exempting property from taxation or regulating the rate of interest on money; creating private corporations, or amending, renewing, *or* extending (OR EXPLAINING) the charters thereof; granting to any private corporation, association, or individual any special or exclusive privilege, immunity or franchise whatever or authorizing public taxation for a private purpose. The inhibitions of local or special laws in this section shall not (BE CONSTRUED TO) prevent the passage of general laws on any of the subjects enumerated.

Sec. 2. Every law which upon its effective date applies to a single local government unit or to a group of such units in a single county or a number of contiguous counties is a special law and shall name the unit or, in the latter case, the counties (,) to which it applies. The legislature may enact special laws relating to local government units, but a special law, unless otherwise provided by general law, shall become effective only after its approval by the affected unit expressed through the voters or the governing body and by such majority as the legislature may direct. Any special law may be modified or superseded by a later home rule charter or amendment applicable to the same local government unit, but this does not prevent the adoption of subsequent laws on the same subject. The legislature may repeal any existing special or local law, but shall not amend, extend or modify any of the same except as provided in (ARTICLE XI) *this section.*

(SECTION 1) *Sec. 3.* The legislature may provide by law for the creation, organization, administration, consolidation, division (,) and dissolution of local government units and their functions, for the change of boundaries thereof, for their *elective and appointive* officers (,) including qualifications for office (, BOTH ELECTIVE AND APPOINTIVE,) and for the transfer of county seats. (NO) A county boundary (SHALL) *may not* be changed or county seat transferred until approved *in each county affected* by a majority of the voters (OF EACH COUNTY AFFECTED) voting (THEREON) *on the question.*

Sec. (3) 4. Any (CITY OR VILLAGE, AND ANY COUNTY OR OTHER) local government unit when authorized by law (,) may adopt a home rule charter for its government. (IN ACCORDANCE WITH THIS CONSTITUTION AND THE LAWS. NO SUCH) A charter shall become effective (WITHOUT THE APPROVAL) *if approved by such majority* of the voters of the local government unit (AFFECTED BY SUCH MAJORITY) as the legislature (MAY PRESCRIBE) *prescribes* by general law. If a charter provides for the consolidation or separation of a city and a county, in whole or in part, it shall not be effective without approval of the voters both in the city and in the remainder of the county by the majority required by law.

Sec. (4) 5. The legislature shall provide by law for charter commissions. Notwithstanding any other constitutional limitations (,) the legislature may require that commission members (SHALL) be freeholders, provide for their appointment by judges of the district court, and permit any member to hold any other elective or appointive office other than judicial. Home rule charter amendments may be proposed by a charter commission or by a petition of five percent of the voters of the local government unit as determined by law and shall not become effective until approved by the voters by the majority required by law. Amendments may be proposed and adopted in any other manner provided by law. A local government unit may repeal its home rule charter and adopt a statutory form of government or a new charter upon the same majority vote as is required by law for the adoption of a charter in the first instance.

(SEC. 5. EXISTING LAWS AND CHARTERS, VALID WHEN ADOPTED SHALL CONTINUE IN EFFECT UNTIL AMENDED OR REPEALED IN ACCORDANCE WITH THIS ARTICLE.)

ARTICLE (XV) XIII

MISCELLANEOUS SUBJECTS

Section 1. The stability of a republican form of government depending mainly upon the intelligence of the people, it (SHALL BE) *is* the duty of the legislature to establish a general and uniform system of public schools. (SEC. 2.) The legislature shall

make such provisions(,) by taxation or otherwise(,) as(, WITH THE INCOME ARISING FROM THE SCHOOL FUND,) will secure a thorough and efficient system of public schools (IN EACH TOWNSHIP IN) *throughout* the state.

Sec. 2. (BUT) In no case shall (THE MONEYS DERIVED AS AFORESAID, OR ANY PORTION THEREOF, OR) any public (MONEYS) *money* or property(,) be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.

Sec. 3. (THE LOCATION OF THE UNIVERSITY OF MINNESOTA, AS ESTABLISHED BY EXISTING LAWS, IS HEREBY CONFIRMED, AND SAID INSTITUTION IS HEREBY DECLARED TO BE THE UNIVERSITY OF THE STATE OF MINNESOTA.) All the rights, immunities, franchises and endowments heretofore granted or conferred *upon the university of Minnesota* are (HEREBY) perpetuated unto the (SAID) university(; AND ALL LANDS WHICH MAY BE GRANTED HEREAFTER BY CONGRESS, OR OTHER DONATIONS FOR SAID UNIVERSITY PURPOSES, SHALL VEST IN THE INSTITUTION REFERRED TO IN THIS SECTION).

Sec. 4. (LANDS) *Land* may be taken for public way (,) and for the purpose of granting to any corporation the franchise of way for public use. In all cases, however, a fair and equitable compensation shall be paid for (SUCH LAND) *land* (,) and for the damages arising from (THE) taking (OF THE SAME; BUT) *it*. All corporations (BEING) *which are* common carriers enjoying the right of way in pursuance of the provisions of this section (,) shall be bound to carry the mineral, agricultural and other productions of manufacturers on equal and reasonable terms.

Sec. (31) 5. The legislature shall (NEVER) *not* authorize any lottery or the sale of lottery tickets.

Sec. (35) 6. Any (COMBINATIONS) *combination* of persons (,) either as individuals or as members or officers of any corporation (,) to monopolize (THE) markets for food products in this state (,) or to interfere with, or restrict the freedom of (, SUCH) markets (,) is (HEREBY DECLARED TO BE) a criminal conspiracy (,) and shall be punished (IN SUCH MANNER) as the legislature may provide.

Sec. (18) 7. Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefor.

(SECTION 1) Sec. 8. The state may (AT ANY TIME) pay an adjusted compensation to persons who (HAVE) served in the armed forces of the United States (DURING THE PERIOD

FROM AND INCLUDING SEPTEMBER 16, 1940, THROUGH DECEMBER 30, 1946 OR) during the period of the Vietnam conflict. (; MAY LEVY TAXES AND APPROPRIATE MONIES FOR SUCH PURPOSE; AND IF AND) Whenever authorized (,) and in (SUCH) *the* amounts and on (SUCH) *the* terms (AS MAY BE) fixed by law, *the state* may expend monies (, MAY CONTRACT DEBTS, MAY ISSUE AND NEGOTIATE BONDS OR CERTIFICATES OF INDEBTEDNESS, OR BOTH,) and (MAY) pledge the public credit (,) to provide money (THEREFOR) *for the purposes of this section.* (ANY INCONSISTENT PROVISIONS OF THE CONSTITUTION SHALL NOT APPLY TO THE PROVISIONS OF THIS SECTION, AND THE PURPOSES FOR WHICH THE CREDIT OF THE STATE MAY BE GIVEN OR LOANED AS HEREIN PROVIDED ARE DECLARED TO BE PUBLIC PURPOSES.) The duration of the Vietnam conflict may be defined by law (, FOR THE PURPOSES OF THIS SECTION).

(SECTION 1) *Sec. 9.* (IT SHALL BE THE DUTY OF) The legislature (TO) *shall* pass (SUCH) laws *necessary* for the organization, discipline and service of the militia of the state (AS MAY BE DEEMED NECESSARY).

(SECTION 1) *Sec. 10.* The seat of government of the state (SHALL BE) *is* (AT) *in* the city of St. Paul (,). (BUT) The legislature (, AT THEIR FIRST OR ANY FUTURE SESSION,) may provide by law for a change of the seat of government by a vote of the people, or may locate the same upon the land granted by Congress for a seat of government. (TO THE STATE; AND IN THE EVENT OF) *If* the seat of government (BEING REMOVED FROM THE CITY OF ST. PAUL TO ANY OTHER PLACE IN THE STATE) *is changed,* the capitol building and grounds shall be dedicated to an institution for the promotion of science, literature and the arts (,) to be organized by the legislature of the state (, AND OF WHICH INSTITUTION). The Minnesota Historical Society shall always be a department of *this institution.*

Sec. (4) *11.* (THERE SHALL BE) A seal of the state (, WHICH) shall be kept by the secretary of state (,) and be used by him officially (,). (AND) *It* shall be called the great seal of the state of Minnesota (, AND SHALL BE ATTACHED TO ALL THE OFFICIAL ACTS OF THE GOVERNOR (HIS SIGNATURE TO ACTS AND RESOLVES OF THE LEGISLATURE EXCEPTED) REQUIRING AUTHENTICATION. THE LEGISLATURE SHALL PROVIDE FOR AN APPROPRIATE DEVICE AND MOTTO FOR SAID SEAL).

(SEC. 2. PERSONS RESIDING ON INDIAN LANDS WITHIN THE STATE SHALL ENJOY ALL RIGHTS AND PRIVILEGES OF CITIZENS, AS THOUGH THEY LIVED IN ANY OTHER PORTION OF THE STATE, AND SHALL BE SUBJECT TO TAXATION.)

(SEC. 5. THE TERRITORIAL PRISON, AS LOCATED UNDER EXISTING LAWS, SHALL, AFTER THE ADOPTION OF THIS CONSTITUTION, BE AND REMAIN ONE OF THE STATE PRISONS OF THE STATE OF MINNESOTA.)

ARTICLE (XVI) XIV

PUBLIC HIGHWAY SYSTEM

Section 1. (SUBJECT TO THE LIMITATIONS OF THIS ARTICLE) The state may (ESTABLISH, LOCATE,) construct, (RECONSTRUCT,) improve and maintain public highways (AND), may assist political subdivisions in (SUCH) *this* work (. THE LEGISLATURE) *and by law* may authorize any political subdivision (, UPON SUCH TERMS, CONDITIONS AND IN SUCH MANNER AS SHALL BE PROVIDED BY LAW, TO AID OR LEND AID IN THE ESTABLISHMENT, LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT AND MAINTENANCE OF TRUNK HIGHWAYS) *to aid in highway work* within (THEIR RESPECTIVE) *its* boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be (ESTABLISHED, LOCATED,) constructed, (RECONSTRUCTED,) improved and maintained as public highways by the state. (SAID TRUNK HIGHWAY SYSTEM SHALL CONSIST OF THE TRUNK HIGHWAY ROUTES NUMBERED 1 THROUGH 70 DESCRIBED IN THE CONSTITUTIONAL AMENDMENT ADOPTED NOVEMBER 2, 1920, THE TRUNK HIGHWAY ROUTES ADDED TO SAID FOREGOING ROUTES BY THE LEGISLATURE PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE, AND SUCH ADDITIONAL ROUTES AS MAY BE ADDED TO THE TRUNK HIGHWAY SYSTEM HEREBY CREATED PURSUANT TO AUTHORITY IN THIS ARTICLE CONTAINED.) The (SAID) highways shall extend as nearly as (MAY BE) *possible* along the routes number 1 through 70 described in (SAID) *the* constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or (WILL) hereafter (MAKE) *makes* a route a part of the (SAID) trunk highway system. (THE MORE SPECIFIC AND DEFINITE LOCATION OF SAID ROUTES SHALL BE FIXED AND DETERMINED BY SUCH BOARDS, OFFICERS OR TRIBUNALS AND IN SUCH MANNER AS SHALL BE PRESCRIBED BY LAW, BUT IN FIXING SUCH SPECIFIC AND DEFINITE ROUTES THERE SHALL NOT BE ANY DEVIATION FROM THE STARTING POINTS OR TERMINALS SET FORTH IN SAID ROUTES NOR SHALL THERE BE ANY DEVIATION IN FIXING SUCH ROUTES FROM THE VARIOUS VILLAGES AND CITIES NAMED THEREIN THROUGH WHICH SUCH ROUTES ARE TO PASS.)

The legislature may add by law new routes to (SAID) *the* trunk highway system. (SAID) *The* trunk highway system (SHALL) *may* not exceed 12,200 miles in extent, (PROVIDED HOWEVER THAT) *except* the legislature may add (BY LAW) trunk highways (TO SAID SYSTEM) in excess of (SAID FOREGOING) *the* mileage limitation (AS THE LEGISLATURE MAY DETERMINE) as necessary or expedient to (MEET, USE, OR OTHERWISE) take advantage of any federal aid made available by the United States to the state of Minnesota (FOR HIGHWAY PURPOSES).

Any route added by the legislature to the trunk highway system (EITHER PRIOR OR SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ARTICLE) may be (ALTERED, AMENDED,) relocated (, CHANGED) or removed from (SAID) *the* system (,) as provided by law. The definite location of (SAID) trunk highways numbered 1 through 70 (HERETOFORE FIXED PURSUANT TO THIS ARTICLE) may be (THEREAFTER CHANGED AND) relocated as provided by law but no (SUCH CHANGE OR) relocation shall (BE AUTHORIZED WHICH WOULD) cause a deviation from the starting points or terminals (SET FORTH IN SAID ROUTES) nor cause any deviation from the various villages and cities (NAMED THEREIN) through which (SUCH) *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. (THE LEGISLATURE IS HEREBY AUTHORIZED TO PROVIDE BY LAW FOR THE ESTABLISHMENT OF A SYSTEM OF COUNTY STATE AID HIGHWAYS. THE) A county state-aid highway system shall be (ESTABLISHED, LOCATED,) constructed, (RECONSTRUCTED,) improved and maintained by the counties as public highways in (SUCH A) *the* manner (AS SHALL BE) provided by law. (SUCH) *The* system shall include streets in (CITIES, VILLAGES, AND BOROUGH) *municipalities* of less than 5,000 population where necessary (, AS PROVIDED BY LAW,) to provide an integrated and coordinated highway system and (IT) may include similar streets in (OTHER CITIES, VILLAGES, AND BOROUGH) *larger municipalities.* (THE COUNTY STATE AID HIGHWAY SYSTEM AS HEREIN AUTHORIZED SHALL NOT EXCEED 30,000 MILES IN EXTENT, PROVIDED HOWEVER THAT SAID LIMITATION OF 30,000 MILES MAY BE INCREASED OR DECREASED BY THE LEGISLATURE BY LAW.)

Sec. 4. (THE LEGISLATURE IS HEREBY AUTHORIZED TO PROVIDE BY LAW FOR THE ESTABLISHMENT OF A SYSTEM OF MUNICIPAL STATE AID STREETS WITHIN CITIES, VILLAGES AND BOROUGH) HAVING A POPULATION OF 5,000 OR MORE. THE) A municipal state-aid street system shall be (ESTABLISHED, LOCATED,) constructed, (RECONSTRUCTED,) improved and maintained as public high-

ways by (SUCH CITIES, VILLAGES AND BOROUGHES) *municipalities having a population of 5,000 or more* in (SUCH) *the manner* (AS SHALL BE) provided by law. (THE MUNICIPAL STATE AID STREET SYSTEM AS HEREIN AUTHORIZED SHALL NOT EXCEED 1,200 MILES IN EXTENT, PROVIDED THAT SAID LIMITATION OF 1,200 MILES MAY BE INCREASED OR DECREASED BY THE LEGISLATURE BY LAW.)

Sec. 5. There is hereby created a (FUND WHICH SHALL BE KNOWN AS THE) highway user tax distribution fund. (THE HIGHWAY USER TAX DISTRIBUTION FUND SHALL) *to be used solely for highway purposes as specified in this article.* (SAID) *The fund* (SHALL CONSIST) *consists of the proceeds of any taxes authorized (TO BE IMPOSED) by sections 9 and 10 of this article. (AFTER THE DEDUCTION OF COLLECTION COSTS AS PROVIDED BY LAW AND THE PAYMENT OF REFUNDS AUTHORIZED BY LAW.)* The net proceeds of (SUCH) *the taxes shall be* (TRANSFERRED TO THE FOLLOWING FUNDS IN THE FOLLOWING PROPORTIONS;) *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. (AFTER JANUARY 1, 1963, THE LEGISLATURE IS AUTHORIZED TO PROVIDE BY LAW THAT) Five percent of the net proceeds of the highway user tax distribution fund may be set aside and (IF SO SET ASIDE SHALL BE) apportioned (AS PROVIDED) by law to one or more of the three foregoing funds. (ON SUCH BASIS AS THE LEGISLATURE MAY DETERMINE. AFTER SAID FIVE PERCENT MAY HAVE BEEN SO SET ASIDE) The balance of the highway user tax distribution fund shall (IN ALL EVENTS) 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 (HEREINBEFORE) set forth *in this section.* No change in the apportionment of the (PROCEEDS SO SET ASIDE SHALL) *five percent may* be made within six years of (THE COMMENCEMENT OF THE YEAR IN WHICH) the last previous change (OCCURRED).

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 (WHICH MAY BE) issued under the authority of section (12) 11 of this article and any bonds issued for trunk highway purposes (UNDER THE CONSTITUTION) prior to July 1, 1957. All payments of principal and interest on (ANY SUCH) bonds issued shall be a first charge on (MONEYS) *money* coming into this fund during the year in which (SUCH) *the principal or interest is payable.* (THE FUND CREATED BY THIS SECTION SHALL ALSO BE USED FOR THE CARRYING ON OF WORK UNDERTAKEN AND THE DISCHARGE OF OBLIGATIONS INCURRED PAYABLE OUT OF OR CHARGEABLE TO THE TRUNK HIGHWAY FUND OR THE TRUNK

HIGHWAY SINKING FUND CONSTITUTED AND ESTABLISHED BY THE CONSTITUTION PRIOR TO JULY 1, 1957, AND ALL MONEY IN SAID FUNDS ON THE EFFECTIVE DATE OF THIS ARTICLE ARE HEREBY TRANSFERRED TO THE FUND CREATED BY THIS SECTION.)

Sec. 7. There is hereby created a county state-aid highway fund. (SAID FUND SHALL, IN ADDITION TO THE SHARE OF THE HIGHWAY USER TAX DISTRIBUTION FUND TRANSFERRED TO IT BY SECTION 5, RECEIVE AND INCLUDE ALL MONEYS ACCRUING FROM THE INCOME DERIVED FROM INVESTMENTS IN THE INTERNAL IMPROVEMENT LAND FUND. ALL MONEYS IN THE STATE ROAD AND BRIDGE FUND AS CONSTITUTED AND ESTABLISHED BY THE CONSTITUTION PRIOR TO JULY 1, 1957, ARE HEREBY TRANSFERRED ON THE EFFECTIVE DATE OF THIS ARTICLE TO THE FUND CREATED BY THIS SECTION. TO RENDER AID FOR HIGHWAY PURPOSES) The county state-aid highway fund shall be apportioned among the counties as provided by law. (EXCEPT AS PROVIDED HEREIN.) The funds apportioned shall be used by the counties as provided by law for aid in the (ESTABLISHMENT, LOCATION,) construction, (RECONSTRUCTION,) improvement and maintenance of county state-aid highways. The legislature may authorize the counties(, AS PROVIDED) by law(,) to use a part of (SAID) *the* funds (SO) apportioned to them to (RENDER) aid in the (ESTABLISHMENT, LOCATION,) construction, (RECONSTRUCTION,) 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 RENDER AID FOR HIGHWAY PURPOSES THE MUNICIPAL STATE-AID STREET FUND SHALL) *to* be apportioned as provided by law among (THE CITIES, VILLAGES AND BOROUGH) *municipalities* having a population of 5,000 or more. (EXCEPT AS PROVIDED HEREIN,) The (FUNDS APPORTIONED) *fund* shall be used by (SUCH CITIES, VILLAGES AND BOROUGH) *municipalities* as provided by law for (AID IN) the (ESTABLISHMENT, LOCATION,) construction, (RECONSTRUCTION,) improvement and maintenance of municipal state-aid streets. The legislature may authorize (SUCH CITIES, VILLAGES AND BOROUGH, AS PROVIDED BY LAW,) *municipalities* to use a part of (SAID FUNDS SO APPORTIONED TO THEM TO RENDER AID) *the fund* in the (ESTABLISHMENT, LOCATION,) construction, (RECONSTRUCTION,) improvement and maintenance of other municipal streets, (AND ANY OTHER PUBLIC STREETS, INCLUDING BUT NOT LIMITED TO) trunk highways (WITHIN SUCH CITIES), (VILLAGES AND BOROUGH) and county state-aid highways within the counties

(WHEREIN SUCH CITIES, VILLAGES AND BOROUGHES ARE) *in which the municipality is located.*

Sec. 9. The legislature (IS HEREBY AUTHORIZED TO PROVIDE) by law (FOR THE TAXATION OF) *may tax* motor vehicles using the public streets and highways (OF THIS STATE) on a more onerous basis than other personal property (; PROVIDED, HOWEVER, THAT). 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. (AND EXCEPT THAT) The legislature may impose (SUCH) *this* tax (UPON) *on* motor vehicles of companies paying taxes under *the* gross earnings system of taxation (AND UPON THE RIGHT TO USE SUCH VEHICLES UPON THE PUBLIC HIGHWAYS) notwithstanding (THE FACT) that earnings from (SUCH) *the* vehicles may be included in the earnings (OF SUCH COMPANIES UPON) *on* which (SUCH) gross earnings taxes are computed. The proceeds of (SUCH) *the* tax shall be paid into *the* highway user tax distribution fund. (ANY SUCH LAW MAY, IN THE DISCRETION OF THE LEGISLATURE, PROVIDE FOR THE EXEMPTION) *The law may exempt* from taxation (OF) any motor vehicle owned by a non-resident of the state (BUT) properly licensed in another state (.) and transiently or temporarily using the streets and highways of the state.

Sec. 10. The (STATE) legislature may levy an excise tax (UPON) *on any means or substance used* (, MATERIAL, FLUID, FORCE OR OTHER MEANS OR INSTRUMENTALITY, OR THE BUSINESS OF DEALING IN, SELLING OR PRODUCING ANY OR ALL THEREOF, USED OR USEFUL, IN PRODUCING OR GENERATING POWER) for propelling (MOTOR OR OTHER) vehicles (USED) on the public highways of this state *or on the business of selling it*. The proceeds of (SUCH) *the* tax shall be paid into the highway user tax distribution fund.

(SEC. 11. THE ENUMERATION AS IN THIS SECTION CONTAINED OF THE POWER OF THE LEGISLATURE TO AUTHORIZE POLITICAL SUBDIVISIONS TO PARTICIPATE IN TRUNK HIGHWAY WORK SHALL NEVER OPERATE OR BE CONSTRUED SO AS TO LIMIT, PREJUDICE OR CURTAIL IN ANY DEGREE OR MANNER WHATSOEVER ANY POWER OR AUTHORITY NOW VESTED IN THE LEGISLATURE CONCERNING OR RELATING TO ANY OTHER PUBLIC HIGHWAYS.)

Sec. (12) 11. The legislature may provide by law for the (ISSUE AND) sale of (THE) bonds (OF THE STATE IN SUCH AMOUNT AS MAY BE NECESSARY) to carry out the provisions of section 2 (OF THIS ARTICLE; PROVIDED, HOWEVER, THAT THE TOTAL AMOUNT OF SUCH). Bonds issued and unpaid shall not at any time exceed \$150,000 (.)

par value. The proceeds (OF THE SALE OF SUCH BONDS) shall be paid into the trunk highway fund. Any bonds (SO ISSUED AND SOLD) shall mature serially over a term not exceeding 20 years (.), (THEY) 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. (IN CASE) *If* the trunk highway fund (SHALL) *is* not (BE) adequate to (MEET THE PAYMENT OF THE) *pay* principal and interest of (THE) *these* bonds (AUTHORIZED BY THE LEGISLATURE AS HEREINBEFORE PROVIDED,) *when due*, the legislature may (PROVIDE BY LAW FOR THE TAXATION OF) *levy on* all taxable property of the state in an amount sufficient to meet the deficiency (,) or it may (, IN ITS DISCRETION,) appropriate to (SUCH) *the* fund (MONEYS) *money* in the state treasury not otherwise appropriated.

(SEC. 13. ARTICLE XVI AND ARTICLE IX, SECTION 16, ARE HEREBY SUPERSEDED IN THEIR ENTIRETY; AND ANY AND ALL PROVISIONS OF THE CONSTITUTION OF THE STATE OF MINNESOTA INCONSISTENT HEREWITH ARE REPEALED SO FAR BUT ONLY SO FAR AS THE SAME PROHIBIT OR LIMIT THE POWER OF THE LEGISLATURE TO ENACT LAWS AUTHORIZING OR PERMITTING THE DOING OF THE THINGS HEREINBEFORE AUTHORIZED.)

(SEC. 14. THIS ARTICLE SHALL TAKE EFFECT ON THE FIRST DAY OF JULY, 1957.)

(ARTICLE XVII)

(FOREST FIRES; PREVENTION, ABATEMENT)

(SECTION 1. THE STATE AND (OR) ANY OF ITS POLITICAL SUBDIVISIONS, IF AND WHENEVER AUTHORIZED BY THE LEGISLATURE, MAY CONTRACT DEBTS AND PLEDGE THE PUBLIC CREDIT FOR AND ENGAGE IN ANY WORK REASONABLY TENDING TO PREVENT OR ABATE FOREST FIRES, INCLUDING THE COMPULSORY CLEARING AND IMPROVEMENT OF WILD LANDS (WHETHER BELONGING TO THE PUBLIC OR PRIVATELY OWNED) AND THE ASSESSMENT AGAINST SUCH LANDS OF THE VALUE OF ALL BENEFITS SO CONFERRED AND THE PAYMENT OF DAMAGES SO SUSTAINED IN EXCESS OF SUCH BENEFITS.)

(SEC. 2. ANY AND ALL PROVISIONS OF THE CONSTITUTION OF THE STATE OF MINNESOTA INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE, ARE HEREBY REPEALED, SO FAR, BUT ONLY SO FAR, AS THE SAME PROHIBIT OR LIMIT THE POWER OF THE LEGISLATURE TO ENACT LAWS AUTHORIZING OR PERMITTING THE DOING OF THE THINGS HEREINBEFORE AUTHORIZED.)

(ARTICLE XVIII)

(FORESTATION AND REFORESTATION)

(SEC. 2. ANY AND ALL PROVISIONS OF THE CONSTITUTION OF THE STATE OF MINNESOTA, INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE, ARE HEREBY REPEALED, SO FAR, BUT ONLY SO FAR, AS THE SAME PROHIBIT OR LIMIT THE POWER OF THE LEGISLATURE TO ENACT LAWS AUTHORIZING OR PERMITTING THE DOING OF THE THINGS HEREINBEFORE AUTHORIZED.)

(ARTICLE XIX)

(AERONAUTICS)

(SEC. 2. FOR THE PURPOSE OF CARRYING ON OR ASSISTING IN CARRYING ON SUCH WORK IT MAY EXPEND MONIES, INCLUDING SUCH MONIES AS THE LEGISLATURE MAY SEE FIT TO APPROPRIATE, MAY INCUR DEBTS, AND MAY ISSUE AND NEGOTIATE BONDS TO PROVIDE MONEY THEREFOR. THE PROVISIONS OF SECTION 5 OR ARTICLE 9 OF THE CONSTITUTION SHALL NOT APPLY TO THE PROVISIONS OF THIS SECTION, AND THE PURPOSES FOR WHICH THE CREDIT OF THE STATE MAY BE GIVEN OR LOANED AS HEREIN PROVIDED ARE DECLARED TO BE PUBLIC PURPOSES.)

(SEC. 5. ANY AND ALL PROVISIONS OF THE CONSTITUTION OF THE STATE OF MINNESOTA INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE ARE HEREBY REPEALED, SO FAR, BUT ONLY SO FAR, AS THE SAME PROHIBIT OR LIMIT THE POWER OF THE LEGISLATURE TO ENACT LAWS AUTHORIZING OR PERMITTING THE DOING OF THE THINGS HEREINBEFORE AUTHORIZED.)

(ARTICLE XX)

(VETERANS BONUS)

(SEC. 2. ANY AND ALL PROVISIONS OF THE CONSTITUTION OF THE STATE OF MINNESOTA INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE ARE HEREBY REPEALED, SO FAR, BUT ONLY SO FAR, AS THE SAME PROHIBIT OR LIMIT THE POWER OF THE LEGISLATURE TO ENACT LAWS AUTHORIZING OR PERMITTING THE DOING OF THE THINGS HEREINBEFORE AUTHORIZED.)

Sec. 2. [SEVERABILITY.] If a change included in the proposed amendment is found to be in violation of the constitu-

tion or other than inconsequential by litigation before or after the submission of the amendment to the people the change shall be without effect and severed from the other changes. The other changes shall be submitted or remain in effect as though the improper change were not included.

Sec. 3. The proposed amendment shall be submitted to the people at the 1974 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended in all its articles to improve its clarity by removing obsolete and inconsequential provisions, by improving its organization and by correcting grammar and style of language, but without making any consequential changes in its legal effect?”

Yes

No

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1713 was read for the second time.

SPECIAL ORDERS

S. F. No. 3193, A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding a section; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 99, and nays 24, as follows:

Those who voted in the affirmative were:

- | | | | | |
|--------------|--------------|-----------|-------------|-------------|
| Adams, J. | Anderson, I. | Berg | Braun | Carlson, L. |
| Adams, S. | Belisle | Berglin | Brinkman | Casserly |
| Andersen, R. | Bennett | Biersdorf | Carlson, A. | Cleary |

Clifford	Hanson	Lindstrom, E.	Patton	Sieben, M.
Connors	Heinitz	Lombardi	Pavlak, R.	Smith
Cummiskey	Hook	McArthur	Pavlak, R. L.	Spanish
Dahl	Jacobs	McCarron	Pehler	Stangeland
DeGroat	Jaros	McCauley	Pleasant	Stanton
Dieterich	Johnson, D.	McEachern	Prahl	Swanson
Eken	Johnson, J.	McFarlin	Quirin	Tomlinson
Enebo	Johnson, R.	McMillan	Resner	Ulland
Faricy	Kahn	Menke	Rice	Vanasek
Ferderer	Kelly	Miller, M.	Ryan	Vento
Fjoslien	Knickerbocker	Moe	St. Onge	Voss
Forsythe	Knoll	Munger	Sarna	Weaver
Fudro	Kostohryz	Nelson	Savelkoul	Wenzel
Fugina	Laidig	Newcome	Schreiber	Wohlwend
Graw	Larson	Norton	Schulz	Wolcott
Growe	LaVoy	Ojala	Sherwood	Mr. Speaker
Hagedorn	Lemke	Parish	Sieben, H.	

Those who voted in the negative were :

Anderson, D.	Eckstein	Jopp	Long	Samuelson
Anderson, G.	Erdahl	Jude	Mann	Searle
Becklin	Erickson	Kempe	Niehaus	Skaar
Carlson, D.	Esau	Klaus	Ohnstad	Wigley
Dirlam	Haugerud	Lindstrom, J.	Pieper	

The bill was passed and its title agreed to.

S. F. No. 1963 was reported to the House.

There being no objection, S. F. No. 1963 was continued on Special Orders for one day.

S. F. No. 2691 was reported to the House.

There being no objection, S. F. No. 2691 was continued on Special Orders for one day.

S. F. No. 3208 was reported to the House.

Nelson moved to amend S. F. No. 3208 as follows:

On page 2, line 3, after the word "The" insert the word "*minimum*".

On page 3, line 18, strike "subdivision 2,".

On page 3, after line 18, insert the following language:

"245A.18 [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY; DETERMINATION.] Subdivision 1. In determining the county of financial responsibility, in all matters concerning legal settlement of the poor, the definitions and rules of this section shall apply.

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 provision notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. Notwithstanding the provisions of subdivision 2, the county of financial responsibility shall not change as a result of successive placements in one or more counties pursuant to a plan of treatment for health, rehabilitation, foster care, child care or training; nor as a result of placement in any correctional program.

Subd. (3) 4. If upon (THE) investigation the local agency decides that the application was not filed in the county of financial responsibility as defined by this section, but that the applicant is otherwise eligible for assistance, it shall, while providing assistance to the applicant, transmit a copy of the application, together with the record of any investigation made by it and a copy of its decision, to the state agency, and to the agency of the county which it has decided is the county of financial responsibility. The state agency shall thereupon promptly decide any question of financial responsibility and make an order referring the application to the local agency of the proper county for further action, including reimbursement by such county of any assistance which another county has provided to the applicant in accordance with this subdivision. The state agency may make such investigation as it deems proper before making its decision. It shall prescribe rules and regulations for carrying into effect this subdivision. The order of the state agency shall be binding upon the local agency involved and the applicant or recipient, shall be complied with by that agency unless reversed on appeal as provided in Laws 1973, Chapter 650, Art. XXI, and shall be so complied with pending any such appeal.”.

On page 3, strike lines 19 through 28.

On page 4, strike line 1.

Further, amend the title on line 6, strike “subdivision 2”.

The motion prevailed and the amendment was adopted.

S. F. No. 3208, A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; 245A.18, Subdivision 2 and Laws 1973, Chapter 650, Article XXI, Section 32.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 27, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kempe	Moe	Schulz
Andersen, R.	Enebo	Knickerbocker	Munger	Sherwood
Anderson, I.	Faricy	Knoll	Nelson	Sieben, H.
Belisle	Ferderer	Kostohryz	Newcome	Sieben, M.
Bennett	Forsythe	Laidig	Norton	Smith
Berg	Fudro	Larson	Ojala	Spanish
Berglin	Fugina	LaVoy	Parish	Stanton
Biersdorf	Grove	Lemke	Patton	Swanson
Braun	Hanson	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, A.	Haugerud	Lindstrom, J.	Pehler	Ulland
Carlson, L.	Heinitz	Lombardi	Peterson	Vanasek
Casserly	Hook	Mann	Pleasant	Vento
Clifford	Jacobs	McArthur	Prahl	Voss
Connors	Jaros	McCarron	Resner	Weaver
Cummiskey	Johnson, D.	McEachern	Rice	Wenzel
Dahl	Johnson, J.	McFarlin	Ryan	Wolcott
DeGroat	Jude	McMillan	St. Onge	Mr. Speaker
Dieterich	Kahn	Menke	Sarna	
Eckstein	Kelly	Miller, M.	Schreiber	

Those who voted in the negative were:

Adams, S.	Dirlam	Johnson, R.	Niehaus	Skaar
Anderson, D.	Erdahl	Jopp	Ohnstad	Stangeland
Anderson, G.	Erickson	Klaus	Pavlak, R. L.	Wigley
Brinkman	Esau	Kvam	Pieper	
Carlson, D.	Fjoslien	Long	Savelkoul	
Cleary	Hagedorn	Myrah	Searle	

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

S. F. No. 3194, A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jude	Moe	Schreiber
Andersen, R.	Eckstein	Kahn	Munger	Schulz
Anderson, D.	Eken	Kelly	Myrah	Searle
Anderson, G.	Enebo	Kempe	Nelson	Sherwood
Anderson, I.	Erdahl	Klaus	Newcome	Sieben, H.
Belisle	Erickson	Knickerbocker	Niehaus	Sieben, M.
Bennett	Esau	Knoll	Norton	Skaar
Berg	Faricy	Kostohryz	Ohnstad	Smith
Berglin	Ferderer	Kvam	Ojala	Spanish
Biersdorf	Fjoslien	Laidig	Parish	Stangeland
Braun	Forsythe	Larson	Patton	Stanton
Brinkman	Fudro	LaVoy	Pavlak, R.	Swanson
Carlson, A.	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Carlson, B.	Grove	Lindstrom, J.	Pehler	Ulland
Carlson, L.	Hanson	Lombardi	Peterson	Vanasek
Casserly	Haugerud	Mann	Pieper	Vento
Cleary	Heinitz	McArthur	Pleasant	Voss
Clifford	Hook	McCarron	Prahl	Weaver
Connors	Jacobs	McEachern	Rice	Wenzel
Cummiskey	Jaros	McFarlin	Ryan	Wigley
Dahl	Johnson, D.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, R.	Menke	Sarna	Mr. Speaker

Those who voted in the negative were:

Carlson, D. Hagedorn Long

The bill was passed and its title agreed to.

S. F. No. 2818 was reported to the House.

Laidig moved to amend S. F. No. 2818, as follows:

Page 2, after line 25, add a new clause to read:

“(1) When a state legislator or local officer files as a candidate for nomination or election to a federal office, the act of filing shall terminate his status as a state or local officer on the first Monday of the second month following the next state or local general election at which the electors can choose a successor. A successor shall be chosen at that election for the remainder of the term unless succession is otherwise provided by the constitution.”

A roll call was requested and properly seconded.

Rice moved to amend the Laidig amendment to S. F. No. 2818, as follows:

Line 2 of clause 1, after “office,” insert “or a state constitutional office.”

A roll call was requested and properly seconded.

The question was taken on the Rice amendment to the Laidig amendment and the roll being called, there were yeas 113, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, M.	Searle
Adams, S.	Dieterich	Jude	Moe	Sherwood
Andersen, R.	Dirlam	Kahn	Munger	Sieben, H.
Anderson, D.	Eken	Kelly	Myrah	Sieben, M.
Anderson, G.	Enebo	Kempe	Nelson	Skaar
Anderson, I.	Esau	Knickerbocker	Newcome	Smith
Becklin	Faricy	Knoll	Niehaus	Spanish
Belisle	Ferderer	Kostohryz	Norton	Stangeland
Bennett	Fjoslien	Kvam	Ohnstad	Stanton
Berg	Forsythe	Laidig	Ojala	Swanson
Berglin	Fudro	Larson	Parish	Tomlinson
Braun	Fugina	LaVoy	Patton	Ulland
Brinkman	Graw	Lemke	Pavlak, R.	Vanasek
Carlson, A.	Growe	Lindstrom, E.	Pehler	Vento
Carlson, B.	Hagedorn	Lindstrom, J.	Peterson	Voss
Carlson, D.	Hanson	Lombardi	Pieper	Weaver
Carlson, L.	Heinitz	Long	Pleasant	Wenzel
Casserly	Hook	McArthur	Prahl	Wigley
Cleary	Jacobs	McCauley	Quirin	Wohlwend
Clifford	Jaros	McEachern	Ryan	Wolcott
Connors	Johnson, D.	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	McMillan	Sarna	
Dahl	Johnson, R.	Menke	Schreiber	

Those who voted in the negative were:

Klaus	Pavlak, R. L.	Rice	Savelkoul
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The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Laidig amendment, as amended, and the roll being called, there were yeas 99, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jopp	McFarlin	Sherwood
Adams, S.	Eken	Jude	McMillan	Sieben, H.
Andersen, R.	Enebo	Kahn	Menke	Sieben, M.
Anderson, D.	Erickson	Kelly	Myrah	Skaar
Anderson, G.	Esau	Kempe	Nelson	Smith
Belisle	Faricy	Knickerbocker	Newcome	Spanish
Bennett	Ferderer	Knoll	Niehaus	Stangeland
Berg	Fjoslien	Kostohryz	Norton	Stanton
Berglin	Forsythe	Kvam	Ohnstad	Swanson
Carlson, A.	Fudro	Laidig	Ojala	Tomlinson
Carlson, B.	Graw	Larson	Parish	Ulland
Carlson, L.	Growe	LaVoy	Pavlak, R.	Vanasek
Casserly	Hagedorn	Lemke	Peterson	Voss
Cleary	Hanson	Lindstrom, E.	Pieper	Weaver
Clifford	Heinitz	Lindstrom, J.	Pleasant	Wenzel
Connors	Hook	Lombardi	Prahl	Wigley
Cummiskey	Jacobs	Long	Quirin	Wohlwend
Dahl	Jaros	McArthur	Ryan	Wolcott
DeGroat	Johnson, J.	McCauley	Schreiber	Mr. Speaker
Dirlam	Johnson, R.	McEachern	Searle	

Those who voted in the negative were:

Anderson, I.	Brinkman	Fugina	McCarron	Rice
Becklin	Carlson, D.	Johnson, D.	Moe	Savelkoul
Braun	Dieterich	Klaus	Pavlak, R. L.	

The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 2818, A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Knickerbocker	Newcome	Sherwood
Adams, S.	Erdahl	Knoll	Niehaus	Sieben, H.
Andersen, R.	Erickson	Kostohryz	Norton	Sieben, M.
Anderson, D.	Esau	Kvam	Ohnstad	Skaar
Anderson, G.	Faricy	Laidig	Ojala	Smith
Belisle	Ferderer	Larson	Parish	Spanish
Bennett	Fjoslien	LaVoy	Patton	Stangeland
Berg	Forsythe	Lemke	Pavlak, R.	Stanton
Berglin	Fudro	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Ulland
Carlson, L.	Hagedorn	Long	Pieper	Vanasek
Casserly	Hanson	McArthur	Pleasant	Vento
Cleary	Heinitz	McCarron	Prahl	Voss
Clifford	Hook	McCauley	Quirin	Weaver
Connors	Jacobs	McEachern	Resner	Wenzel
Cummiskey	Jaros	McFarlin	Rice	Wigley
Dahl	Johnson, J.	McMillan	Ryan	Wohlwend
DeGroat	Johnson, R.	Menke	Samuelson	Wolcott
Dieterich	Jopp	Miller, M.	Sarna	Mr. Speaker
Dirlam	Jude	Munger	Savelkoul	
Eckstein	Kelly	Myrah	Schreiber	
Eken	Kempe	Nelson	Searle	

Those who voted in the negative were:

Anderson, I.	Braun	Fugina	Klaus	Schulz
Becklin	Carlson, D.	Johnson, D.		

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3164, A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Eckstein from the Committee on Appropriations to which was referred:

S. F. No. 3434, A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Section 201.061, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

“Section 1. Minnesota Statutes, 1973 Supplement, Section 201.061, is amended by adding a subdivision to read:

Subd. 8. Any political subdivision which did not on July 1, 1973 have a permanent system of voter registration shall provide prior to the date of the 1974 primary election for the transfer of names of persons who voted at the general election in 1972, to permanent registration cards, together with such other information available from the election records as is required by Minnesota Statutes, 1973 Supplement, Section 201.071, Subdivision 1. Such registration cards shall be alphabetized by precinct and the cards for each precinct shall be kept at the polling place on the 1974 primary and general election days. Persons whose

registration cards have been so prepared and who have not changed residence shall be deemed registered by proving identity and signing the registration card.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 201.061, is amended by adding a subdivision to read:

Subd. 9. For the general election in 1974 only, each political subdivision which did not on July 1, 1973 have a permanent system of voter registration shall provide one additional election judge in each precinct for every 400 persons who voted at the general election in 1972.

Sec. 3. Minnesota Statutes, 1973 Supplement, 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. MALE FEMALE 4. BIRTH DATE:

(5. SOCIAL SECURITY NUMBER, IF AVAILABLE:

(6.) 3. Telephone Number (, IF AVAILABLE) (optional):

(7) 4. Most Recent Prior Residence Street or Route Number
City (or Township) Zip

(8) 5. Most Recent Prior Registration Street or Route Number
City (or Township) Zip

(9) 6. I certify that *I will be at least 18 years old on election day and that the above facts are correct (AND). I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than \$5,000, or both.*

.....
Signature of Voter

Sec. 4. Minnesota Statutes, 1973 Supplement, Section 201.071, Subdivision 3, is amended to read:

Subd. 3. No registration is faulty or defective if the registration card obtains the voter's name, address, prior residence, prior registration if any and signature (;), as in items 1, 2, (7, 8 AND 9) 4, 5, and 6 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. 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. 5. [APPROPRIATION.] The sum of \$50,000 is appropriated to the secretary of state from the general fund to reimburse real costs by political subdivisions of the state for the purposes of this act. The appropriation shall expire June 30, 1975, notwithstanding Minnesota Statutes, Section 16.17, or other law.

Sec. 6. This act is effective the day after enactment.”.

Further, amend the title as follows:

Page 1, line 6, after “cards;” insert “appropriating money;”.

Page 1, line 7, strike “Section” and insert “Sections”.

Page 1, line 8, strike “a subdivision” and insert “subdivisions; and 201.071, Subdivisions 1 and 3”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 3710, A bill for an act creating a legislative commission to study taxation of nonreturnable containers of all kinds.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

S. F. No. 67, A bill for an act relating to natural resources; authorizing the commissioner of administration to acquire by eminent domain, under certain conditions, land or interests in land being acquired for natural resource purposes; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; 85.013, Subdivision 1.

Reported the same back with the following amendments:

Page 1, strike lines 12 to 32.

Page 2, strike lines 1 to 22.

Page 4, after line 13, add the following:

“Sec. 2. The commissioner of administration for the commissioner of natural resources is authorized to acquire by gift, purchase, or eminent domain, in fee or such lesser estate as he deems necessary, all lands and properties necessary to construct, improve and maintain the Heartland and Taconite Trails.

The Heartland Trail shall originate at mile post 90.92 at Park Rapids in Hubbard county and shall extend in an easterly direction along the Burlington Northern Railroad right-of-way to the south line of Oak Avenue in Walker in Cass county. The trail will then continue from the section line between sections 9 and 16, Township 142 North, Range 31 West, in a northerly direction along the Burlington Northern Railroad right-of-way to mile post 137.78, approximately 2 miles south of Cass Lake in Cass county.

The Taconite Trail shall originate in Ely in St. Louis county and continue southwesterly to Tower in St. Louis county, then westerly to McCarthy Beach State Park in St. Louis county and thence southerly crossing State Highway No. 169 at O'Brien Creek between Keewatin and Nashwauk in Itasca county and thence southwesterly to Blackberry in Itasca county and there terminate.

Before acquiring any land or interest in land by eminent domain, the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the

legislative advisory committee before granting his approval. Recommendations of the legislative advisory committee shall be advisory only, and failure or refusal of the committee to make a recommendation shall be deemed a negative recommendation."

Renumber the section accordingly.

Further amend the title:

Page 1, line 8, strike "Sections" and insert in lieu thereof "Section".

Page 1, line 9, strike "85.012, Subdivision 1;".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 2590, A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

Reported the same back with the following amendments:

Page 1, line 21, strike "not".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. Minnesota Statutes 1971, Section 375.01, is amended to read:

375.01 [MEMBERS, NUMBER OF.] Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, in *St. Louis, Hennepin, and Ramsey* counties (HAVING AN AREA OF OVER 5,000 SQUARE MILES AND A POPULATION EXCEEDING 75,000,) the board shall consist of seven members.

Sec. 2. [RAMSEY COUNTY.] Subdivision 1. [COMMISSIONER DISTRICTS.] The commissioner districts for the county of Ramsey shall consist of the following territory: commissioner district number one shall consist of that portion of the county that includes the cities of Mounds View, New Brighton, north of interstate 694, Arden Hills, White Bear Lake, White Bear Town, Gem Lake, North Oaks, Shoreview, and that portion of Blaine and Spring Lake Park within Ramsey County; commissioner district number two shall consist of that portion of the county that includes the cities of Vadnais Heights, Little Canada, Roseville, Lauderdale, Falcon Heights, New Brighton, south of interstate 694, and that portion of St. Anthony within Ramsey County; commissioner district number three shall consist of that portion of the county that includes ward 2, precincts 4, 8, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 22, 23, and 24 of the city of Saint Paul, and the city of Maplewood, and North Saint Paul; and commissioner district number four shall consist of that portion of the county that includes the city of Saint Paul less the precincts mentioned in district three.

Subd. 2. [VOTER REPRESENTATION.] For the term of office commencing in January, 1975; and thereafter, the board of county commissioners for the county of Ramsey shall consist of seven members elected as follows: one commissioner each from commissioner districts number one, two, three; and four commissioners elected from commissioner district number four.

Subd. 3. [ALLEY SYSTEM.] Within 60 days after the effective date of this act, the board of county commissioners shall designate each district in commissioner district number four, whether occupied or not, by a separate letter of the alphabet. Each so designated commissioner district shall be deemed a separate office for the election of 1974 and thereafter. Any incumbent member of the board of county commissioners running for election or re-election to the board of county commissioners shall be a candidate for that office only of which he was an incumbent. Each person desiring to have his name placed on the ballot shall state in his affidavit of candidacy which designated board of county commissioner's seat for which he is a candidate. Except as herein provided, the laws relating to the election of the board of county commissioners shall continue to apply.

Subd. 4. [FUTURE REDISTRICTING.] After the 1980 federal census and each federal census every ten years thereafter, the county board of commissioners shall redraw the districts as necessary.

Sec. 3. [HENNEPIN COUNTY.] Subdivision 1. [REDISTRICTING.] The board of county commissioners of Hennepin county shall redistrict commissioner districts boundaries to provide seven districts as provided in section 1, and set the term of office therefor, except as hereinafter provided.

Subd. 2. [COMMISSIONER DISTRICTS.] Each district shall be composed of contiguous territory as regular and compact in form as nearly equal in population as practicable. The plan shall provide that except for county commissioners elected in 1974 who shall serve for a four year term, five county commissioners shall be elected in 1976. Two of the commissioners elected in 1976 shall be elected for a two-year and three for a four-year term. Commencing in 1978 each commissioner; shall be elected for a four-year term. The plan establishing the district boundaries shall be filed with the Hennepin county auditor and the secretary of state and the chief clerk of the house of representatives by July 15, 1975. After filing the plan shall be published in the newspaper having the contract for publishing the commissioners' proceedings for that year. The plan shall become effective as to the election of county commissioners in 1976.

Sec. 4. [REPEALER.] Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended by Laws 1971, Chapter 386; and Laws 1963, Chapter 789, are repealed.

Sec. 5. Section 4 of this act shall be effective November 1, 1976."

Further amend the title on page 1, line 2, as follows: after "Hennepin" insert ", St. Louis".

With the recommendation that when so amended the bill do pass.

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2105, A bill for an act relating to game and fish; wearing of red or orange clothing; amending Minnesota Statutes 1971, Section 100.29, Subdivision 8.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2398, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2605, A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns county.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 2898, A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3031, A bill for an act relating to wild animals; altering certain provisions regarding commercial fishing in Lake Superior; amending Minnesota Statutes 1971, Sections 98.46,

Subdivision 12; 102.28, Subdivisions 2 and 4; repealing Laws 1963, Chapter 70, Section 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3054, A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

S. F. No. 3181, A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 3164 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3434, 67, 2590, and 3059 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2517, A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

H. F. No. 2668, A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

H. F. No. 2670, A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

H. F. No. 3329, A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3002, A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

The Senate has appointed as such committee Messrs. Ashbach; Hanson, R.; and Thorup.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

The Senate has appointed as such committee Messrs. Kleinbaum, Schrom and Brown.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1810, A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

The Senate has appointed as such committee Messrs. Conzemius; Keefe, J.; Hansen, Baldy; Borden and Frederick.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2759, A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Chenoweth, Stokowski and Ogdahl have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Parish moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2759. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2933, A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Kleinbaum; Perpich, G.; and Pillsbury have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pehler moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2933. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 818, A bill for an act relating to elections; removing limitations on the transportation of voters to the polls; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sarna moved that the House concur in the Senate amendments to H. F. No. 818 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 818, A bill for an act relating to elections; removing limitations on the transportation of voters to the polls; providing a penalty; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 103, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Myrah	Schreiber
Adams, S.	Eckstein	Kelly	Nelson	Schulz
Andersen, R.	Eken	Kempe	Newcome	Sherwood
Anderson, D.	Enebo	Knickerbocker	Niehaus	Sieben, H.
Anderson, G.	Erdahl	Knoll	Norton	Sieben, M.
Anderson, I.	Erickson	Kostohryz	Ojala	Smith
Becklin	Faricy	Kvam	Parish	Stangeland
Bennett	Ferderer	Laidig	Patton	Stanton
Berg	Fudro	Larson	Pavlak, R.	Swanson
Berglin	Fugina	LaVoy	Pavlak, R. L.	Tomlinson
Biersdorf	Growe	Lemke	Pehler	Ulland
Braun	Hagedorn	Lindstrom, J.	Peterson	Vanasek
Brinkman	Hanson	Mann	Prahl	Vento
Carlson, A.	Haugerud	McCarron	Quirin	Voss
Carlson, B.	Heinitz	McEachern	Resner	Wenzel
Carlson, L.	Jacobs	McFarlin	Rice	Wigley
Casserly	Jaros	McMillan	Ryan	Wohlwend
Cleary	Johnson, D.	Menke	St. Onge	Wolcott
Connors	Johnson, J.	Miller, M.	Samuelson	Mr. Speaker
Dahl	Jopp	Moe	Sarna	
DeGroat	Jude	Mueller	Savelkoul	

Those who voted in the negative were:

Belisle	Fjoslien	Lombardi	Ohnstad	Skaar
Carlson, D.	Graw	Long	Pieper	
Dieterich	Lindstrom, E.	McArthur	Pleasant	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3270.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3270, A bill for an act relating to taxation; general property taxes; exemptions; providing an exemption for modifi-

cations to a dwelling to accommodate physically handicapped residents; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2737 and 2900; S. F. No. 2964; and H. F. No. 3056.

H. F. No. 2737, A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 104, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kahn	Miller, M.	Samuelson
Andersen, R.	Eckstein	Kelly	Moe	Sarna
Anderson, I.	Eken	Kempe	Mueller	Savelkoul
Belisle	Enebo	Knickerbocker	Munger	Schreiber
Bennett	Erickson	Knoll	Nelson	Schulz
Berg	Esau	Kostohryz	Newcome	Sherwood
Berglin	Faricy	Kvam	Ohnstad	Sieben, H.
Biersdorf	Ferderer	Laidig	Ojala	Sieben, M.
Braun	Fjoslien	LaVoy	Parish	Smith
Brinkman	Fudro	Lemke	Patton	Spanish
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, B.	Graw	Lombardi	Pavlak, R. L.	Swanson
Carlson, D.	Growe	Mann	Pehler	Tomlinson
Carlson, L.	Hanson	McArthur	Peterson	Ulland
Casserly	Hook	McCarron	Pieper	Vanasek
Cleary	Jacobs	McCauley	Prahl	Vento
Connors	Jaros	McEachern	Quirin	Voss
Cummiskey	Johnson, D.	McFarlin	Resner	Wenzel
Dahl	Johnson, J.	McMillan	Rice	Wolcott
DeGroat	Johnson, R.	Menke	Ryan	Mr. Speaker
Dieterich	Jude	Miller, D.	St. Onge	

Those who voted in the negative were:

Anderson, D.	Jopp	Myrah	Stangeland	Wigley
Erdahl	Larson	Niehaus		
Hagedorn	Long	Skaar		

The bill was passed and its title agreed to.

H. F. No. 2900, A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	St. Onge
Adams, S.	Dirlam	Jopp	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jude	Miller, M.	Sarna
Anderson, D.	Eken	Kahn	Moe	Savelkoul
Anderson, G.	Enebo	Kelly	Mueller	Schreiber
Anderson, I.	Erdahl	Kempe	Munger	Schulz
Becklin	Erickson	Klaus	Myrah	Sherwood
Belisle	Esau	Knickerbocker	Nelson	Sieben, H.
Bennett	Faricy	Knoll	Newcome	Sieben, M.
Berg	Ferderer	Kostohryz	Niehaus	Skaar
Berglin	Fjoslien	Kvam	Ohnstad	Smith
Biersdorf	Forsythe	Laidig	Ojala	Spanish
Braun	Fudro	LaVoy	Parish	Stangeland
Brinkman	Fugina	Lemke	Patton	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Long	Peterson	Vento
Casserly	Haugerud	Mann	Pieper	Voss
Cleary	Heinitz	McArthur	Pleasant	Wenzel
Connors	Hook	McCarron	Prahl	Wigley
Culhane	Jacobs	McCauley	Quirin	Wohlwend
Cummiskey	Jaros	McEachern	Resner	Wolcott
Dahl	Johnson, D.	McFarlin	Rice	Mr. Speaker
DeGroat	Johnson, J.	McMillan	Ryan	

The bill was passed and its title agreed to.

S. F. No. 2964 was reported to the House.

Samuelson moved to amend S. F. No. 2964, as amended, as follows:

After the enacting clause and before Section 1 insert a new Section 1 to read:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 254A.02 is amended by adding a subdivision to read:

Subd. 11. "Native American" means a person of one-quarter or more Indian blood."

Renumber the remaining sections.

And further to amend the title as follows:

Page 10 of the committee report, line 19, after the word "Supplement," and before the number "254A.03", strike the word

"Section" and insert the words "Sections 254A.02 by adding a subdivision,".

The motion prevailed and the amendment was adopted.

Clifford moved to amend S. F. No. 2964, as amended, as follows:

In the committee report:

Page 4, the first line of section 3, strike "\$35,000" and insert "\$150,000".

Page 4, the third line of section 3, strike "for the necessary staff".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 43, and nays 70, as follows:

Those who voted in the affirmative were:

Andersen, R.	Clifford	Hook	Lombardi	Pieper
Becklin	DeGroat	Johnson, J.	McArthur	Pleasant
Belisle	Dirlam	Johnson, R.	McFarlin	Schreiber
Bennett	Esau	Klaus	Mueller	Stangeland
Berglin	Ferderer	Knickerbocker	Myrah	Weaver
Biersdorf	Fjoslien	Kvam	Nelson	Wohlwend
Carlson, A.	Forsythe	Laidig	Newcome	Wolcott
Carlson, L.	Hagedorn	Larson	Ohnstad	
Cleary	Heinitz	Lindstrom, E.	Pavlak, R. L.	

Those who voted in the negative were:

Adams, J.	Enebo	Kempe	Niehaus	Sarna
Anderson, G.	Erdahl	Knoll	Ojala	Schulz
Anderson, I.	Erickson	LaVoy	Parish	Sieben, H.
Berg	Faricy	Lemke	Patton	Skaar
Braun	Fudro	Long	Pavlak, R.	Smith
Brinkman	Fugina	Mann	Pehler	Spanish
Carlson, B.	Growe	McCarron	Peterson	Swanson
Carlson, D.	Hanson	McEachern	Prahl	Tomlinson
Cassery	Haugerud	McMillan	Quirin	Vanasek
Culhane	Jaros	Menke	Resner	Vento
Dahl	Johnson, D.	Miller, D.	Rice	Voss
Dieterich	Jude	Miller, M.	Ryan	Wenzel
Eckstein	Kahn	Moe	St. Onge	Wigley
Eken	Kelly	Munger	Samuelson	Mr. Speaker

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

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; ap-

propriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jude	Moe	Schulz
Andersen, R.	Eckstein	Kahn	Mueller	Searle
Anderson, D.	Eken	Kelly	Munger	Sherwood
Anderson, G.	Enebo	Kempe	Nelson	Sieben, H.
Anderson, I.	Erdahl	Klaus	Niehaus	Sieben, M.
Becklin	Erickson	Knickerbocker	Norton	Skaar
Belisle	Esau	Knoll	Ohnstad	Smith
Bell	Faricy	Kostohryz	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Growe	Lombardi	Pieper	Vento
Carlson, B.	Hagedorn	Long	Pleasant	Voss
Carlson, D.	Hanson	Mann	Prahl	Weaver
Carlson, L.	Haugerud	McArthur	Quirin	Wenzel
Casserly	Heinitz	McCarron	Resner	Wigley
Cleary	Hook	McCauley	Rice	Wohlwend
Clifford	Jacobs	McEachern	Ryan	Wolcott
Connors	Jaros	McFarlin	St. Onge	Mr. Speaker
Culhane	Johnson, D.	McMillan	Salchert	
Dahl	Johnson, J.	Menke	Samuelson	
DeGroat	Johnson, R.	Miller, D.	Sarna	

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

H. F. No. 3056, A bill for an act relating to education; establishing the capability for local school district educational assessment; appropriating money; amending Minnesota Statutes 1971, Chapter 121, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Brinkman	Clifford	Dirlam
Adams, S.	Bell	Carlson, A.	Connors	Eckstein
Andersen, R.	Bennett	Carlson, B.	Culhane	Eken
Anderson, D.	Berg	Carlson, D.	Cummiskey	Enebo
Anderson, G.	Berglin	Carlson, L.	Dahl	Erdahl
Anderson, I.	Biersdorf	Casserly	DeGroat	Erickson
Becklin	Braun	Cleary	Dieterich	Esau

Faricy	Jopp	Mann	Patton	Sieben, H.
Ferderer	Jude	McArthur	Pavlak, R.	Sieben, M.
Fjoslien	Kahn	McCarron	Pavlak, R. L.	Skaar
Forsythe	Kelly	McCauley	Pehler	Smith
Fudro	Kempe	McEachern	Peterson	Spanish
Fugina	Klaus	McMillan	Pieper	Stangeland
Graw	Knickerbocker	Menke	Pleasant	Stanton
Growe	Knoll	Miller, D.	Prahl	Swanson
Hagedorn	Kostohryz	Miller, M.	Quirin	Ulland
Hanson	Kvam	Moe	Resner	Vanasek
Haugerud	Laidig	Mueller	Rice	Vento
Heinitz	Larson	Munger	Ryan	Voss
Hook	LaVoy	Nelson	St. Onge	Weaver
Jacobs	Lemke	Newcome	Salchert	Wenzel
Jaros	Lindstrom, E.	Niehaus	Samuelson	Wigiey
Johnson, D.	Lindstrom, J.	Ohnstad	Schulz	Wohlwend
Johnson, J.	Lombardi	Ojala	Searle	Wolcott
Johnson, R.	Long	Parish	Sherwood	Mr. Speaker

Those who voted in the negative were:

McFarlin

The bill was passed and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2759:

Parish, Quirin, and Faricy.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2933:

Pehler, Quirin, and Knickerbocker.

SPECIAL ORDERS

S. F. No. 2957, A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property, to provide by regulation and ordinance for the governance of park, open space and recreational areas and to provide penalties for violation thereof, to preserve the natural drainage within the county, to make appropriations, levy taxes, borrow money and issue bonds therefor, and to expend funds for a park, open space and recreational system within or without Ramsey county; amending Laws 1971. Chapter 950, Section 1, Subdivisions 1 and 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, D.	McMillan	St. Onge
Adams, S.	Dahl	Johnson, J.	Menke	Salchert
Andersen, R.	DeGroat	Johnson, R.	Miller, D.	Sarna
Anderson, D.	Dieterich	Jude	Miller, M.	Savelkoul
Anderson, G.	Dirlam	Kahn	Mueller	Schreiber
Anderson, I.	Eckstein	Kelly	Munger	Schulz
Becklin	Eken	Kempe	Myrah	Searle
Belisle	Enebo	Klaus	Nelson	Sherwood
Bell	Erickson	Knoll	Newcome	Sieben, H.
Bennett	Esau	Kostohryz	Niehaus	Sieben, M.
Berg	Faricy	Kvam	Norton	Skaar
Berglin	Ferderer	Laidig	Ohnstad	Smith
Biersdorf	Fjoslien	Larson	Ojala	Spanish
Braun	Forsythe	LaVoy	Parish	Stanton
Brinkman	Fudro	Lemke	Patton	Swanson
Carlson, A.	Fugina	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, E.	Graw	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Long	Pehler	Vanasek
Carlson, L.	Hanson	Mann	Peterson	Voss
Casserly	Haugerud	McArthur	Pieper	Weaver
Cleary	Heinitz	McCarron	Prahl	Wenzel
Clifford	Hook	McCauley	Quirin	Wohlwend
Connors	Jacobs	McEachern	Resner	Wolcott
Culhane	Jaros	McFarlin	Ryan	Mr. Speaker

Those who voted in the negative were:

Jopp Knickerbocker Lombardi

The bill was passed and its title agreed to.

S. F. No. 3108 was reported to the House.

Pavlak, R. L. moved to amend S. F. No. 3108, the printed bill, as follows:

Page 1, after the enacting clause, insert:

"Section 1. Minnesota Statutes 1971, Section 169.09, Subdivision 5, is amended to read:

Subd. 5. [NOTIFY OWNER OF DAMAGED PROPERTY.] The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his driver's or chauffeur's license, and make report of such accident (WHEN AND AS REQUIRED BY THE PROVISIONS OF THIS CHAPTER,) *in every case. The report shall be made in the same manner as a report made pursuant to subdivision 7.*"

Renumber the sections in order.

Further, amend the title, line 4, after "amending" and before "Minnesota" insert "Minnesota Statutes 1971, Section 169.09, Subdivision 5,".

The motion prevailed and the amendment was adopted.

Dieterich moved to amend S. F. No. 3108, the printed bill, as follows:

Page 3, line 25, after "route" and before the period insert "*provided that within a city of the first class the commissioner shall not designate any divided highway of four or more lanes, without approval of the local governing body of the municipality in which said highway is located, unless said highway is a controlled access highway*".

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

S. F. No. 3108, A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jacobs	McCauley	Prahl
Adams, S.	DeGroat	Jaros	McEachern	Quirin
Andersen, R.	Dieterich	Johnson, D.	McFarlin	Resner
Anderson, D.	Dirlam	Johnson, J.	McMillan	Rice
Anderson, G.	Eckstein	Johnson, R.	Menke	Ryan
Anderson, I.	Eken	Jopp	Miller, D.	St. Onge
Becklin	Enebo	Jude	Miller, M.	Sarna
Belisle	Erdahl	Kahn	Mueller	Savelkoul
Bennett	Erickson	Kempe	Myrah	Schreiber
Berg	Esau	Klaus	Nelson	Schulz
Biersdorf	Farcy	Knickerbocker	Newcome	Searle
Braun	Ferderer	Knoll	Niehaus	Sherwood
Brinkman	Fjoslien	Kostohryz	Norton	Sieben, H.
Carlson, A.	Forsythe	Kvam	Ohnstad	Sieben, M.
Carlson, B.	Fudro	Laidig	Ojala	Skaar
Carlson, D.	Fugina	Larson	Parish	Smith
Carlson, L.	Graw	LaVoy	Patton	Spanish
Cassery	Growe	Lemke	Pavlak, R.	Stangeland
Cleary	Hagedorn	Lindstrom, E.	Pavlak, R. L.	Stanton
Clifford	Hanson	Lombardi	Pehler	Swanson
Connors	Haugerud	Long	Peterson	Tomlinson
Culhane	Heinitz	McArthur	Pieper	Ulland
Cummiskey	Hook	McCarron	Pleasant	Vanasek

Vento	Weaver	Wigley	Wolcott	Mr. Speaker
Voss	Wenzel	Wohlwend		

Those who voted in the negative were:

Kelly

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

S. F. No. 2875, A bill for an act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 102, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, M.	Searle
Andersen, R.	Dieterich	Johnson, R.	Moe	Sherwood
Anderson, D.	Dirlam	Jopp	Mueller	Sieben, H.
Becklin	Eckstein	Jude	Munger	Sieben, M.
Belisle	Eken	Kahn	Nelson	Smith
Bennett	Enebo	Knickerbocker	Norton	Spanish
Berg	Erdahl	Knoll	Ohnstad	Stangeland
Berglin	Erickson	Kostohryz	Ojala	Stanton
Braun	Esau	Kvam	Parish	Swanson
Brinkman	Forsythe	Laidig	Patton	Tomlinson
Carlson, A.	Fudro	LaVoy	Pavlak, R. L.	Ulland
Carlson, B.	Fugina	Lemke	Pehler	Vento
Carlson, D.	Grove	Lindstrom, E.	Peterson	Voss
Carlson, L.	Hagedorn	Lindstrom, J.	Pleasant	Weaver
Casserly	Hanson	Lombardi	Prahl	Wenzel
Cleary	Haugerud	Mann	Rice	Wigley
Clifford	Heinitz	McArthur	Ryan	Wohlwend
Connors	Hook	McCarron	St. Onge	Wolcott
Culhane	Jacobs	McFarlin	Sarna	
Cummiskey	Jaros	McMillan	Savelkoul	
Dahl	Johnson, D.	Menke	Schulz	

Those who voted in the negative were:

Adams, S.	Ferderer	Kempe	Niehaus	Schreiber
Anderson, I.	Fjoslien	Larson	Pavlak, R.	Skaar
Bell	Graw	McEachern	Pieper	Vanasek
Faricy	Kelly	Myrah	Quirin	

The bill was passed and its title agreed to.

S. F. No. 2847, A bill for an act relating to taxation; county legal assistance; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128; and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, M.	Savelkoul
Adams, S.	Dirlam	Jude	Moe	Schreiber
Andersen, R.	Eckstein	Kahn	Mueller	Schulz
Anderson, D.	Eken	Kelly	Munger	Searle
Anderson, I.	Enebo	Kempe	Myrah	Sherwood
Becklin	Erdahl	Knickerbocker	Nelson	Sieben, H.
Belisle	Erickson	Knoll	Newcome	Sieben, M.
Bell	Esau	Kostohryz	Niehaus	Skaar
Bennett	Faricy	Kvam	Norton	Smith
Berg	Ferderer	Laidig	Ohnstad	Spanish
Berglin	Fjoslien	Larson	Ojala	Stangeland
Biersdorf	Forsythe	LaVoy	Parish	Stanton
Braun	Fudro	Lemke	Patton	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, B.	Growe	Lombardi	Pehler	Vanasek
Carlson, D.	Hagedorn	Long	Peterson	Vento
Carlson, L.	Hanson	Mann	Pieper	Voss
Casserly	Haugerud	McArthur	Pleasant	Weaver
Cleary	Heinitz	McCarron	Prahl	Wenzel
Clifford	Hook	McCauley	Quirin	Wigley
Connors	Jacobs	McEachern	Resner	Wohlwend
Culhane	Jaros	McFarlin	Rice	Wolcott
Cummiskey	Johnson, D.	McMillan	Ryan	Mr. Speaker
Dahl	Johnson, J.	Menke	St. Onge	
DeGroat	Johnson, R.	Miller, D.	Sarna	

The bill was passed and its title agreed to.

S. F. No. 3352, A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 72, and nays 42, as follows:

Those who voted in the affirmative were:

Adams, S.	DeGroat	Heinitz	Lombardi	Savelkoul
Andersen, R.	Dieterich	Hook	Long	Schreiber
Anderson, D.	Dirlam	Johnson, J.	Mann	Searle
Anderson, G.	Eckstein	Johnson, R.	McArthur	Sherwood
Becklin	Eken	Jopp	McCauley	Skaar
Belisle	Erdahl	Jude	McFarlin	Smith
Bell	Erickson	Kempe	McMillan	Stangeland
Bennett	Esau	Klaus	Mueller	Stanton
Biersdorf	Faricy	Knickerbocker	Myrah	Ulland
Carlson, A.	Ferderer	Kostohryz	Niehaus	Weaver
Carlson, D.	Fjoslien	Kvam	Ohnstad	Wigley
Cleary	Forsythe	Laidig	Pavlak, R. L.	Wohlwend
Clifford	Graw	Larson	Peterson	
Culhane	Hagedorn	Lindstrom, E.	Pieper	
Cummiskey	Haugerud	Lindstrom, J.	Pleasant	

Those who voted in the negative were:

Adams, J.	Fugina	McEachern	Prahl	Sieben, M.
Anderson, I.	Hanson	Miller, M.	Quirin	Spanish
Berglin	Jacobs	Moe	Resner	Swanson
Braun	Jaros	Munger	Rice	Tomlinson
Brinkman	Johnson, D.	Nelson	Ryan	Voss
Carlson, L.	Kelly	Ojala	St. Onge	Wenzel
Connors	LaVoy	Parish	Salchert	
Enebo	Lemke	Patton	Sarna	
Fudro	McCarron	Pehler	Sieben, H.	

The bill was passed and its title agreed to.

S. F. No. 3372 was reported to the House.

Berglin moved to amend S. F. No. 3372 as follows:

Page 1, line 14, after "pay" and before the period, insert the following: "*and for day care services on the recommendations of the appropriate advisory council*".

The motion prevailed and the amendment was adopted.

S. F. No. 3372, A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Hanson	Lindstrom, J.	Parish
Adams, S.	Culhane	Heinitz	Lombardi	Patton
Andersen, R.	Cummiskey	Jacobs	Long	Pavlak, R.
Anderson, D.	Dahl	Jaros	McArthur	Pavlak, R. L.
Anderson, G.	DeGroat	Johnson, D.	McCarron	Pehler
Anderson, I.	Dieterich	Johnson, J.	McEachern	Peterson
Becklin	Dirlam	Johnson, R.	McFarlin	Pieper
Belisle	Eckstein	Jopp	McMillan	Pleasant
Bell	Eken	Jude	Menke	Prahl
Bennett	Enebo	Kahn	Miller, D.	Quirin
Berg	Erdahl	Kelly	Miller, M.	Resner
Berglin	Erickson	Kempe	Moe	Rice
Biersdorf	Esau	Klaus	Mueller	Ryan
Brinkman	Faricy	Knickerbocker	Munger	St. Onge
Carlson, A.	Ferderer	Knoll	Myrah	Salchert
Carlson, B.	Fjoslien	Kostohryz	Nelson	Sarna
Carlson, D.	Forsythe	Kvam	Newcome	Savelkoul
Carlson, L.	Fudro	Larson	Niehous	Schreiber
Cassery	Fugina	LaVoy	Norton	Schulz
Cleary	Grove	Lemke	Ohnstad	Searle
Clifford	Hagedorn	Lindstrom, E.	Ojala	Sherwood

Sieben, H.	Stangeland	Ulland	Weaver	Wolcott
Sieben, M.	Stanton	Vanasek	Wenzel	Mr. Speaker
Skaar	Swanson	Vento	Wigley	
Smith	Tomlinson	Voss	Wohlwend	

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

S. F. No. 1728 was reported to the House.

Ojala moved to amend S. F. No. 1728, the printed bill, as follows:

After the enacting clause, insert a section to read:

“Section 1. Minnesota Statutes 1971, Chapter 550, is amended by adding a section to read:

[550.041] [EXECUTION OF SMALL MONEY JUDGMENTS ON DEBTS.] *When a judgment creditor proposes to make execution of a judgment debt of not more than \$2500 from money owed to the judgment debtor by a third party, the execution may be directed to the attorney for the judgment creditor or sheriff who shall make execution by a registered or certified letter to the third party containing the information prescribed by section 550.14. Upon receipt the third party shall remit as much of the amount due under section 550.04 as his own debt equals to the attorney or sheriff who shall proceed in all other respects like the sheriff making a similar execution. No costs shall be allowed to the attorney from any party but the judgment creditor for execution in accordance with this section. No costs for mileage shall be allowed to the sheriff from any party for execution in accordance with this section. If an execution mailed pursuant to this section is returned undelivered, the execution may be served as allowed for execution of a judgment debt in excess of \$2500.”*

Renumber the remaining section.

Further, amend the title, line 2, after “employees;” insert “and executions;”.

In line 3, after “1971,” insert “Chapter 550, by adding a section; and”.

The motion prevailed and the amendment was adopted.

S. F. No. 1728, A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, D.	Sarna
Adams, S.	Eckstein	Jude	Moe	Savelkoul
Andersen, R.	Eken	Kahn	Mueller	Schreiber
Anderson, D.	Enebo	Kelly	Munger	Schulz
Anderson, G.	Erdahl	Kempe	Myrah	Searle
Anderson, I.	Erickson	Klaus	Nelson	Sherwood
Becklin	Esau	Knickerbocker	Newcome	Sieben, H.
Belisle	Faricy	Knoll	Niehaus	Sieben, M.
Bell	Ferderer	Kostohryz	Norton	Skaar
Berg	Fjoslien	Kvam	Ohnstad	Smith
Berglin	Forsythe	Larson	Ojala	Spanish
Biersdorf	Fudro	LaVoy	Parish	Stangeland
Braun	Fugina	Lemke	Paviak, R.	Stanton
Brinkman	Graw	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Growe	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Hagedorn	Lombardi	Peterson	Ulland
Carlson, L.	Hanson	Long	Pieper	Voss
Casserly	Haugerud	Mann	Pleasant	Weaver
Cleary	Heinitz	McArthur	Prahl	Wenzel
Clifford	Hook	McCarron	Quirin	Wigley
Connors	Jacobs	McCauley	Resner	Wohlwend
Culhane	Jaros	McEachern	Rice	Wolcott
Cummiskey	Johnson, D.	McFarlin	Ryan	Mr. Speaker
DeGroat	Johnson, J.	McMillan	St. Onge	
Dieterich	Johnson, R.	Menke	Salchert	

Those who who voted in the negative were:

Patton

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

S. F. No. 2716 was reported to the House.

Johnson, D., and Anderson, I., moved to amend S. F. No. 2716 as follows:

Page 1, line 31, restore the stricken language.

Page 2, line 1, before "by" insert "*January 1, 1975 and December 31, 1975,*".

Page 2, lines 4, 5, and 6, restore the stricken language.

Page 2, line 6, strike "*no moose season shall be held in this state after*".

Page 2, strike line 7.

The motion prevailed and the amendment was adopted.

S. F. No. 2716, A bill for an act relating to game and fish; seasons for taking of moose; amending Minnesota Statutes 1971, Section 100.271, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 100.27, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 80, and nays 36, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kelly	Nelson	Searle
Adams, S.	Enebo	Kempe	Niehaus	Sherwood
Andersen, R.	Erdahl	Klaus	Norton	Skaar
Anderson, D.	Erickson	LaVoy	Ohnstad	Smith
Anderson, G.	Fjoslien	Lemke	Ojala	Spanish
Anderson, I.	Fudro	Lindstrom, E.	Parish	Stangeland
Becklin	Fugina	Long	Patton	Tomlinson
Bell	Hagedorn	Mann	Pavlak, R.	Ulland
Bennett	Haugerud	McCarron	Pehler	Vanasek
Braun	Jacobs	McCauley	Prahl	Vento
Brinkman	Jaros	McEachern	Ryan	Voss
Carlson, B.	Johnson, D.	McMillan	St. Onge	Wenzel
Connors	Johnson, J.	Menke	Salchert	Wigley
Culhane	Johnson, R.	Mueller	Samuelson	Wohlwend
Dahl	Jopp	Munger	Sarna	Wolcott
DeGroat	Jude	Myrah	Schulz	Mr. Speaker

Those who voted in the negative were:

Belisle	Dieterich	Kahn	Miller, M.	Sieben, H.
Berg	Dirlam	Knickerbocker	Moe	Stanton
Berglin	Esau	Kostohryz	Pavlak, R. L.	Swanson
Biersdorf	Faricy	Kvam	Peterson	Weaver
Carlson, A.	Ferderer	Laidig	Pieper	
Casserly	Graw	Lombardi	Resner	
Cleary	Hanson	McArthur	Savelkoul	
Clifford	Heintz	McFarlin	Schreiber	

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

S. F. No. 1900, A bill for an act relating to tax-forfeited land sales; payment for expenses; providing that a greater portion of the receipts from tax-forfeited land sales be paid to the counties to defray expenses; amending Minnesota Statutes 1971, Section 282.226.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Braun	Cleary	DeGroat
Adams, S.	Bell	Brinkman	Clifford	Dieterich
Andersen, R.	Bennett	Carlson, A.	Connors	Dirlam
Anderson, D.	Berg	Carlson, B.	Culhane	Eckstein
Anderson, G.	Berglin	Carlson, L.	Cummiskey	Enebo
Anderson, I.	Biersdorf	Casserly	Dahl	Erdahl

Erickson	Johnson, J.	McArthur	Parish	Sieben, M.
Esau	Johnson, R.	McCarron	Patton	Skaar
Faricy	Jude	McCauley	Pavlak, R.	Smith
Ferderer	Kahn	McEachern	Pavlak, R. L.	Spanish
Fjoslien	Kelly	McFarlin	Peterson	Stanton
Forsythe	Kempe	McMillan	Pieper	Swanson
Fudro	Klaus	Menke	Pleasant	Tomlinson
Fugina	Knickerbocker	Miller, M.	Prahl	Ulland
Graw	Knoll	Moe	Resner	Vanasek
Grove	Kostohryz	Mueller	Rice	Vento
Hagedorn	Kvam	Munger	Ryan	Voss
Hanson	Laidig	Myrah	St. Onge	Weaver
Haugerud	LaVoy	Nelson	Samuelson	Wenzel
Heinitz	Lemke	Newcome	Sarna	Wigley
Hook	Lindstrom, E.	Niehaus	Schreiber	Wohlwend
Jacobs	Lombardi	Norton	Schulz	Wolcott
Jaros	Long	Ohnstad	Sherwood	Mr. Speaker
Johnson, D.	Mann	Ojala	Sieben, H.	

Those who voted in the negative were:

Becklin	Jopp	Pehler	Searle	Stangeland
Carlson, D.	Larson	Savelkoul		

The bill was passed and its title agreed to.

S. F. No. 1887, A bill for an act relating to juvenile court; providing for payment by parents of attorneys fees of court-appointed counsel; amending Minnesota Statutes 1971, Section 260.251, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 111, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kelly	Munger	Schreiber
Adams, S.	Eken	Kempe	Nelson	Schulz
Andersen, R.	Enebo	Klaus	Newcome	Searle
Anderson, G.	Erdahl	Knickerbocker	Niehaus	Sherwood
Anderson, I.	Erickson	Kostohryz	Norton	Sieben, H.
Becklin	Esau	Kvam	Ohnstad	Skaar
Belisle	Faricy	Laidig	Ojala	Smith
Bell	Ferderer	Larson	Parish	Spanish
Bennett	Fjoslien	LaVoy	Patton	Stanton
Biersdorf	Forsythe	Lemke	Pavlak, R.	Swanson
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Fugina	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Graw	Lombardi	Peterson	Vanasek
Carlson, D.	Grove	Long	Pieper	Vento
Carlson, L.	Haugerud	Mann	Pleasant	Wenzel
Casserly	Heinitz	McArthur	Prahl	Wigley
Clifford	Hook	McCauley	Quirin	Wohlwend
Connors	Jacobs	McFarlin	Resner	Wolcott
Culhane	Johnson, D.	McMillan	Ryan	Mr. Speaker
Cummiskey	Johnson, J.	Menke	St. Onge	
Dahl	Johnson, R.	Miller, D.	Samuelson	
DeGroat	Jopp	Miller, M.	Sarna	
Dirlam	Jude	Mueller	Savelkoul	

Those who voted in the negative were:

Dieterich Hanson Jaros Kahn

The bill was passed and its title agreed to.

S. F. No. 423 was reported to the House.

Ojala moved to amend S. F. No. 423 as follows:

Page 1, line 15, strike "nine" and insert in lieu thereof "seven".

Page 1, line 20, strike "Seven" and insert in lieu thereof "Four".

Page 2, line 12, strike "two" and insert in lieu thereof "three".

The motion prevailed and the amendment was adopted.

S. F. No. 423, A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; amending Minnesota Statutes 1971, Section 393.01, Subdivision 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Heinitz	Lombardi	Patton
Adams, S.	Cummiskey	Hook	Long	Pavlak, R.
Andersen, R.	Dahl	Jacobs	Mann	Pavlak, R. L.
Anderson, G.	Dieterich	Jaros	McArthur	Pehler
Anderson, I.	Dirlam	Johnson, D.	McCarron	Peterson
Becklin	Eckstein	Johnson, J.	McCauley	Pieper
Belisle	Eken	Johnson, R.	McEachern	Pleasant
Bell	Enebo	Jopp	McFarlin	Prahl
Bennett	Erdahl	Jude	McMillan	Resner
Berg	Erickson	Kahn	Menke	Rice
Berglin	Esau	Kelly	Miller, M.	Ryan
Biersdorf	Fariy	Kempe	Moe	St. Onge
Braun	Ferderer	Klaus	Mueller	Sarna
Brinkman	Fjoslien	Knickerbocker	Munger	Savelkoul
Carlson, A.	Forsythe	Knoll	Myrah	Schreiber
Carlson, B.	Fudro	Kostohryz	Nelson	Schulz
Carlson, D.	Fugina	Kvam	Newcome	Searle
Carlson, L.	Graw	Laidig	Niehaus	Sherwood
Casserly	Growe	Larson	Norton	Sieben, H.
Cleary	Hagedorn	LaVoy	Ohnstad	Sieben, M.
Clifford	Hanson	Lemke	Ojala	Skaar
Connors	Haugerud	Lindstrom, E.	Parish	Smith

Spanish
Stanton
Swanson

Tomlinson
Ulland
Vanasek

Vento
Voss
Weaver

Wenzel
Wigley
Wohlwend

Wolcott
Mr. Speaker

Those who voted in the negative were:

Anderson, D. DeGroat Stangeland

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

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2046, A bill for an act relating to public welfare; defining certain recipients of assistance; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 9, delete "*Subd. 1.* [UNBORN CHILDREN.]" and insert "*Subd. 5.*"

Page 1, line 11, insert "*the*" before "*unborn*" and strike "*children*".

Page 1, line 13, after "*to*" and before "*unborn*" insert "*the*".

Page 1, line 14, delete "*children*".

Page 1, after line 17, add the following:

"Sec. 2. This act is effective the day following its final enactment."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2760, A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use; appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

Reported the same back with the following amendments:

Page 2, delete lines 17 to 28 and substitute the following:

"Sec. 3. The restriction imposed by Laws 1971, Chapter 864, Section 3, to the appropriation made to the Minneapolis library board by Laws 1973, Chapter 720, Section 43, Subdivision 2, clause j, is hereby rescinded. The appropriation referred to however shall not be used to collect or catalogue unpublished personal papers or manuscripts or records or other material properly in the scope of the duties of the Minnesota historical society or subject to the laws on archives."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3499, A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2046, 2760, and 3499 were read for the second time.

SPECIAL ORDERS

S. F. No. 2865, A bill for an act relating to courts; providing for the salary of county court judges of St. Louis county; amending Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 64, and nays 58, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Bennett	Berglin	Carlson, B.
Andersen, R.	Bell	Berg	Brinkman	Carlson, L.

Casserly	Hanson	Laidig	Nelson	Schulz
Connors	Hook	LaVoy	Norton	Sieben, H.
Cummiskey	Jacobs	Lemke	Ojala	Sieben, M.
Dahl	Jaros	Lindstrom, E.	Parish	Stanton
Dieterich	Johnson, D.	Lombardi	Patton	Tomlinson
Enebo	Johnson, J.	McArthur	Pavlak, R.	Ulland
Faricy	Kahn	McCarron	Pavlak, R. L.	Vento
Forsythe	Kelly	McEachern	Pehler	Weaver
Fudro	Kempe	McFarlin	Resner	Wolcott
Fugina	Knoll	Moe	Ryan	Mr. Speaker
Growe	Kostohryz	Munger	St. Onge	

Those who voted in the negative were:

Adams, S.	Dirlam	Jude	Niehaus	Skaar
Anderson, D.	Erdahl	Klaus	Ohnstad	Smith
Anderson, G.	Erickson	Knickerbocker	Peterson	Spanish
Becklin	Esau	Kvam	Pieper	Stangeland
Belisle	Ferderer	Larson	Pleasant	Swanson
Biersdorf	Fjoslien	Long	Prahl	Vanasek
Braun	Graw	Mann	Samuelson	Voss
Carlson, A.	Hagedorn	McCauley	Sarna	Wenzel
Carlson, D.	Haugerud	McMillan	Savelkoul	Wigley
Cleary	Heinitz	Miller, M.	Schreiber	Wohlwend
Clifford	Johnson, R.	Mueller	Searle	
DeGroat	Jopp	Myrah	Sherwood	

The bill was not passed.

S. F. No. 1985, A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 508.79; and 541.15.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Fugina	Knoll	Moe
Adams, S.	Clifford	Graw	Kostohryz	Mueller
Andersen, R.	Connors	Growe	Kvam	Munger
Anderson, D.	Culhane	Hagedorn	Laidig	Myrah
Anderson, G.	Cummiskey	Hanson	Larson	Nelson
Anderson, I.	Dahl	Haugerud	LaVoy	Newcome
Becklin	DeGroat	Heinitz	Lemke	Niehaus
Belisle	Dieterich	Hook	Lindstrom, E.	Norton
Bell	Dirlam	Jacobs	Lindstrom, J.	Ohnstad
Bennett	Eckstein	Jaros	Lombardi	Ojala
Berg	Eken	Johnson, D.	Long	Parish
Berglin	Enebo	Johnson, J.	Mann	Patton
Biersdorf	Erdahl	Johnson, R.	McArthur	Pavlak, R.
Braun	Erickson	Jopp	McCarron	Pavlak, R. L.
Brinkman	Esau	Jude	McEachern	Pehler
Carlson, A.	Faricy	Kahn	McFarlin	Peterson
Carlson, B.	Ferderer	Kelly	McMillan	Pieper
Carlson, D.	Fjoslien	Kempe	Menke	Pleasant
Carlson, L.	Forsythe	Klaus	Miller, D.	Prahl
Casserly	Fudro	Knickerbocker	Miller, M.	Quirin

Resner	Savelkoul	Skaar	Ulland	Wohlwend
Rice	Schreiber	Smith	Vanasek	Wolcott
Ryan	Schulz	Spanish	Vento	Mr. Speaker
St. Onge	Searle	Stangeland	Voss	
Salchert	Sherwood	Stanton	Weaver	
Samuelson	Sieben, H.	Swanson	Wenzel	
Sarna	Sieben, M.	Tomlinson	Wigley	

Those who voted in the negative were:

McCauley

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. No. 2747; H. F. No. 3415 and S. F. Nos. 3479, 3464, 2842, 734, 2505, 1225, 2975, 707, 2580, and 2621.

Berg, Hagedorn, and Weaver were excused for the remainder of today's session.

SPECIAL ORDERS, Continued

S. F. No. 2295 was reported to the House.

Sieben, H., proposed an amendment to S. F. No. 2295.

POINT OF ORDER

Pursuant to Rule 45b, Klaus raised a point of order that the proposed amendment to S. F. No. 2295 was out of order. The Speaker ruled the point of order well taken.

Sieben, H., proposed a second amendment to S. F. No. 2295.

POINT OF ORDER

Pursuant to Rule 45b, Searle raised a point of order that the proposed amendment to S. F. No. 2295 was out of order. The Speaker ruled the point of order well taken.

Johnson, D.; and Hanson moved to amend S. F. No. 2295, as amended, as follows:

Page 1, line 16, strike "120" and insert "45".

Further amend the title as follows:

Page 1, line 4, after "area;" strike "changing the length of seasons;"

The motion prevailed and the amendment was adopted.

Carlson, D., moved to amend S. F. No. 2295, as amended, as follows:

Page 2, line 1, after "*Duluth*" and before "; *provided*" insert "*except Pine county*".

The motion prevailed and the amendment was adopted.

S. F. No. 2295, A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kelly	Myrah	Savelkoul
Adams, S.	Erdahl	Klaus	Nelson	Schulz
Andersen, R.	Erickson	Knickerbocker	Niehaus	Searle
Anderson, I.	Faricy	Knoll	Norton	Sherwood
Becklin	Ferderer	Kostohryz	Ohnstad	Sieben, H.
Belisle	Fjoslien	Kvam	Ojala	Sieben, M.
Bennett	Forsythe	Laidig	Parish	Skaar
Berg	Fudro	Larson	Patton	Smith
Berglin	Fugina	LaVoy	Pavlak, R.	Spanish
Biersdorf	Graw	Lemke	Pavlak, R. L.	Stangeland
Braun	Growe	Lindstrom, E.	Pehler	Stanton
Brinkman	Hanson	Lombardi	Peterson	Swanson
Carlson, A.	Haugerud	Long	Pieper	Tomlinson
Carlson, B.	Heinitz	Mann	Pleasant	Ulland
Carlson, L.	Hook	McArthur	Prahl	Vanasek
Casserly	Jacobs	McCauley	Quirin	Vento
Clifford	Jaros	McEachern	Resner	Voss
Connors	Johnson, D.	McFarlin	Rice	Wenzel
Culhane	Johnson, J.	McMillan	Ryan	Wigley
Cummiskey	Johnson, R.	Menke	St. Onge	Wohlwend
Dahl	Jopp	Miller, D.	Salchert	Wolcott
Dieterich	Jude	Mueller	Samuelson	Mr. Speaker
Eken	Kahn	Munger	Sarna	

Those who voted in the negative were:

Anderson, D.	Carlson, D.	Diriam	Kempe	Miller, M.
Anderson, G.	DeGroat			

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

S. F. No. 1079 was reported to the House.

Dieterich moved to amend S. F. No. 1079 as follows:

Page 2, line 24, after "clerk." insert the following:

"Sec. 3. *This act is effective as provided by law but shall not affect any improvement or assessment proceedings commenced prior to its effective date.*"

The motion prevailed and the amendment was adopted.

S. F. No. 1079, A bill for an act relating to local improvements; assessment procedures; notice of assessment; amending Minnesota Statutes 1971, Section 429.061, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McEachern	St. Onge
Adams, S.	Dieterich	Johnson, R.	McFarlin	Sarna
Andersen, R.	Dirlam	Jopp	McMillan	Savelkoui
Anderson, G.	Eckstein	Jude	Menke	Schreiber
Anderson, I.	Eken	Kahn	Miller, M.	Schulz
Becklin	Enebo	Kelly	Mueller	Searle
Belisle	Erdahl	Kempe	Munger	Sherwood
Bell	Erickson	Klaus	Nelson	Sieben, H.
Bennett	Esau	Knickerbocker	Newcome	Sieben, M.
Biersdorf	Faricy	Knoll	Niehaus	Skaar
Braun	Ferderer	Kostohryz	Ohnstad	Smith
Brinkman	Fjoslien	Kvam	Ojala	Spanish
Carlson, A.	Forsythe	Laidig	Patton	Stanton
Carlson, B.	Fugina	LaVoy	Pavlak, R.	Tomlinson
Carlson, D.	Graw	Lemke	Pavlak, R. L.	Ulland
Carlson, L.	Growe	Lindstrom, E.	Pehler	Vanasek
Casserly	Hanson	Lindstrom, J.	Peterson	Vento
Clifford	Haugerud	Long	Pieper	Wenzel
Connors	Heinitz	Mann	Prahl	Wigley
Culhane	Jacobs	McArthur	Quirin	Wohlwend
Cummiskey	Jaros	McCarron	Rice	Wolcott
Dahl	Johnson, D.	McCauley	Ryan	Mr. Speaker

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

S. F. No. 2170 was reported to the House.

There being no objection, S. F. No. 2170 was continued on Special Orders for one day.

S. F. No. 1977 was reported to the House.

Schreiber moved to amend S. F. No. 1977 as follows:

Page 1, after line 29, add the following section:

"Section 3. Minnesota Statutes 1971, Section 515.15, is amended to read:

515.15 [RECORDING.] (a) The declaration, any amendment or amendments thereof, any instrument by which the provisions of sections 515.01 to 515.29 may be waived, and every instrument affecting the property or any apartment shall be entitled to be recorded. *The declaration and any amendment or amendments thereto shall be submitted to the platting authority of the governing municipality or other governmental subdivision having jurisdiction for review.* Neither the declaration nor any amendment thereof shall be valid unless duly recorded in the office of the register of deeds or the registrar of titles, as the case may be.

(b) In addition to the records and indexes required to be maintained by the recording officer, the recording officer shall maintain an index or indexes whereby the record of each declaration contains a reference to the record of each conveyance of an apartment affected by such declaration, and the record of each conveyance of an apartment contains a reference to the declaration of the building of which such apartment is a part."

Further amend the title, line 5, after "condominiums;" and before "amending" insert the following: "and requiring local government review;"

Further amend the title in line 7 after "6" and before the period insert "; amending Minnesota Statutes 1971, Section 515.15".

The motion prevailed and the amendment was adopted.

S. F. No. 1977, A bill for an act relating to condominiums; allowing operation of mobile home parks and property used to accommodate mobile homes as condominiums; amending Minnesota Statutes 1971, Section 515.02, Subdivisions 2 and 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Berglin	Carlson, B.	Connors
Adams, S.	Becklin	Biersdorf	Carlson, D.	Culhane
Andersen, R.	Belisle	Braun	Carlson, L.	Cummiskey
Anderson, D.	Bell	Brinkman	Cassery	Dahl
Anderson, G.	Bennett	Carlson, A.	Clifford	DeGroat

Dirlam	Jaros	Lombardi	Parish	Sherwood
Eckstein	Johnson, D.	Long	Patton	Sieben, H.
Eken	Johnson, J.	Mann	Pavlak, R.	Sieben, M.
Enebo	Johnson, R.	McArthur	Pavlak, R. L.	Skaar
Erdahl	Jopp	McCauley	Pehler	Smith
Erickson	Jude	McEachern	Peterson	Spanish
Esau	Kahn	McFarlin	Pieper	Stangeland
Faricy	Kelly	McMillan	Pleasant	Stanton
Ferderer	Kempe	Menke	Prahl	Swanson
Fjoslien	Klaus	Miller, D.	Quirin	Tomlinson
Forsythe	Knickerbocker	Miller, M.	Resner	Ulland
Fudro	Knoll	Moe	Rice	Vanasek
Fugina	Kostohryz	Mueller	Ryan	Vento
Graw	Kvam	Munger	St. Onge	Voss
Grove	Laidig	Myrah	Salchert	Wenzel
Hanson	Larson	Nelson	Samuelson	Wigley
Haugerud	LaVoy	Niehaus	Sarna	Wohlwend
Heinitz	Lemke	Norton	Savelkoul	Wolcott
Hook	Lindstrom, E.	Ohnstad	Schreiber	Mr. Speaker
Jacobs	Lindstrom, J.	Ojala	Schulz	

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

H. F. No. 1405 was reported to the House.

There being no objection, H. F. No. 1405 was continued on Special Orders for one day.

S. F. No. 2177 was reported to the House.

Rice moved to amend S. F. No. 2177 as follows:

Page 2, line 1, strike the figure "90" and insert in lieu thereof the figure "30".

The motion prevailed and the amendment was adopted.

S. F. No. 2177, A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; providing for notice to affected municipalities and political subdivisions; amending Minnesota Statutes 1971, Section 257.101, by adding subdivisions.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Becklin	Biersdorf	Carlson, L.	Dahl
Adams, S.	Belisle	Braun	Casserly	Dieterich
Andersen, R.	Bell	Brinkman	Clifford	Dirlam
Anderson, D.	Bennett	Carlson, A.	Connors	Eckstein
Anderson, G.	Berg	Carlson, B.	Culhane	Eken
Anderson, I.	Berglin	Carlson, D.	Cummiskey	Enebo

Erdahl	Jopp	Mann	Pavlak, R. L.	Sieben, H.
Erickson	Jude	McArthur	Pehler	Sieben, M.
Esau	Kahn	McCauley	Peterson	Skaar
Faricy	Kelly	McEachern	Pieper	Spanish
Ferderer	Kempe	McFarlin	Prahl	Stangeland
Forsythe	Klaus	McMillan	Quirin	Stanton
Fugina	Knickerbocker	Menke	Resner	Swanson
Graw	Knoll	Miller, D.	Rice	Tomlinson
Grove	Kostohryz	Miller, M.	Ryan	Ulland
Hanson	Kvam	Moe	St. Onge	Vanasek
Haugerud	Laidig	Mueller	Salchert	Vento
Heinitz	Larson	Munger	Samuelson	Voss
Hook	LaVoy	Nelson	Sarna	Wenzel
Jacobs	Lemke	Niehaus	Savelkoul	Wigley
Jaros	Lindstrom, E.	Norton	Schreiber	Wohlwend
Johnson, D.	Lindstrom, J.	Ohnstad	Schulz	Wolcott
Johnson, J.	Lombardi	Ojala	Searle	Mr. Speaker
Johnson, R.	Long	Patton	Sherwood	

Those who voted in the negative were:

Pavlak, R.

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

Carlson, B.; Cleary; McCarron; Newcome; Savelkoul; and Smith were excused for the remainder of today's session.

S. F. No. 2128 was reported to the House.

Connors moved to amend S. F. No. 2128 as follows:

Page 1, line 14, strike "and attending a nonpublic school" and insert "one mile or more from a nonpublic school actually attended".

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 2128, as amended, was continued on Special Orders for one day.

S. F. No. 2747, A bill for an act relating to children; requiring the court to consider the best interests of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berglin	Ferderer	Knickerbocker	Myrah	Schulz
Biersdorf	Fjoslien	Knoll	Nelson	Searle
Braun	Forsythe	Kostohryz	Niehaus	Sherwood
Brinkman	Fudro	Kvam	Norton	Sieben, H.
Carlson, A.	Graba	Laidig	Ohnstad	Sieben, M.
Carlson, D.	Graw	Larson	Parish	Skaar
Carlson, L.	Growe	LaVoy	Patton	Spanish
Casserly	Hanson	Lemke	Pavlak, R.	Stanton
Clifford	Haugerud	Lindstrom, E.	Pavlak, R. L.	Swanson
Connors	Heinitz	Lombardi	Pehler	Tomlinson
Culhane	Hook	Long	Peterson	Ulland
Cummiskey	Jacobs	Mann	Pieper	Vanasek
Dahl	Jaros	McArthur	Pleasant	Vento
DeGroat	Johnson, D.	McCauley	Prahl	Voss
Dirlam	Johnson, J.	McEachern	Quirin	Wenzel
Eckstein	Johnson, R.	McFarlin	Resner	Wigley
Eken	Jopp	McMillan	Rice	Wohlwend
Enebo	Jude	Menke	Ryan	Wolcott
Erdahl	Kahn	Miller, M.	St. Onge	Mr. Speaker
Erickson	Kelly	Moe	Samuelson	
Esau	Kempe	Mueller	Sarna	
Faricy	Klaus	Munger	Schreiber	

Those who voted in the negative were:

Fugina Ojala

The bill was passed and its title agreed to.

H. F. No. 3415, A resolution memorializing the United States Congress to take actions in respect to reorganization of field offices of the United States Department of Agriculture.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Haugerud	LaVoy	Norton
Andersen, R.	Dahl	Heinitz	Lemke	Ohnstad
Anderson, D.	DeGroat	Hook	Lindstrom, E.	Ojala
Anderson, G.	Dieterich	Jacobs	Lindstrom, J.	Parish
Anderson, I.	Dirlam	Jaros	Lombardi	Patton
Becklin	Eckstein	Johnson, D.	Long	Pavlak, R.
Belisle	Eken	Johnson, J.	Mann	Pavlak, R. L.
Bell	Enebo	Johnson, R.	McArthur	Pehler
Bennett	Erdahl	Jopp	McCauley	Peterson
Berglin	Erickson	Jude	McEachern	Pieper
Biersdorf	Esau	Kahn	McFarlin	Pleasant
Braun	Faricy	Kelly	McMillan	Prahl
Brinkman	Ferderer	Kempe	Menke	Quirin
Carlson, A.	Fjoslien	Klaus	Miller, M.	Resner
Carlson, D.	Forsythe	Knickerbocker	Moe	Rice
Carlson, L.	Fudro	Knoll	Mueller	Ryan
Casserly	Fugina	Kostohryz	Munger	St. Onge
Clifford	Graba	Kvam	Myrah	Sarna
Connors	Growe	Laidig	Nelson	Schreiber
Culhane	Hanson	Larson	Niehaus	Schulz

Searle	Skaar	Swanson	Vento	Wohlwend
Sherwood	Spanish	Tomlinson	Voss	Wolcott
Sieben, H.	Stangeland	Ulland	Wenzel	Mr. Speaker
Sieben, M.	Stanton	Vanasek	Wigley	

The bill was passed and its title agreed to.

S. F. No. 3479, A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, re-establish the bracero program.

The bill was read for the third time and placed upon its final passage:

The question being taken on the passage of the bill and the roll being called, there were yeas 95, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Faricy	Kelly	Munger	Sarna
Andersen, R.	Ferderer	Knickerbocker	Myrah	Schulz
Anderson, I.	Fudro	Knoll	Nelson	Sherwood
Belisle	Fugina	Kostohryz	Norton	Sieben, H.
Bell	Graba	Kvam	Ojala	Sieben, M.
Bennett	Graw	Laidig	Parish	Skaar
Berglin	Growe	LaVoy	Patton	Stangeland
Braun	Hanson	Lemke	Pavlak, R.	Stanton
Brinkman	Haugerud	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Heinitz	Lindstrom, J.	Pehler	Tomlinson
Carlson, L.	Hook	Lombardi	Peterson	Ulland
Casserly	Jacobs	Mann	Pieper	Vanasek
Clifford	Jaros	McArthur	Pleasant	Vento
Connors	Johnson, C.	McCauley	Prahl	Voss
Cummiskey	Johnson, D.	McFarlin	Quirin	Wenzel
Dahl	Johnson, J.	McMillan	Resner	Wigley
Dieterich	Jopp	Menke	Rice	Wohlwend
Eken	Jude	Miller, M.	Ryan	Wolcott
Enebo	Kahn	Moe	St. Onge	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Dirlam	Esau	Long	Searle
Becklin	Erdahl	Klaus	Niehaus	
Carlson, D.	Erickson	Larson	Ohnstad	

The bill was passed and its title agreed to.

Ferderer was excused for the remainder of today's session.

S. F. No. 3464 was reported to the House.

Hanson moved to amend S. F. No. 3464 as follows:

Page 1, lines 16, 17 and 18, strike all the new language in the lines.

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

S. F. No. 3464, A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 97, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Erickson	Kelly	Mueller	Schreiber
Anderson, D.	Esau	Klaus	Myrah	Schulz
Anderson, G.	Fjoslien	Kostohryz	Nelson	Searle
Anderson, I.	Forsythe	Kvam	Niehaus	Sieben, M.
Becklin	Fudro	Laidig	Ohnstad	Skaar
Belisle	Fugina	Larson	Ojala	Spanish
Biersdorf	Graba	LaVoy	Parish	Stangeland
Braun	Graw	Lemke	Patton	Stanton
Brinkman	Grove	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, D.	Haugerud	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Clifford	Heinitz	Lombardi	Pehler	Vanasek
Connors	Hook	Long	Peterson	Voss
Culhane	Jacobs	Mann	Pieper	Wenzel
Dahl	Jaros	McArthur	Pleasant	Wigley
DeGroat	Johnson, C.	McCauley	Prahl	Wohlwend
Dirlam	Johnson, D.	McEachern	Quirin	Wolcott
Eckstein	Johnson, J.	McFarlin	Ryan	Mr. Speaker
Eken	Johnson, R.	McMillan	St. Onge	
Enebo	Jopp	Menke	Sarna	
Erdahl	Jude	Miller, M.	Savelkoul	

Those who voted in the negative were:

Andersen, R.	Carlson, L.	Kahn	Munger	Sieben, H.
Bennett	Dieterich	Knickerbocker	Norton	Ulland
Berglin	Faricy	Knoll	Resner	Vento
Carlson, A.	Hanson	Moe	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 2842, A bill for an act relating to public health; authorizing school nurses and other qualified persons to take throat cultures for the purpose of detecting streptococcus infections.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	McMillan	St. Onge
Andersen, R.	Dirlam	Johnson, J.	Menke	Sarna
Anderson, D.	Eckstein	Johnson, R.	Miller, M.	Schreiber
Anderson, G.	Eken	Jopp	Munger	Schulz
Anderson, I.	Enebo	Jude	Myrah	Searle
Becklin	Erdahl	Kahn	Nelson	Sherwood
Belisle	Erickson	Kelly	Niehaus	Sieben, H.
Bell	Esau	Kempe	Norton	Sieben, M.
Bennett	Faricy	Klaus	Ohnstad	Skaar
Berglin	Fjoslien	Knickerbocker	Ojala	Spanish
Biersdorf	Forsythe	Knoll	Parish	Stangeland
Braun	Fudro	Kostohryz	Patton	Stanton
Brinkman	Fugina	Laidig	Pavlak, R.	Swanson
Carlson, A.	Graba	LaVoy	Pavlak, R. L.	Tomlinson
Carlson, D.	Graw	Lemke	Pehler	Vanasek
Carlson, L.	Growe	Lindstrom, E.	Peterson	Vento
Casserly	Hanson	Lindstrom, J.	Pieper	Voss
Clifford	Haugerud	Lombardi	Pleasant	Wenzel
Connors	Heinitz	Long	Prahl	Wigley
Culhane	Hook	Mann	Quirin	Wohlwend
Cummiskey	Jacobs	McArthur	Resner	Wolcott
Dahl	Jaros	McCauley	Rice	Mr. Speaker
DeGroat	Johnson, C.	McFarlin	Ryan	

Those who voted in the negative were:

Larson Ulland

The bill was passed and its title agreed to.

S. F. No. 734 was reported to the House.

There being no objection, S. F. No. 734 was continued on Special Orders for one day.

S. F. No. 2505 was reported to the House.

There being no objection, S. F. No. 2505 was continued on Special Orders for one day.

S. F. No. 1225, A bill for an act relating to corrections; regulating communication between inmates and the news media.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 91, and nays 17, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Braun	Clifford	Dieterich
Andersen, R.	Bell	Brinkman	Connors	Dirlam
Anderson, D.	Bennett	Carlson, A.	Culhane	Eckstein
Anderson, I.	Berglin	Carlson, L.	Dahl	Eken
Becklin	Biersdorf	Casserly	DeGroat	Enebo

Faricy	Jopp	McEachern	Pieper	Swanson
Forsythe	Jude	McFarlin	Quirin	Tomlinson
Fudro	Kahn	McMillan	Resner	Ulland
Fugina	Kelly	Menke	Rice	Vanasek
Growe	Knickerbocker	Moe	Ryan	Vento
Hanson	Knoll	Munger	St. Onge	Voss
Haugerud	Kostohryz	Myrah	Sarna	Wenzel
Heinitz	Kvam	Nelson	Schreiber	Wohlwend
Hook	Laidig	Norton	Schulz	Wolcott
Jacobs	LaVoy	Ojala	Sherwood	Mr. Speaker
Jaros	Lemke	Parish	Sieben, H.	
Johnson, C.	Lombardi	Patton	Sieben, M.	
Johnson, D.	Mann	Pehler	Spanish	
Johnson, J.	McArthur	Peterson	Stanton	

Those who voted in the negative were:

Erdahl	Johnson, R.	Lindstrom, J.	Prahl	Wigley
Erickson	Kempe	Long	Searle	
Esau	Klaus	Miller, M.	Skaar	
Fjoslien	Larson	Pavlak, R.	Stangeland	

The bill was passed and its title agreed to.

S. F. No. 2975 was reported to the House.

Pavlak, R. L., moved to amend S. F. No. 2975 as follows:

Page 1, line 18, after "bridges." insert "The bonds shall not be issued before January 1, 1975."

Page 2, line 9, after "by" delete "the" and insert in lieu thereof "four fifths of the entire".

The motion prevailed and the amendment was adopted.

S. F. No. 2975, A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for county road and bridge purposes.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Berglin	Culhane	Erdahl	Growe
Andersen, R.	Braun	Cummiskey	Erickson	Hanson
Anderson, D.	Brinkman	Dahl	Faricy	Haugerud
Anderson, G.	Carlson, A.	DeGroat	Fjoslien	Heinitz
Anderson, I.	Carlson, D.	Dieterich	Forsythe	Hook
Becklin	Carlson, L.	Dirlam	Fudro	Jacobs
Belisle	Casserly	Eckstein	Fugina	Jaros
Bell	Clifford	Eken	Graba	Johnson, C.
Bennett	Connors	Enebo	Graw	Johnson, D.

Johnson, J.	Lemke	Munger	Prahl	Skaar
Johnson, R.	Lindstrom, E.	Myrah	Quirin	Spanish
Jopp	Lindstrom, J.	Nelson	Resner	Stanton
Jude	Lombardi	Niehaus	Rice	Swanson
Kahn	Long	Norton	Ryan	Tomlinson
Kelly	Mann	Ohnstad	St. Onge	Ulland
Kempe	McArthur	Ojala	Samuelson	Vanasek
Knickerbocker	McCauley	Parish	Sarna	Vento
Knoll	McEachern	Patton	Schreiber	Voss
Kostohryz	McFarlin	Pavlak, R.	Schulz	Wenzel
Kvam	McMillan	Pavlak, R. L.	Searle	Wigley
Laidig	Menke	Pehler	Sherwood	Wohlwend
Larson	Miller, M.	Peterson	Sieben, H.	Wolcott
LaVoy	Moe	Pieper	Sieben, M.	Mr. Speaker

Those who voted in the negative were:

Klaus

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

S. F. No. 707, A bill for an act relating to tort liability; political subdivisions; defining notice; extending time for notice of claims and eliminating notice requirements for intentional torts and vehicular accidents; amending Minnesota Statutes 1971, Section 466.05.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	McFarlin	St. Onge
Andersen, R.	Eckstein	Jopp	McMillan	Samuelson
Anderson, D.	Eken	Jude	Menke	Sarna
Anderson, G.	Enebo	Kahn	Miller, M.	Schreiber
Anderson, I.	Erdahl	Kelly	Moe	Schulz
Becklin	Erickson	Kempe	Munger	Searle
Belisle	Esau	Klaus	Myrah	Sherwood
Bell	Faricy	Knickerbocker	Nelson	Sieben, H.
Bennett	Fjoslien	Knoll	Niehaus	Sieben, M.
Berglin	Forsythe	Kostohryz	Norton	Skaar
Biersdorf	Fudro	Kvam	Ohnstad	Stangeland
Braun	Fugina	Laidig	Ojala	Stanton
Brinkman	Graba	Larson	Parish	Swanson
Carlson, A.	Graw	LaVoy	Patton	Tomlinson
Carlson, D.	Growe	Lemke	Pavlak, R.	Ulland
Carlson, L.	Hanson	Lindstrom, E.	Pavlak, R. L.	Vanasek
Clifford	Haugerud	Lindstrom, J.	Pehler	Vento
Connors	Heinitz	Lombardi	Peterson	Voss
Culhane	Hook	Long	Pieper	Wenzel
Cummiskey	Jacobs	Mann	Quirin	Wigley
Dahl	Jaros	McArthur	Resner	Wohlwend
DeGroat	Johnson, D.	McCauley	Rice	Wolcott
Dieterich	Johnson, J.	McEachern	Ryan	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2580 was reported to the House.

There being no objection, S. F. No. 2580 was continued on Special Orders for one day.

S. F. No. 2621, A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes 1971, Section 326.20, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	McFarlin	St. Onge
Andersen, R.	Eckstein	Jopp	McMillan	Salchert
Anderson, D.	Eken	Jude	Menke	Samuelson
Anderson, G.	Enebo	Kahn	Miller, D.	Sarna
Anderson, I.	Erdahl	Kelly	Miller, M.	Schreiber
Becklin	Erickson	Kempe	Moe	Schulz
Belisle	Esau	Klaus	Munger	Sherwood
Bell	Faricy	Knickerbocker	Nelson	Sieben, H.
Bennett	Fjoslien	Knoll	Niehau	Sieben, M.
Berglin	Forsythe	Kostohryz	Norton	Skaar
Biersdorf	Fudro	Kvam	Ohnstad	Spanish
Braun	Fugina	Laidig	Ojala	Stangeland
Brinkman	Graba	Larson	Parish	Stanton
Carlson, A.	Graw	LaVoy	Patton	Swanson
Carlson, D.	Growe	Lemke	Pavlak, R.	Tomlinson
Carlson, L.	Hanson	Lindstrom, E.	Pavlak, R. L.	Ulland
Casserly	Haugerud	Lindstrom, J.	Pehler	Vanasek
Clifford	Heinitz	Lombardi	Peterson	Vento
Connors	Hook	Long	Pieper	Wenzel
Culhane	Jacobs	Mann	Prahl	Wigley
Cummiskey	Jarus	McArthur	Quirin	Wohlwend
Dahl	Johnson, C.	McCauley	Resner	Wolcott
DeGroat	Johnson, D.	McEachern	Rice	Mr. Speaker

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. 2621: S. F. Nos. 3355, 3408, 3477, 1879, 3008, and 1483.

S. F. No. 3355 was reported to the House.

There being no objection, S. F. No. 3355 was continued on Special Orders for one day.

S. F. No. 3408, A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Menke	Sarna
Andersen, R.	Eckstein	Jude	Miller, M.	Schreiber
Anderson, D.	Eken	Kahn	Moe	Searle
Anderson, G.	Enebo	Kelly	Munger	Sherwood
Anderson, I.	Erdahl	Kempe	Myrah	Sieben, H.
Becklin	Erickson	Klaus	Nelson	Sieben, M.
Belisle	Esau	Knickerbocker	Niehaus	Skaar
Bell	Faricy	Knoll	Norton	Spanish
Bennett	Fjoslien	Kostohryz	Ohnstad	Stangeland
Berglin	Forsythe	Kvam	Ojala	Stanton
Biersdorf	Fudro	Laidig	Patton	Swanson
Braun	Fugina	Larson	Pavlak, R.	Tomlinson
Brinkman	Graba	LaVoy	Pavlak, R. L.	Ulland
Carlson, A.	Graw	Lemke	Pehler	Vanasek
Carlson, D.	Growe	Lindstrom, E.	Peterson	Vento
Carlson, L.	Hanson	Lindstrom, J.	Pieper	Wenzel
Casserly	Haugerud	Lombardi	Prahl	Wigley
Clifford	Heinitz	Long	Quirin	Wohlwend
Connors	Hook	Mann	Resner	Wolcott
Culhane	Jacobs	McArthur	Rice	Mr. Speaker
Cummiskey	Jaros	McCauley	Ryan	
Dahl	Johnson, C.	McEachern	St. Onge	
DeGroat	Johnson, D.	McFarlin	Salchert	
Dieterich	Johnson, J.	McMillan	Samuelson	

The bill was passed and its title agreed to.

S. F. No. 3477 was reported to the House.

There being no objection, S. F. No. 3477 was continued on Special Orders for one day.

Johnson, R., was excused for the remainder of today's session.

S. F. No. 1879, A bill for an act relating to insurance; licensing and regulation of insurance premium finance companies; granting rule-making authority; and providing penalties.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 110, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McFarlin	Ryan
Andersen, R.	Dieterich	Jopp	McMillan	St. Onge
Anderson, D.	Dirlam	Jude	Menke	Samuelson
Anderson, G.	Eckstein	Kahn	Miller, M.	Sarna
Anderson, I.	Enebo	Kelly	Moe	Schreiber
Becklin	Erdahl	Kempe	Munger	Schulz
Belisle	Erickson	Klaus	Myrah	Searle
Bell	Esau	Knickerbocker	Nelson	Sherwood
Bennett	Fjoslien	Knoll	Niehaus	Sieben, H.
Bermlin	Forsythe	Kostohryz	Norton	Sieben, M.
Biersdorf	Fudro	Kvam	Ohnstad	Skaar
Braun	Fugina	Laidig	Ojala	Spanish
Brinkman	Graba	Larson	Parish	Stangeland
Carlson, A.	Graw	Lemke	Patton	Stanton
Carlson, D.	Growe	Lindstrom, E.	Paviak, R.	Swanson
Carlson, L.	Haugerud	Lindstrom, J.	Paviak, R. L.	Tomlinson
Casserly	Heinitz	Lombardi	Pehler	Ulland
Clifford	Hook	Long	Peterson	Wenzel
Connors	Jacobs	Mann	Pieper	Wigley
Culhane	Jaros	McArthur	Quirin	Wohlwend
Cummiskey	Johnson, C.	McCauley	Resner	Wolcott
Dahl	Johnson, D.	McEachern	Rice	Mr. Speaker

Those who voted in the negative were:

Prahl Vento

The bill was passed and its title agreed to.

S. F. No. 3008 was reported to the House.

Parish moved to amend S. F. No. 3008 as follows:

Page 2, after line 22, insert the following:

“Sec. 8. [LEASE, OPTION, OR AGREEMENT; SUBJECT TO APPROVAL.] Any lease, or option, or agreement to purchase real estate to carry out the purposes of this act shall be effective only after being approved by the legislative retirement study commission.”.

Renumber the remaining section accordingly.

The motion prevailed and the amendment was adopted.

There being no objection, S. F. No. 3008, as amended, was continued on Special Orders for one day.

S. F. No. 1483, A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending

Minnesota Statutes, 1973 Supplement, Sections 514.01; and 514.05.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 84, and nays 26, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kempe	Munger	Schreiber
Andersen, R.	Faricy	Klaus	Myrah	Schulz
Anderson, G.	Fjoslien	Knickerbocker	Nelson	Searle
Anderson, I.	Fudro	Knoll	Norton	Sherwood
Becklin	Graba	Laidig	Ojala	Sieben, H.
Belisle	Growe	LaVoy	Parish	Sieben, M.
Berglin	Hanson	Lemke	Pavlak, R.	Spanish
Biersdorf	Haugerud	Lindstrom, E.	Pavlak, R. L.	Stangeland
Brinkman	Heinitz	Lindstrom, J.	Peterson	Stanton
Carlson, A.	Hook	Lombardi	Pieper	Tomlinson
Carlson, L.	Jacobs	Mann	Prahl	Ulland
Casserly	Jaros	McArthur	Quirin	Vanasek
Clifford	Johnson, C.	McEachern	Resner	Wenzel
Connors	Johnson, D.	McMillan	Rice	Wigley
Culhane	Johnson, J.	Menke	Ryan	Wolcott
Cummiskey	Jopp	Miller, M.	St. Onge	Mr. Speaker
Dahl	Jude	Moe	Samuelson	

Those who voted in the negative were:

Anderson, D.	Eken	Graw	Niehaus	Vento
Bell	Erdahl	Kahn	Ohnstad	Wohlwend
DeGroat	Erickson	Kostohryz	Patton	
Dieterich	Esau	Larson	Pehler	
Dirlam	Forsythe	Long	Skaar	
Eckstein	Fugina	McCauley	Swanson	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued in sequence on Special Orders for Wednesday, March 20, 1974, immediately following the Consent Calendar. The motion prevailed.

UNANIMOUS CONSENT

Niehaus requested unanimous consent to offer a motion. The request was granted.

Niehaus moved that S. F. No. 734 be unofficially engrossed and be reprinted for the House. The motion prevailed.

ADJOURNMENT.

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, March 20, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, March 20, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 20, 1974

The House convened at 11:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Jopp	Moe	Savelkoul
Adams, S.	Dirlam	Jude	Mueller	Schreiber
Andersen, R.	Eckstein	Kahn	Munger	Schulz
Anderson, D.	Eken	Kelly	Myrah	Searle
Anderson, G.	Enebo	Kempe	Nelson	Sherwood
Anderson, I.	Erdahl	Klaus	Newcome	Sieben, H.
Becklin	Erickson	Knickerbocker	Niehaus	Sieben, M.
Belisle	Esau	Knoll	Norton	Skaar
Bell	Faricy	Kostohryz	Ohnstad	Smith
Bennett	Ferderer	Kvam	Ojala	Spanish
Berg	Fjoslien	Laidig	Parish	Stangeland
Berglin	Forsythe	Larson	Patton	Stanton
Biersdorf	Fugina	LaVoy	Pavlak, R.	Swanson
Braun	Graba	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Graw	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Growe	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Hagedorn	Lombardi	Pieper	Vento
Carlson, D.	Hanson	Long	Pleasant	Voss
Carlson, L.	Haugerud	McArthur	Prahl	Weaver
Casserly	Heinitz	McCarron	Quirin	Wenzel
Cleary	Hook	McCauley	Resner	Wigley
Clifford	Jacobs	McEachern	Rice	Wohlwend
Connors	Jaros	McFarlin	Ryan	Wolcott
Culhane	Johnson, C.	McMillan	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	Menke	Salchert	
Dahl	Johnson, J.	Miller, D.	Samuelson	
DeGroat	Johnson, R.	Miller, M.	Sarna	

A quorum was present.

Mann was excused until 12:30 p.m. Fudro was excused until 2:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. McFarlin, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 3561, 452, 2046, 2760, 3164, and 3499 and S. F. No. 3270 have been placed in the members' files.

UNANIMOUS CONSENT

Knoll requested unanimous consent to offer a motion. The request was granted.

Knoll moved that S. F. No. 3036 be recalled from the Senate for further consideration by the House. The motion prevailed.

Dahl requested unanimous consent to offer a motion. The request was granted.

Dahl moved that S. F. No. 3271 be recalled from the Senate for further consideration by the House. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3285, A bill for an act relating to the Gillette hospital authority; appropriating money for construction of hospital facilities.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

“Section 1. [250.06] [APPROPRIATION FROM MINNESOTA STATE BUILDING FUND.] The sum of \$3,900,000, or so much thereof as may be necessary, is appropriated to the Gillette hospital authority from the Minnesota state building fund in accordance with the provisions of section 6.30, for the acquisition and betterment of land, buildings, and other capital improvements needed to provide new facilities for the Gillette children's hospital in conjunction with the Ramsey county hospital. The commissioner of finance and state treasurer are authorized to disburse these funds upon requisition of the board of directors of the authority.

Sec. 2. [250.07] [MINNESOTA STATE BUILDING BOND ISSUE.] For the purpose of providing the money appropriated in section 1 the commissioner of finance is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$3,900,000 and disburse the proceeds thereof in the manner and upon the terms and conditions prescribed by sections 6.30 to 6.33 and by the Constitution, Article IX, Section 6.

Sec. 3. The appropriation herein is supplemental to that contained in Laws 1973, Chapter 778, Section 2, Subdivision 2(2), and is not subject to any limitation contained therein.

Sec. 4. This act shall become effective on the day following final enactment.”.

Further amend by striking the title in its entirety and substituting in lieu thereof the following:

“A bill for an act appropriating money and authorizing the issuance of Minnesota state building bonds for the acquisition and betterment of public land, buildings, and capital improvements needed to provide facilities for Gillette children’s hospital in conjunction with the Ramsey county hospital.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3382, A bill for an act relating to beauticians; changing certain regulating provisions; amending Minnesota Statutes 1971, Sections 155.02, Subdivision 2; 155.06, Subdivision 1; 155.08; 155.09, Subdivisions 3 and 5, and by adding a subdivision; 155.11, Subdivisions 1, 2 and 6.

Reported the same back with the following amendments:

Page 1, delete lines 11 to 26.

Page 5, line 23, reinstate the stricken “\$250” and strike “\$100”.

Renumber the sections in sequence.

Further, amend the title in line 5 by deleting “155.02, Subdivision 2;”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2949, A bill for an act relating to time; providing that the state of Minnesota shall observe standard time during the months of November, December, January and February;

amending Minnesota Statutes 1971, Section 645.071, Subdivision 1; repealing Minnesota Statutes 1971, Section 645.071, Subdivision 2.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2639, A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2640, A bill for an act relating to courts; allowance of costs and disbursements in the supreme court.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3301, A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3088, A bill for an act relating to courts, Ramsey and Chisago counties; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281;

488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 484.18, Subdivision 3; 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9 and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3285, 3382, and 2949 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2639, 2640, 3301, and 3088 were read for the second time.

INTRODUCTION OF BILLS

Prahl and Anderson, I., introduced:

H. F. No. 3718, A bill for an act relating to the fire department relief association of the city of Grand Rapids; amending Laws 1971, Chapter 233, Section 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Pieper introduced:

H. F. No. 3719, A bill for an act relating to the state board of investment; prohibiting the voting of stock controlled by the board.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Fugina; Anderson, I.; Berglin; and Munger introduced:

H. F. No. 3720, A bill for an act relating to counties; requiring counties to furnish legal services to poor persons; state to provide partial reimbursement; appropriating money.

The bill was read for the first time and referred to the Committee on Judiciary.

Prahl and Anderson, I., introduced:

H. F. No. 3721, A bill for an act relating to Itasca county; proceeds from sale or rental of forfeited land; increasing the expenditure allowed for certain purposes; amending Laws 1965, Chapter 326, Section 1, Subdivision 5.

The bill was read for the first time and referred to the Committee on Local Government.

Ferderer and Carlson, A., introduced:

H. F. No. 3722, A bill for an act relating to the organization and operation of state government; creating a department of community assistance and development; defining its powers and duties; transferring certain powers of the state planning agency and the department of economic development to the department of community assistance and development; appointing the commissioner of community assistance and development chairman of the Minnesota municipal commission; appropriating money; amending Minnesota Statutes 1971, Sections 4.10; 4.12, Subdivision 1; 4.13; 301.75; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 414.01, Subdivisions 1, 2, 3, 4, 5, 6a, 7a, and 8; 462.425, Subdivision 4; 462.426, Subdivision 4; 462.428, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; and 362.40, Subdivisions 9 and 10; repealing Minnesota Statutes 1971, Sections 4.11, Subdivision 7; 4.12, Subdivisions 3, 4 and 5; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12; 362.121; 362.125; 362.13; 362.15; 362.16; 362.17; 362.18; 362.19; 362.20; 362.23; and 414.01, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2011, A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ulland moved that the House refuse to concur in the Senate amendments to H. F. No. 2011, that the Speaker appoint a Con-

ference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 45, and nays 65, as follows:

Those who voted in the affirmative were:

Andersen, R.	Clifford	Graw	LaVoy	Pehler
Becklin	DeGroat	Heinitz	Lindstrom, E.	Pieper
Belisle	Dirlam	Hook	Lombardi	Pleasant
Bell	Erdahl	Johnson, R.	Long	Schreiber
Bennett	Erickson	Klaus	McCauley	Skaar
Brinkman	Esau	Knickerbocker	Newcome	Stangeland
Carlson, A.	Ferderer	Kvam	Niehaus	Ulland
Carlson, D.	Fjoslien	Laidig	Ohnstad	Weaver
Cleary	Forsythe	Larson	Patton	Wolcott

Those who voted in the negative were:

Adams, J.	Eckstein	Jude	Munger	Schulz
Anderson, D.	Enebo	Kahn	Nelson	Sieben, M.
Anderson, G.	Faricy	Kelly	Ojala	Smith
Anderson, I.	Fugina	Knoll	Parish	Spanish
Biersdorf	Graba	Lemke	Pavlak, R.	Stanton
Braun	Growe	Lindstrom, J.	Peterson	Swanson
Carlson, B.	Hanson	McCarron	Prahl	Vanasek
Carlson, L.	Haugerud	McEachern	Quirin	Vento
Casserly	Jacobs	McMillan	Resner	Voss
Connors	Jaros	Menke	Rice	Wenzel
Culhane	Johnson, C.	Miller, D.	Ryan	Wigley
Cummiskey	Johnson, D.	Miller, M.	Samuelson	Wohlwend
Dieterich	Jopp	Moe	Sarna	Mr. Speaker

The motion did not prevail.

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 2011 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2011, A bill for an act relating to St. Louis county; authorizing tax levies for capital improvements and road and bridge purposes in excess of certain existing levy limits; establishing levy limits for capital improvements and road and bridge levies; authorizing the issuance of general obligation bonds in lieu of increased levies for road and bridge purposes.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 77, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Ojala	Sieben, M.
Anderson, D.	Dirlam	Kelly	Parish	Smith
Anderson, G.	Eckstein	Knoll	Patton	Spanish
Anderson, I.	Enebo	LaVoy	Pehler	Stangeland
Berg	Faricy	Lemke	Peterson	Stanton
Biersdorf	Fugina	McArthur	Prahl	Swanson
Braun	Graba	McCarron	Quirin	Vanasek
Brinkman	Growe	McEachern	Resner	Vento
Carlson, B.	Hanson	Menke	Rice	Wenzel
Carlson, D.	Haugerud	Miller, D.	Ryan	Wigley
Carlson, L.	Jacobs	Miller, M.	St. Onge	Wohlwend
Cassery	Jaros	Moe	Samuelson	Wolcott
Connors	Johnson, C.	Mueller	Sarna	Mr. Speaker
Culhane	Johnson, D.	Munger	Schreiber	
Cummiskey	Johnson, J.	Nelson	Schulz	
Dahl	Jude	Newcome	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Clifford	Hook	Lindstrom, E.	Pleasant
Andersen, R.	DeGroat	Johnson, R.	Lombardi	Savelkoul
Becklin	Erdahl	Jopp	Long	Skaar
Belisle	Erickson	Klaus	McCauley	Ulland
Bell	Esau	Knickerbocker	Niehaus	Weaver
Bennett	Ferderer	Kvam	Ohnstad	
Carlson, A.	Fjoslien	Laidig	Pavlak, R.	
Cleary	Graw	Larson	Pieper	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Knoll moved that the House refuse to concur in the Senate amendments to H. F. No. 2950, that the Speaker appoint a Con-

ference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3035, A bill for an act relating to mass transit; improving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

The Senate has appointed as such committee Messrs. Chenoweth, Gearty, Doty, Schaaf and Kirchner.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The Senate has appointed as such committee Messrs. Coleman, Krieger and Conzemius.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric

service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

The Senate has appointed as such committee Messrs. Olson, A. G.; Perpich, A. J.; and Ashbach.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. North, Novak and McCutcheon have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hanson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3163. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Keefe, S.;

Kowalczyk and Spear have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3123. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2818, A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Olhoft; Hansen, Baldy; and Hanson, R., have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clery moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2818. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivi-

sions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Anderson, Dunn and Willet have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sherwood moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2576. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Chenoweth; Keefe, J.; and Schaaf have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Cassery moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3

members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1759. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3311, A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Chenoweth, O'Neill and McCutcheon have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tomlinson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3311. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2728, A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3533, A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2200, A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Peterson reported on the progress of H. F. No. 978, now in Conference Committee.

Pursuant to Joint Rule 13, Munger reported on the progress of H. F. No. 2675, now in Conference Committee.

Pursuant to Joint Rule 13, Newcome reported on the progress of S. F. No. 96, now in Conference Committee.

Pursuant to Joint Rule 13, Johnson, C., reported on the progress of S. F. No. 1530, now in Conference Committee.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1292

March 18, 1974

Honorable Martin Olav Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1292, 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. 1292 be amended as follows:

Page 2, line 2, after "mental" strike the comma and insert "and".

Page 2, line 2, after "educational" strike the comma.

Page 2, line 3, strike "and moral".

Page 2, after line 7, insert "*(e) Minimum standards of conduct which would affect the performance of the individual in his duties as a peace officer;*".

Reletter the clauses in order.

Further amend the title in line 4 after "mental" by deleting the comma and inserting "and", in line 4 by deleting ", and", and in line 5 by deleting "moral".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: ROBERT FERDERER, PAUL MCCARRON, and ROBERT L. PAVLAK.

Senate Conferees: ROLF NELSON, JOHN MILTON, and ALLAN SPEAR.

Ferderer moved that the report of the Conference Committee on H. F. No. 1292 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1292, A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state;

amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	Samuelson
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Sarna
Andersen, R.	Eckstein	Jopp	Miller, M.	Savelkoul
Anderson, D.	Eken	Jude	Moe	Schreiber
Anderson, G.	Enebo	Kahn	Mueller	Schulz
Anderson, I.	Erdahl	Kelly	Munger	Sherwood
Becklin	Erickson	Kempe	Nelson	Sieben, H.
Belisle	Esau	Klaus	Newcome	Sieben, M.
Bennett	Faricy	Knickerbocker	Niehaus	Skaar
Berg	Ferderer	Knoll	Norton	Smith
Berglin	Fjoslien	Kostohryz	Ohnstad	Spanish
Biersdorf	Forsythe	Kvam	Ojala	Stangeland
Braun	Fugina	Laidig	Parish	Stanton
Brinkman	Graba	Larson	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hanson	Lombardi	Peterson	Vento
Casserly	Haugerud	Long	Pieper	Voss
Clifford	Heinitz	McArthur	Prahl	Weaver
Connors	Hook	McCarron	Quirin	Wenzel
Culhane	Jacobs	McCauley	Resner	Wigley
Cummiskey	Jaros	McEachern	Rice	Wohlwend
Dahl	Johnson, C.	McFarlin	Ryan	Wolcott
DeGroat	Johnson, D.	McMillan	St. Onge	Mr. Speaker

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3202

March 14, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3202, 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. 3202 be amended on page 1, line 8, by deleting "15" and inserting in lieu thereof "12".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JOEL JACOBS, NEIL S. HAUGERUD, and THOMAS W. NEWCOME.

Senate Conferees: STANLEY N. THORUP, JERALD C. ANDERSON, and MEL FREDERICK.

Jacobs moved that the report of the Conference Committee on H. F. No. 3202 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3202, A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 111, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Munger	Sieben, H.
Adams, S.	Dirlam	Kelly	Nelson	Sieben, M.
Andersen, R.	Eckstein	Kempe	Newcome	Skaar
Anderson, G.	Eken	Knickerbocker	Niehaus	Smith
Anderson, I.	Enebo	Knoll	Norton	Spanish
Belisle	Faricy	Kostohryz	Ojala	Stangeland
Bell	Ferderer	Laidig	Parish	Stanton
Bennett	Forsythe	LaVoy	Pavlak, R.	Swanson
Berg	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Berglin	Graba	Lindstrom, E.	Pehler	Ulland
Biersdorf	Graw	Lindstrom, J.	Peterson	Vanasek
Braun	Growe	Lombardi	Pieper	Vento
Brinkman	Hagedorn	McArthur	Prahl	Voss
Carlson, A.	Hanson	McCarron	Quirin	Weaver
Carlson, B.	Hook	McCauley	Resner	Wenzel
Carlson, L.	Jacobs	McEachern	Rice	Wigley
Casserly	Jaros	McFarlin	Ryan	Wohlwend
Cleary	Johnson, C.	McMillan	St. Onge	Wolcott
Clifford	Johnson, D.	Menke	Samuelson	Mr. Speaker
Connors	Johnson, J.	Miller, D.	Sarna	
Culhane	Johnson, R.	Miller, M.	Savelkoul	
Dahl	Jopp	Moe	Schreiber	
DeGroat	Jude	Mueller	Schulz	

Those who voted in the negative were:

Anderson, D.	Erdahl	Fjoslien	Larson	Sherwood
Becklin	Erickson	Klaus	Long	
Carlson, D.	Esau	Kvam	Ohnstad	

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1858, A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1858

March 18, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1858, 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. 1858 be amended as follows:

Page 1, line 12, strike "1973" and insert in lieu thereof "1974".

Page 1, line 17, strike "1973" and insert in lieu thereof "1974".

Page 1, line 23, strike "auxillary" and insert in lieu thereof "auxiliary".

Page 1, line 25, strike "auxillary" and insert in lieu thereof "auxiliary".

Page 1, line 27, strike "*without penalty for such transfer*" and insert in lieu thereof "*; provided that when such lands are included in the tree growth tax law prior to expiration of the auxiliary forest contract they will be transferred in accordance with the provisions of Minnesota Statutes, Section 88.49, Subdivision 5. The land owner shall pay taxes in an amount equal to the difference between the amount which would have been paid had the land under contract been subject to the Minnesota tree growth tax law from the date of the filing of the contract and the amount actually paid under Minnesota Statutes, Section 88.51, Subdivisions 1 and 2*".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: FLORIAN W. CHMIELEWSKI, GERALD L. WILLET, and JOHN L. OLSON.

House Conferees: NORMAN PRAHL, RAYMOND PAVLAK, and IRVIN N. ANDERSON.

Prahl moved that the report of the Conference Committee on S. F. No. 1858 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1858, A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Hanson	Laidig	Munger
Adams, S.	Dahl	Haugerud	Larson	Myrah
Anderson, D.	DeGroat	Heinitz	LaVoy	Nelson
Anderson, G.	Dieterich	Hook	Lemke	Newcome
Anderson, I.	Dirlam	Jacobs	Lindstrom, E.	Niehaus
Becklin	Eckstein	Jaros	Lindstrom, J.	Norton
Belisle	Eken	Johnson, C.	Lombardi	Ohnstad
Berg	Enebo	Johnson, D.	Long	Ojala
Biersdorf	Erdahl	Johnson, J.	McArthur	Parish
Braun	Erickson	Johnson, R.	McCarron	Patton
Brinkman	Esau	Jopp	McCauley	Pavlak, R.
Carlson, A.	Faricy	Jude	McEachern	Pavlak, R. L.
Carlson, D.	Ferderer	Kelly	McFarlin	Pehler
Carlson, L.	Fjoslien	Kempe	McMillan	Peterson
Casserly	Fugina	Klaus	Menke	Pieper
Cleary	Graba	Knickerbocker	Miller, D.	Prahl
Clifford	Graw	Knoll	Miller, M.	Quirin
Connors	Grove	Kostohryz	Moe	Resner
Culhane	Hagedorn	Kvam	Mueller	Rice

Ryan	Schreiber	Smith	Ulland	Wigley
St. Onge	Schulz	Spanish	Vanasek	Wohlwend
Salchert	Sherwood	Stangeland	Vento	Wolcott
Samuelson	Sieben, H.	Stanton	Voss	Mr. Speaker
Sarna	Sieben, M.	Swanson	Weaver	
Savelkoul	Skaar	Tomlinson	Wenzel	

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that the bill on the Technical Consent Calendar for today be advanced to the Consent Calendar for consideration today. The motion prevailed.

S. F. No. 2973 was reported to the House.

Kempe and Sieben, H., moved to amend S. F. No. 2973 as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [DAKOTA COUNTY WELFARE DEPT.; MERIT BASIS PERSONNEL SYSTEM; PURPOSE.] The purpose of this act is to authorize the establishment of a personnel department in and for the Welfare Department of the county of Dakota to promote and improve the economy and effectiveness of the Welfare Department under its jurisdiction by the improvement of methods of personnel administration under the principles of a merit system of personnel administration, which shall include a uniform system of job classifications, uniform procedures and standards for hiring, promotion, salary administration and other matters.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, unless the context clearly indicates that a different meaning is intended, the terms defined in this section have the meanings given them.

Subd. 2. “Director” means the director of the department of personnel.

Subd. 3. “Personnel department” means the personnel director and the employees engaged in the administration of the personnel department.

Subd. 4. “Appointing authority” means the head of the Welfare Department, who has the power by law or by lawfully dele-

gated authority to make appointments to positions in the County Welfare Department service within the scope of this act.

Subd. 5. "Classified service" means all positions and employees holding such positions in the county Welfare Department service except those placed in the unclassified service by this act.

Subd. 6. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring full time or part time employment of one person.

Subd. 7. "Class" means one or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with clarity to designate each position allocated to the class; that the same general qualifications are needed for the performance of the duties of the class; that the same test of fitness may be used to recruit employees; and that the same schedule of pay can be applied with equity to all persons in the class under the same or substantially the same employment conditions.

Subd. 8. "Allocation" means the assignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work performed in the position.

Subd. 9. "Reallocation" means reassignment, or change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level, on the basis of significant changes in the kind, difficulty or responsibility of the work performed in such position.

Subd. 10. "Classification" means the act of grouping positions into classes with regard to duties and responsibilities.

Subd. 11. "Eligible" means any person whose name is on the reinstatement, promotional or original entrance list for a given class.

Subd. 12. "Permanent employee" means any employee in the classified service who has gained permanent status according to the act, who has satisfactorily completed his probationary period and has been so certified by the appointing officer.

Subd. 13. "Probationary period" means that part of the examining process following certification and appointment from an original entrance eligible list or a promotional eligible list or when an employee has been transferred from one department to another and upon the request of the new appointing authority will be required to serve a probationary work period during which the employee may demonstrate that he or she meets the reasonable standards of performance and character required of employees in the county welfare service.

Subd. 14. "Classification plan" means a list of the classes of positions in the classified service by their official title. For each class of positions there shall be prepared a class specification which shall set forth the duties, responsibilities and authority thereof, and the qualifications that are necessary and desirable for the satisfactory performance of the duties of the position in the class.

Subd. 15. "Unclassified service" means those positions in the county Welfare Department service which are exempt from the jurisdiction of personnel department by this act.

Subd. 16. "Transfer" means a change by an employee from one position to another position in the same class or to another class in the same salary range involving the performance of similar duties and requiring essentially the same basic qualifications.

Sec. 3. [ADOPTION OF RESOLUTION.] The County Welfare Board may make the provisions of this act operative by adoption of a resolution providing for the establishment of a personnel board of appeals as required under section 12, designating the effective date on which jurisdiction of the department shall commence and appointing the personnel director.

Sec. 4. [PERSONNEL DIRECTOR.] The County Welfare Board shall appoint a personnel director or shall assign the function of personnel director to an existing officer or employee. The person appointed as director or assigned the function shall be appointed for an indefinite term and shall not be removed except in accordance with the procedures established under this act and the rules of the department for classified employees.

Sec. 5. [DUTIES OF THE PERSONNEL DIRECTOR.] The personnel director shall direct and supervise all of the personnel department's administrative technical activities in addition to the duties imposed on the personnel director elsewhere in this act and it shall be the personnel director's duty to:

(a) Appoint, supervise and direct the work of the employees of the personnel department. Such employees shall be chosen in accordance with and subject to the provisions of this act.

(b) Prepare and recommend rules for the administration of this act, which rules shall become effective after approval by the county welfare board and to administer such rules and propose amendments thereto. Such rules shall be acted upon by the county welfare board only after posted notice in each department affected and after written notice to all labor organizations affected whose employees are covered under provisions of this act. The personnel director shall provide for and shall conduct a hearing on the posted rules or changes or amendments thereto. Notwithstanding any other provisions of this act all personnel rules

affecting employees of departments paid in whole or in part by federal funds, shall conform to any valid federal or state regulation affecting any such department.

(c) As soon as practicable after the effective date of this act, after consultation with department heads and employees, prepare a classification plan which shall group all positions in the classified service into classes, based on their duties and responsibilities. The classification plan shall set forth for each class or position a class title, a statement of duties, authority and responsibilities thereof and qualifications that are necessary and desirable for the satisfactory performance of the duties of the position. The classification plan shall be effective upon approval by the county welfare board. Periodic job audits shall be made of positions for the purpose of keeping the classification plan current with changes in work assignments.

(d) As soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates for each class, grade, or group of positions in the classified service. Salary and wage schedules shall be submitted to the county welfare board who may approve, reject or modify such schedules. The assignment of new classes or the reassignment of existing classes to salary ranges and compensation plans shall be made according to the methods set forth above.

(e) Establish programs for the training and further education of employees to the end that the quality of the service may be improved and that employees may be prepared to take advantage of promotional opportunities.

(f) Provide for, formulate, and hold competitive examinations to determine the qualifications of persons seeking employment in any class or position and establish lists of those passing such examinations.

(g) When a vacancy is to be filled, to certify to the appointing authority on written request that sets forth the duties and responsibilities of the position to be filled, the names of the persons highest on the layoff list for the class. If there is no layoff list, the director shall certify those on the eligible list for the class. If there is no such list, the director may authorize temporary appointment pending establishment of such employment lists for such class.

(h) Keep such records as may be necessary for the proper administration of this act.

(i) Provide a system for checking payrolls and accounts for the payment of salaries or wages to employees in the classified service so as to enable the director, upon evidence thereof, to certify or cause to be certified that the persons whose names ap-

pear thereon have been regularly employed or on authorized leave before payment may be lawfully made to such employees.

(j) Make investigations concerning the administration and effect of this act and rules made thereunder and report the findings and recommendations to the county welfare board.

(k) To make such investigations as may be required by the county welfare board and report thereon.

Sec. 6. [UNCLASSIFIED AND CLASSIFIED SERVICE.]
Subdivision 1. [DEFINITION OF COVERAGE.] The officers and employees of the Welfare Department of Dakota County are hereby divided into unclassified and classified service.

Subd. 2. The unclassified service shall comprise:

(a) Department heads appointed by the county welfare board.

(b) Chief deputy or principal assistant and secretary for the Department Head.

(c) Students in training.

(d) Volunteers serving without pay.

(e) Temporary and seasonal positions.

Subd. 3. The classified service shall include all other positions now existing or hereafter created and all employees holding such positions unless specifically placed in the unclassified service or excluded by the provisions of this act. The provisions of Minnesota Statutes, Sections 393.07, Subdivision 5, are hereby superseded insofar as they may be inconsistent.

Sec. 7. [NOTICE OF MEETINGS.] Any labor organization representing persons covered by this act shall be given notice of the meetings of the county welfare board whenever said board has on its agenda consideration of any changes in the classification and pay schedules, and rules and regulations which may affect Welfare Dept. employees.

Sec. 8. [TENURE: CURRENT EMPLOYEES PROTECTED.] All persons holding positions in the service of the Welfare Department of the County of Dakota who had acquired permanent tenure or who were serving a probationary period on the operative date of this act shall retain their positions, seniority date, and accrued benefits without further examination subject to and protected by the provisions of this act, except that those positions in the unclassified service enumerated in section 6, subdivision 2, shall not have permanent tenure, but shall have all other benefits provided for in this act.

Sec. 9. [CLASSIFICATION OF EMPLOYEES.] Subdivision 1. [DIRECTOR TO CLASSIFY.] The director shall be responsible for the classification according to the duties and responsibilities of each position in the county welfare department service. This duty to classify shall extend to all employees and positions held by members of the classified service under this act. A title shall be established for each class of employment for use in examining and certifying names of persons for appointment under this act. The classifications, when approved by the county welfare board, shall take effect immediately. The director shall with approval of the county welfare board make changes in the classification when necessary for efficiency and effectiveness of the service.

Subd. 2. [ALLOCATIONS.] The director shall allocate each position in the classified service to one of the classes within the classification plan.

The county welfare board shall review an allocation made by the director upon the written request of the appointing authority affected on the grounds that:

- (a) The action of the director was not in accordance with the personnel act, or
- (b) The action of the director was procured by fraud, coercion or other improper conduct of any part in interest.

The welfare board after receiving any application for review shall order the director to submit to it the record upon which he acted and thereafter upon the record may sustain, reverse, or modify the action of the director, or in its discretion may order that further evidence may be taken by him or her to submit to the board and considered by it upon its review. Any employee or appointing authority may petition the personnel appeals board for a review and determination of any alleged arbitrary or capricious action on the part of the county welfare board involving allocation.

Sec. 10. [PAYROLLS APPROVED BY DIRECTOR.] No disbursing officer of the Welfare Department of the County of Dakota shall pay any salary or compensation for service to any person holding a position in the classified service as established under this act unless the payroll or account for such salary or compensation shall bear the certification of the personnel director that the persons named therein have been appointed in accordance with the provisions of this act. The director shall not certify any payroll item for payment unless such person claimed to be entitled to such payment, shall have appointed and employed in accordance with the provisions of this act and the rules of the county welfare board.

Sec. 11. [VETERANS TO BE GIVEN PREFERENCE.] Nothing in this act shall be construed to remove or limit the rights and preferences of veterans as established by the provisions of Minnesota Statutes, Sections 197.45 and 197.46, except that the county welfare board may enact rules relative to retirement age which shall apply to all veterans on the same basis as they apply to other persons. The provisions of Minnesota Statutes, Section 197.46, are superseded by the provisions of this section insofar as they may be inconsistent.

Sec. 12. [PERSONNEL BOARD OF APPEALS.] Subdivision 1. The County Welfare Board shall appoint three persons to serve one, two and three year terms respectively as members of a personnel board of appeals. After the first appointments, successors shall serve for terms of three years each. The expiration dates of all expiring terms shall be January 2. Any vacancies shall be filled by a majority vote of the county welfare board for the unexpired term. Persons appointed to the personnel appeals board shall not serve while holding any public office or while standing as a candidate for any public office, or any public employment or position in a political party. Each member of said board shall be a resident of the county. In the event he or she becomes a nonresident, he or she thereby forfeits his or her office.

Subd. 2. Compensation for members of the personnel board of appeals shall be set by the county welfare board and each member shall be paid actual and necessary expenses.

Subd. 3. The personnel appeals board shall organize by electing a chairperson and Vice Chairperson and shall develop rules of procedure for matters brought before them under the provisions of this act.

Sec. 13. [DUTIES OF BOARD; APPEALS.] Subdivision 1. The personnel board of appeals shall meet upon call of its chairperson or the personnel director to make findings and to report to the county welfare board within 30 days after the filing of an appeal by an applicant, employee, or appointing authority in the following circumstances:

(a) Alleged arbitrary or capricious action on the part of the county welfare board with respect to final establishment of rules under this act.

(b) Alleged discrimination by the personnel director or his or her employees in examination procedures or preparation of lists of eligible candidates or discriminatory use thereof by appointing authority under the provisions of this act or rules promulgated hereunder.

(c) Alleged misinterpretation or evasion by the personnel director or the county welfare board of provisions of this act in

a manner seriously detrimental to the party or parties bringing the appeal.

(d) Such other matters of grievance as may be provided for in rules promulgated under the authority of this act.

Subd. 2. Procedures setting forth the methods and requisite time table for appealing matters to the personnel appeals board shall be established in the rules provided for in this act.

Subd. 3. The findings and reports of the personnel appeals board shall be submitted to the county welfare board for consideration and action as deemed appropriate by the county welfare board, except that to the extent required with respect to employees of departments paid in full or in part by federal funds, the findings of the personnel appeals board shall be final and binding in those circumstances necessary to conform to any valid federal or state regulation affecting any such department.

Sec. 14. [DISCRIMINATION.] There shall be no discrimination in any employment or personnel policy of the county personnel department because of race, color, creed, or national origin. There shall be no discrimination on the basis of age, sex or physical disability, except where specific age, sex or physical requirements constitute a bonafide occupational qualification necessary to proper and efficient administration.

Sec. 15. [RIGHT OF REPRESENTATION.] Any employee or group of employees covered under the provisions of this act shall be afforded the right of representation by a labor organization in any matters covered under this act.

Sec. 16. [APPROPRIATION BY COUNTY WELFARE BOARD.] The county welfare board is hereby authorized and it shall make the necessary appropriation to carry out the provisions of this act.

Sec. 17. [PROVISIONS SEVERABLE.] In the event that any section or portion of this act shall be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of this act or any other part of it, it being the legislative intent that every section and part hereof shall stand and be in force and effect, notwithstanding the invalidity of any particular provision or provisions.

Sec. 18. [INCONSISTENT ACTS REPEALED.] All acts and parts of acts or any other provisions inconsistent with this act are hereby repealed to the extent necessary to give effect to the provisions of this act.

Sec. 19. [EFFECTIVE DATE.] This act is effective upon its approval by the Dakota County Welfare Board and upon compliance with Minnesota Statutes, Section 645.021."

In addition, amend the enacting clause in the following manner: On line 7, after the word "county", and before the word "employees", add the words "welfare department".

On line 9, delete the word "County" and replace with the word "welfare".

"Subd. 3. The findings and reports of the personnel appeals board shall be submitted to the county welfare board for consideration and action as deemed appropriate by the county welfare board, except that to the extent required with respect to employees of departments paid in full or in part by federal funds, the findings of the personnel appeals board shall be final and binding in those circumstances necessary to conform to any valid federal or state regulation affecting any such department.

Sec. 14. [DISCRIMINATION.] There shall be no discrimination in any employment or personnel policy of the county personnel department because of race, color, creed, or national origin. There shall be no discrimination on the basis of age, sex or physical disability, except where specific age, sex or physical requirements constitute a bonafide occupational qualification necessary to proper and efficient administration.

Sec. 15. [RIGHT OF REPRESENTATION.] Any employee or group of employees covered under the provisions of this act shall be afforded the right of representation by a labor organization in any matters covered under this act.

Sec. 16. [APPROPRIATION BY COUNTY WELFARE BOARD.] The county welfare board is hereby authorized and it shall make the necessary appropriation to carry out the provisions of this act.

Sec. 17. [PROVISIONS SEVERABLE.] In the event that any section or portion of this act shall be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of this act or any other part of it, it being the legislative intent that every section and part hereof shall stand and be in force and effect, notwithstanding the invalidity of any particular provision or provisions.

Sec. 18. [INCONSISTENT ACTS REPEALED.] All acts and parts of acts or any other provisions inconsistent with this act are hereby repealed to the extent necessary to give effect to the provisions of this act.

Sec. 19. [EFFECTIVE DATE.] Sections 1 through 18 are effective upon its approval by the Dakota County Welfare Board and upon compliance with Minnesota Statutes, Section 645.021.

Section 20. Dakota county shall be exempt from Minnesota Statutes, Section 387.41, as such section relates to political ac-

tivity. This section is effective the day following its final enactment.”.

Further, amend the title by deleting it in its entirety and inserting in lieu thereof: “relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis for the welfare department, providing for the selection, promotion, severance, tenure of office and compensation of Dakota County Welfare Department employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations; exempting Dakota county from certain provisions of law relating to certain political activity.”.

The motion prevailed and the amendment was adopted.

S. F. No. 2973, A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Menke	Sarna
Adams, S.	Dieterich	Johnson, R.	Miller, D.	Savelkoul
Andersen, R.	Dirlam	Jopp	Miller, M.	Schreiber
Andersen, D.	Eckstein	Jude	Moe	Schulz
Anderson, G.	Eken	Kahn	Mueller	Sherwood
Anderson, I.	Enebo	Kelly	Myrah	Sieben, H.
Becklin	Erdahl	Kempe	Nelson	Sieben, M.
Belisle	Erickson	Klaus	Newcome	Skaar
Bell	Esau	Knickerbocker	Niehaus	Smith
Bennett	Faricy	Knoll	Norton	Spanish
Berg	Ferderer	Kostohryz	Ohnstad	Stangeland
Berglin	Fjoslien	Kvam	Ojala	Stanton
Biersdorf	Forsythe	Laidig	Parish	Swanson
Braun	Fugina	Larson	Patton	Tomlinson
Brinkman	Grab	LaVoy	Pavlak, R.	Ulland
Carlson, A.	Graw	Lemke	Pavlak, R. L.	Vanasek
Carlson, B.	Growe	Lindstrom, E.	Pehler	Vento
Carlson, D.	Hagedorn	Lindstrom, J.	Peterson	Voss
Carlson, L.	Hanson	Lombardi	Pieper	Weaver
Casserly	Haugerud	Long	Prahl	Wenzel
Cleary	Heinitz	McArthur	Quirin	Wigley
Clifford	Hook	McCarron	Resner	Wohlwend
Connors	Jacobs	McCauley	Rice	Wolcott
Culhane	Jaros	McEachern	Ryan	Mr. Speaker
Cummiskey	Johnson, C.	McFarlin	St. Onge	
Dahl	Johnson, D.	McMillan	Salchert	

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

S. F. No. 3246 was reported to the House.

Carlson, D., moved to amend S. F. No. 3246, as amended, as follows:

Line 3 in section 1 of the typewritten committee report, after "may" and before "levy" insert "issue obligations and".

Further, amend the title, after "assessments" and before "for" insert "and issue obligations".

The motion prevailed and the amendment was adopted.

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Menke	Salchert
Adams, S.	Dieterich	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Dirlam	Jopp	Miller, M.	Sarna
Anderson, D.	Eckstein	Jude	Moe	Savelkoul
Anderson, G.	Eken	Kahn	Mueller	Schreiber
Anderson, I.	Enebo	Kelly	Munger	Schulz
Becklin	Erdahl	Kempe	Myrah	Sherwood
Belisle	Erickson	Klaus	Nelson	Sieben, H.
Bell	Esau	Knickerbocker	Newcome	Sieben, M.
Bennett	Faricy	Knoll	Niehaus	Skaar
Berg	Ferderer	Kostohryz	Norton	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Spanish
Biersdorf	Forsythe	Laidig	Ojala	Stangeland
Braun	Fugina	Larson	Parish	Stanton
Brinkman	Graba	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hanson	Lombardi	Peterson	Vento
Cassery	Haugerud	Long	Pieper	Voss
Cleary	Heinitz	McArthur	Prahl	Weaver
Clifford	Hook	McCarron	Quirin	Wenzel
Connors	Jacobs	McCauley	Resner	Wigley
Culhane	Jaros	McEachern	Rice	Wohlwend
Cummiskey	Johnson, C.	McFarlin	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker

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

S. F. No. 3281, A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, J.	Miller, D.	St. Onge
Adams, S.	Dahl	Jopp	Miller, M.	Salchert
Andersen, R.	Dieterich	Jude	Moe	Samuelson
Anderson, D.	Eckstein	Kelly	Mueller	Sarna
Anderson, G.	Eken	Kempe	Munger	Savelkoul
Anderson, I.	Enebo	Klaus	Myrah	Sherwood
Becklin	Faricy	Knickerbocker	Nelson	Sieben, H.
Belisle	Ferderer	Knoll	Newcome	Sieben, M.
Bell	Fjoslien	Kostohryz	Norton	Smith
Bennett	Forsythe	Laidig	Ohnstad	Spanish
Berg	Fugina	Larson	Ojala	Stanton
Berglin	Graba	LaVoy	Parish	Swanson
Biersdorf	Graw	Lemke	Patton	Tomlinson
Braun	Growe	Lindstrom, E.	Pavlak, R.	Ulland
Brinkman	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, A.	Hanson	Lombardi	Pehler	Vento
Carlson, B.	Haugerud	McArthur	Peterson	Voss
Carlson, L.	Heinitz	McCarron	Pieper	Weaver
Casserly	Hook	McCauley	Prahl	Wenzel
Cleary	Jacobs	McEachern	Quirin	Wohlwend
Clifford	Jaros	McFarlin	Resner	Wolcott
Connors	Johnson, C.	McMillan	Rice	Mr. Speaker
Culhane	Johnson, D.	Menke	Ryan	

Those who voted in the negative were:

Carlson, D.	Erdahl	Johnson, R.	Niehaus	Wigley
DeGroat	Erickson	Kvam	Schulz	
Dirlam	Esau	Long	Skaar	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2046, 2760, and 3499 and S. F. No. 3434.

H. F. No. 2046 was reported to the House.

Berglin moved to amend H. F. No. 2046, the printed bill, as follows:

Page 1, strike lines 2, 3, 4, and in line 5 at the beginning of the line strike "nancy", and add in lieu thereof the following:

"Subd. 5. *When all other conditions of eligibility as prescribed in Sections 256.72 to 256.87 are met, assistance shall be given to families in behalf of the unborn during the final 3 months of pregnancy when the fact of pregnancy has been determined by medical diagnosis, and insofar as possible, the provisions applicable to assistance granted in behalf of dependent children shall also be applicable to such families*".

The motion prevailed and the amendment was adopted.

H. F. No. 2046, A bill for an act relating to public welfare; defining certain recipients of assistance; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Sarna
Adams, S.	Dirlam	Jopp	Miller, M.	Savelkoul
Andersen, R.	Eckstein	Jude	Moe	Schreiber
Anderson, D.	Eken	Kahn	Mueller	Schulz
Anderson, G.	Enebo	Kelly	Munger	Sherwood
Anderson, I.	Erdahl	Kempe	Myrah	Sieben, H.
Becklin	Erickson	Knickerbocker	Nelson	Sieben, M.
Belisle	Esau	Knoll	Newcome	Skaar
Bell	Farcy	Kostohryz	Niehaus	Smith
Bennett	Ferderer	Kvam	Norton	Spanish
Berg	Fjoslien	Laidig	Ohnstad	Stangeland
Berglin	Forsythe	Larson	Ojala	Stanton
Biersdorf	Fugina	LaVoy	Parish	Swanson
Braun	Graba	Lemke	Pavлак, R.	Tomlinson
Brinkman	Graw	Lindstrom, E.	Pavлак, R. L.	Ulland
Carlson, A.	Growe	Lindstrom, J.	Pehlner	Vanasek
Carlson, B.	Hagedorn	Lombardi	Peterson	Vento
Carlson, D.	Hanson	Long	Pieper	Voss
Carlson, L.	Haugerud	Mann	Prahl	Weaver
Casserly	Heinitz	McArthur	Quirin	Wenzel
Cleary	Hook	McCarron	Resner	Wigley
Clifford	Jacobs	McCauley	Rice	Wohlwend
Connors	Jaros	McEachern	Ryan	Wolcott
Culhane	Johnson, C.	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McMillan	Salchert	
Dahl	Johnson, J.	Menke	Samuelson	

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

Voss was excused between the hours of 12:30 p.m. and 1:30 p.m.

H. F. No. 2760, A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use, appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 82, and nays 30, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kahn	Munger	Savelkoul
Adams, S.	Dieterich	Knoll	Myrah	Schulz
Andersen, R.	Eken	Kostohryz	Nelson	Sherwood
Anderson, D.	Enebo	Laidig	Newcome	Sieben, H.
Anderson, G.	Esau	Larson	Norton	Sieben, M.
Anderson, I.	Faricy	LaVoy	Ohnstad	Smith
Becklin	Fjoslien	Lindstrom, E.	Ojala	Spanish
Belisle	Fugina	Lindstrom, J.	Patton	Stanton
Bell	Graba	Lombardi	Pavliak, R.	Ulland
Bennett	Grove	McArthur	Peterson	Vento
Berglin	Hanson	McEachern	Prahl	Wenzel
Carlson, A.	Haugerud	McFarlin	Quirin	Wohlwend
Carlson, B.	Hook	McMillan	Rice	Wolcott
Carlson, D.	Jaros	Menke	Ryan	Mr. Speaker
Carlson, L.	Johnson, C.	Miller, D.	St. Onge	
Casserly	Johnson, D.	Miller, M.	Salchert	
Connors	Jude	Moe	Samuelson	

Those who voted in the negative were:

Biersdorf	Eckstein	Jopp	Mueller	Skaar
Braun	Erdahl	Klaus	Niehaus	Stangeland
Brinkman	Erickson	Knickerbocker	Pehler	Swanson
Culhane	Ferderer	Kvam	Pieper	Vanasek
DeGroat	Graw	Long	Resner	Weaver
Diriam	Johnson, R.	McCauley	Schreiber	Wigley

The bill was passed and its title agreed to.

Connors moved to amend H. F. No. 3499, the printed bill, as follows:

Add a new section to read:

“Sec. 2. The appropriation made by Laws 1973, Chapter 783, is hereby repealed.”

The motion prevailed and the amendment was adopted.

H. F. No. 3499, A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, D.	Sarna
Adams, S.	Eckstein	Jude	Miller, M.	Savelkoul
Andersen, R.	Eken	Kelly	Moe	Schreiber
Anderson, D.	Enebo	Kempe	Munger	Schulz
Anderson, G.	Erdahl	Klaus	Myrah	Sherwood
Anderson, I.	Erickson	Knickerbocker	Nelson	Sieben, H.
Becklin	Esau	Knoll	Newcome	Sieben, M.
Belisle	Faricy	Kostohryz	Niehaus	Skaar
Bennett	Ferderer	Kvam	Norton	Smith
Berglin	Fjoslien	Laidig	Ojala	Spanish
Biersdorf	Forsythe	Larson	Parish	Stangeland
Braun	Fugina	LaVoy	Patton	Stanton
Brinkman	Graba	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Growe	Lombardi	Pehler	Ulland
Carlson, D.	Hanson	Long	Pieper	Vanasek
Carlson, L.	Haugerud	Mann	Prahl	Vento
Casserly	Heinitz	McArthur	Quirin	Weaver
Clifford	Hook	McCarron	Resner	Wenzel
Connors	Jaros	McCauley	Rice	Wigley
Culhane	Johnson, C.	McEachern	Ryan	Wohlwend
Cummiskey	Johnson, D.	McFarlin	St. Onge	Wolcott
Dahl	Johnson, J.	McMillan	Salchert	Mr. Speaker
Dieterich	Johnson, R.	Menke	Samuelson	

Those who voted in the negative were:

Cleary DeGroat Lindstrom, J. Ohnstad

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

S. F. No. 3434 was reported to the House.

Cleary moved to amend S. F. No. 3434 as follows:

Line 16, after "1972" insert "*and who are not permanently registered*".

The motion prevailed and the amendment was adopted.

Cleary moved to amend S. F. No. 3434, as amended in the Journal of the House, Tuesday, March 19, 1974, Page 6402, Sec. 3, as follows:

After subparagraph 2, add a new paragraph to read:

"3. Date moved to present address".

Renumber the following paragraphs accordingly.

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

S. F. No. 3434, A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards;

amending Minnesota Statutes, 1973 Supplement, Section 201.061, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Jude	Mueller	Schreiber
Anderson, D.	Eckstein	Kelly	Munger	Schulz
Anderson, G.	Eken	Kempe	Myrah	Sherwood
Anderson, I.	Enebo	Klaus	Nelson	Sieben, H.
Becklin	Erdahl	Knickerbocker	Newcome	Sieben, M.
Belisle	Erickson	Knoll	Niehaus	Skaar
Bell	Esau	Kostohryz	Norton	Smith
Bennett	Faricy	Kvam	Ohnstad	Spanish
Berg	Ferderer	Laidig	Ojala	Stangeland
Biersdorf	Fjoslien	Larson	Parish	Stanton
Braun	Forsythe	LaVoy	Patton	Swanson
Brinkman	Fugina	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hanson	Lombardi	Peterson	Vento
Carlson, L.	Haugerud	Long	Prahl	Weaver
Casserly	Heinitz	Mann	Quirin	Wenzel
Cleary	Hook	McArthur	Resner	Wigley
Clifford	Jacobs	McCarron	Rice	Wohlwend
Connors	Jaros	McCauley	Ryan	Wolcott
Culhane	Johnson, C.	McEachern	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	Salchert	
Dahl	Johnson, J.	McMillan	Samuelson	
DeGroat	Johnson, R.	Menke	Sarna	

Those who voted in the negative were:

Adams, S.	Graw	Pieper
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The bill was passed, as amended, and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of H. F. Nos. 3670, 3561, and 3707.

H. F. No. 3670, A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Samuelson
Andersen, R.	Dirlam	Jude	Miller, M.	Sarna
Anderson, D.	Eckstein	Kelly	Mueller	Savelkoul
Anderson, G.	Eken	Kempe	Munger	Schreiber
Anderson, I.	Enebo	Klaus	Myrah	Schulz
Becklin	Erickson	Knickerbocker	Nelson	Sherwood
Belisle	Esau	Knoll	Newcome	Sieben, H.
Bell	Faricy	Kostohryz	Niehaus	Sieben, M.
Bennett	Ferderer	Kvam	Norton	Skaar
Berg	Fjoslien	Laidig	Ohnstad	Smith
Biersdorf	Forsythe	Larson	Ojala	Spanish
Braun	Fugina	LaVoy	Parish	Stangeland
Brinkman	Graba	Lemke	Patton	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hanson	Lombardi	Pehler	Ulland
Carlson, L.	Haugerud	Long	Peterson	Vanasek
Casserly	Heinitz	Mann	Pieper	Vento
Cleary	Hook	McArthur	Prahl	Weaver
Clifford	Jacobs	McCarron	Quirin	Wenzel
Connors	Jaros	McCauley	Resner	Wigley
Culhane	Johnson, C.	McEachern	Rice	Wohlwend
Cummiskey	Johnson, D.	McFarlin	Ryan	Wolcott
Dahl	Johnson, J.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, R.	Menke	Salchert	

The bill was passed and its title agreed to.

H. F. No. 3561 was reported to the House.

Adams, S.; Johnson, D.; and Ojala moved to amend H. F. No. 3561, the printed bill, as follows:

Page 2, after line 17, insert the following:

"Sec. 3. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 5. The proceeds of the taxes imposed in subdivision 4 hereof shall be deposited in a special state fund to be used to the extent necessary to make refunds on taxes previously paid on valuations of commercially mineable iron ore believed to have existed which said material is found not to exist as commercially mineable iron ore. Any amount remaining after payment of refunds for the year 1973 and prior years shall be credited to the iron range resources and rehabilitation commission account. Any taxpayer who has paid taxes on such valuations may apply to the commissioner of revenue for a refund as provided herein; provided however that no refund for such taxes paid more than six years previous to the date of said application shall be made."

Renumber the remaining section in sequence.

Further, amend the title in line 3 by striking "a subdivision" and inserting "subdivisions".

The motion prevailed and the amendment was adopted.

H. F. No. 3561, A bill for an act relating to taxation; disallowing subtraction for shrinkage of iron ore to determine occupation tax due; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Sections 273.02, by adding a subdivision; and 298.03.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Menke	Samuelson
Adams, S.	Dieterich	Jopp	Miller, D.	Sarna
Andersen, R.	Dirlam	Jude	Miller, M.	Savelkoul
Anderson, D.	Eckstein	Kahn	Moe	Schreiber
Anderson, G.	Eken	Kelly	Mueller	Schulz
Anderson, I.	Enebo	Kempe	Munger	Sherwood
Becklin	Erdahl	Klaus	Nelson	Sieben, H.
Belisle	Erickson	Knickerbocker	Newcome	Sieben, M.
Bell	Esau	Knoll	Niehaus	Skaar
Bennett	Faricy	Kostohryz	Norton	Smith
Berg	Ferderer	Kvam	Ohnstad	Spanish
Berglin	Fjoslien	Laidig	Ojala	Stangeland
Biersdorf	Forsythe	Larson	Parish	Stanton
Braun	Fugina	LaVoy	Patton	Swanson
Brinkman	Graba	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hanson	Lombardi	Peterson	Vento
Carlson, L.	Haugerud	Long	Pieper	Weaver
Casserly	Heinitz	Mann	Prahl	Wenzel
Cleary	Hook	McArthur	Quirin	Wigley
Clifford	Jacobs	McCarron	Resner	Wohlwend
Connors	Jaros	McCauley	Rice	Wolcott
Culhane	Johnson, C.	McEachern	Ryan	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	St. Onge	
Dahl	Johnson, J.	McMillan	Salchert	

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

H. F. No. 3707 was reported to the House.

Savelkoul moved to amend H. F. No. 3707, the printed bill, as follows:

Pages 1 and 2, strike Sec. 3.

Renumber the remaining section.

Further amend the title, line 1, after "oleomargarine" strike "and liquor".

Line 2, after "a subdivision" strike "; and Minnesota".

Line 3, strike "Statutes, 1973 Supplement, Section 340.47, Sub-division 1".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 52, and nays 70, as follows:

Those who voted in the affirmative were:

Adams, S.	Clifford	Heinitz	Lombardi	St. Onge
Andersen, R.	Dieterich	Hook	Long	Savelikoul
Anderson, G.	Dirlam	Johnson, J.	McCauley	Schreiber
Belisle	Erdahl	Johnson, R.	McFarlin	Stangeland
Bell	Erickson	Jopp	Mueller	Ulland
Bennett	Esau	Klaus	Myrah	Weaver
Biersdorf	Ferderer	Knickerbocker	Newcome	Wohlwend
Brinkman	Fjoslien	Kostohryz	Ohnstad	Wolcott
Carlson, A.	Forsythe	Kvam	Patton	
Carlson, D.	Graw	Laidig	Pavlak, R. L.	
Cleary	Hagedorn	Larson	Pieper	

Those who voted in the negative were:

Adams, J.	Eken	Kempe	Moe	Samuelson
Anderson, I.	Enebo	Knoll	Munger	Schulz
Berg	Faricy	LaVoy	Nelson	Sherwood
Berglin	Fugina	Lemke	Niehaus	Sieben, H.
Braun	Graba	Lindstrom, E.	Norton	Skaar
Carlson, B.	Growe	Lindstrom, J.	Ojala	Smith
Carlson, L.	Hanson	Mann	Pavlak, R.	Spanish
Cassery	Jacobs	McArthur	Pehler	Stanton
Connors	Jaros	McCarron	Peterson	Swanson
Culhane	Johnson, C.	McEachern	Prahl	Tomlinson
Cummiskey	Johnson, D.	McMillan	Quirin	Vanasek
Dahl	Jude	Menke	Resner	Vento
DeGroat	Kahn	Miller, D.	Ryan	Wenzel
Eckstein	Kelly	Miller, M.	Salchert	Mr. Speaker

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

Lindstrom, J., proposed an amendment to H. F. No. 3707.

POINT OF ORDER

Pursuant to Rule 45b, Dieterich raised a point of order that the proposed amendment to H. F. No. 3707 was out of order. The Speaker ruled the point of order well taken.

Samuelson moved to amend H. F. No. 3707, the printed bill, as follows:

Page 2, after line 17, add a section:

"Sec. 4. Minnesota Statutes 1971, Sections 33.095 and 33.096 are repealed."

Renumber the remaining section.

Further, amend the title, line 3, after "Subdivision 1" and before the period, insert: "; repealing Minnesota Statutes 1971, Sections 33.095 and 33.096".

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

Quirin moved to amend H. F. No. 3707, the printed bill, as follows:

Page 1, line 7, after "consumer" and before the period insert: "*and (3) any establishment having for sale artificially colored oleomargarine as per this statute, must also have available for sale uncolored oleomargarine and is therefore not taxable under this statute*".

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

Pehler moved that H. F. No. 3707 be re-referred to the Committee on Agriculture.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 34, and nays 84, as follows:

Those who voted in the affirmative were:

Anderson, D.	Culhane	Jopp	Niehaus	Smith
Anderson, G.	Eckstein	Klaus	Patton	Stangeland
Biersdorf	Eken	Larson	Pehler	Vanasek
Braun	Fjoslien	Lemke	Quirin	Wenzel
Brinkman	Fugina	McCauley	Resner	Wigley
Carlson, B.	Graba	Miller, D.	Schulz	Wohlwend
Carlson, D.	Johnson, C.	Mueller	Skaar	

Those who voted in the negative were:

Adams, J.	Dirlam	Johnson, R.	McFarlin	Ryan
Adams, S.	Enebo	Jude	McMillan	Salchert
Andersen, R.	Erdahl	Kahn	Menke	Sarna
Anderson, I.	Faricy	Kelly	Moe	Savelkoul
Belisle	Ferderer	Kempe	Munger	Searle
Bell	Forsythe	Knoll	Myrah	Sherwood
Bennett	Graw	Kostohryz	Nelson	Sieben, H.
Berg	Grove	Kvam	Newcome	Sieben, M.
Berglin	Hagedorn	Laidig	Norton	Spanish
Carlson, A.	Hanson	LaVoy	Ohnstad	Swanson
Carlson, L.	Haugerud	Lindstrom, E.	Ojala	Tomlinson
Casserly	Heinitz	Lindstrom, J.	Parish	Vento
Cleary	Hook	Lombardi	Pavlak, R.	Voss
Clifford	Jacobs	Long	Pavlak, R. L.	Weaver
Connors	Jaros	Mann	Pieper	Wolcott
Cummiskey	Johnson, D.	McArthur	Pleasant	Mr. Speaker
Dieterich	Johnson, J.	McCarron	Prahl	

The motion did not prevail.

CALL OF THE HOUSE

On the motion of Pavlak, R., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Salchert
Adams, S.	Dirlam	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Eckstein	Jopp	Moe	Sarna
Anderson, D.	Eken	Jude	Mueller	Savelkoul
Anderson, G.	Enebo	Kahn	Munger	Schreiber
Anderson, I.	Erdahl	Kelly	Myrah	Schulz
Belisle	Erickson	Kempe	Nelson	Searle
Bennett	Esau	Klaus	Niehaus	Sieben, H.
Berg	Faricy	Knoll	Norton	Sieben, M.
Berglin	Ferderer	Kostohryz	Ohnstad	Skaar
Biersdorf	Fjoslien	Kvam	Ojala	Smith
Braun	Forsythe	Laidig	Parish	Spanish
Brinkman	Fugina	Larson	Patton	Stangeland
Carlson, A.	Graba	LaVoy	Paviak, R.	Stanton
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Swanson
Carlson, D.	Growe	Lindstrom, E.	Pehler	Tomlinson
Carlson, L.	Hagedorn	Lindstrom, J.	Peterson	Ulland
Casserly	Hanson	Lombardi	Pieper	Vanasek
Cleary	Haugerud	Long	Pleasant	Vento
Clifford	Heinitz	Mann	Prahl	Voss
Connors	Hook	McArthur	Quirin	Weaver
Culhane	Jacobs	McCarron	Resner	Wenzel
Cummiskey	Jaros	McEachern	Rice	Wigley
Dahl	Johnson, C.	McFarlin	Ryan	Wohlwend
DeGroat	Johnson, D.	McMillan	St. Onge	Mr. Speaker

Pavlak, R., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 79, and nays 49, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Casserly	Dieterich	Esau
Adams, S.	Berg	Cleary	Dirlam	Faricy
Andersen, R.	Berglin	Clifford	Enebo	Ferderer
Anderson, I.	Carlson, A.	Connors	Erdahl	Forsythe
Belisle	Carlson, L.	Cummiskey	Erickson	Graw

Grove	Kahn	Mann	Peterson	Stanton
Hagedorn	Kelly	McArthur	Pieper	Swanson
Hanson	Kempe	McCarron	Pleasant	Tomlinson
Heinitz	Knickerbocker	McFarlin	Prahl	Ulland
Hook	Knoll	Menke	Ryan	Vento
Jacobs	Kostohryz	Moe	Sarna	Voss
Jaros	Laidig	Nelson	Savelkoul	Weaver
Johnson, D.	LaVoy	Ojala	Schreiber	Wigley
Johnson, J.	Lindstrom, E.	Parish	Sieben, H.	Wolcott
Johnson, R.	Lindstrom, J.	Pavlak, R.	Sieben, M.	Mr. Speaker
Jude	Lombardi	Pavlak, R. L.	Spanish	

Those who voted in the negative were:

Anderson, D.	Eckstein	Lemke	Niehaus	Schulz
Anderson, G.	Eken	Long	Norton	Searle
Biersdorf	Fjoslien	McCauley	Ohnstad	Sherwood
Braun	Graba	McEachern	Patton	Skaar
Brinkman	Haugerud	McMillan	Pehler	Smith
Carlson, B.	Johnson, C.	Miller, D.	Quirin	Stangeland
Carlson, D.	Jopp	Miller, M.	Resner	Vanasek
Culhane	Klaus	Mueller	St. Onge	Wenzel
Dahl	Kvam	Munger	Salchert	Wohlwend
DeGroat	Larson	Myrah	Samuelson	

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. No. 3008:

S. F. Nos. 3338, 3272, 2690, 1888, 2110, 2590, 3059, and 1713.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2818:

Cleary; Sieben, H.; and Laidig.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2950:

Knoll, Quirin, and Knickerbocker.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3163:

Hanson, Bennett, and Faricy.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3123:

Stanton, Searle, and Jaros.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1759:

Casserly, Voss and Andersen, R.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3311:

Tomlinson; Pavlak, R.; and Ferderer.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2576:

Sherwood; Lindstrom, J.; and Stangeland.

MOTION FOR RECONSIDERATION

McMillan moved that the vote whereby S. F. No. 2865 was not passed on Special Orders for Tuesday, March 19, 1974, be now reconsidered. The motion did not prevail.

SPECIAL ORDERS

S. F. No. 1963 was reported to the House.

Hanson moved to amend S. F. No. 1963 as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 56.01, is amended to read:

56.01 [NECESSITY OF LICENSE.] No person, copartnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, and charge, contract for, or receive on any such loan a greater rate of interest, discount, or consideration therefor than the lender would be permitted by law to charge if he were not a licensee hereunder, except as authorized by this chapter and without first obtaining

a license from the commissioner of banks, hereinafter called the commissioner. The word "person," as used in this chapter, includes individuals, copartnerships, associations, and corporations, unless the context requires a different meaning.

Sec. 2. Minnesota Statutes 1971, Section 56.12, is amended to read:

56.12 [ADVERTISING; TAKING OF SECURITY; PLACE OF BUSINESS.] No licensee or other person shall advertise, print, display, publish, distribute, or broadcast, or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, at a greater rate of charge than lenders not licensed hereunder would be permitted by law to make, which is false, misleading, or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

The commissioner may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

No licensee shall take a lien upon real estate as security for any loan made under this chapter, except such lien as is created by law upon the recording of a judgment.

No licensee shall conduct the business of making loans under this chapter within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized, in writing, by the commissioner upon his finding that the character of the other business is such that the granting of such authority would not facilitate evasions of this chapter or of the rules and regulations lawfully made hereunder.

No licensee shall transact the business or make any loan provided for by this chapter under any other name or at any other place of business than that named in the license. No licensee shall take any confession of judgment or any power of attorney. No licensee shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution.

Sec. 3. Minnesota Statutes 1971, Section 56.13, Subdivision 1, is amended to read:

56.13 [LIMITATION OF LOANS; INTEREST; INVESTIGATION CHARGE.] Subdivision 1. Every licensee hereunder

may lend any sum of money not to exceed (\$900) \$1,500 in amount, and may contract for and receive thereon at a rate not exceeding two and three-quarters percent per month on that part of the unpaid principal balance of any loan not exceeding \$300, one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of \$300 but not exceeding \$600, one and one-quarter percent per month on any remainder of such unpaid principal balance; provided (, HOWEVER, THAT) *in addition the licensee may collect from the proceeds of any loan an investigation charge of \$1 for each \$50, or fraction thereof, of the principal amount loaned, for expenses including any examination or investigation of the character and circumstances of the borrower, comaker or security, and drawing and taking the acknowledgment of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no such charge shall be made on that portion of a loan in excess of \$1,000, and no such charge shall be collected unless a loan shall have been made. The full amount of the investigation charge authorized by this subdivision shall be fully earned by the time a loan is made without regard to the expenses incurred and shall not be deemed interest; provided, however, if a loan for which an investigation charge was made is renewed within 12 months from the date of the loan, then 1/12 of such investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be funded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of such payment is made out of the proceeds of another loan from the same or affiliated lender. Not more than six months of accrued charges on the unpaid principal balance shall be included in any judgment entered on any loan made hereunder.*

Sec. 4. Minnesota Statutes 1971, Section 56.13, Subdivision 3, is amended to read:

Subd. 3. No charges on loans made under this chapter, *except for investigation charges allowed in subdivision 1 of this section*, shall be paid or received in advance, or deducted or discounted from the principal of the loan. *Interest* charges on loans made under this chapter, except as otherwise provided in subdivision 4 of this section, (1) shall be computed and paid only as a percentage per month of the unpaid principal balances or portions thereof, (2) shall be so expressed in every obligation signed by the borrower, and (3) shall not be compounded; provided that, if part or all of the consideration for a loan contract is the unpaid principal balance of a prior loan, then the principal amount payable under such loan contract may include any unpaid charges on the prior loan which have accrued within two months before the making of such loan contract. For the purpose of computations a month shall be considered a calendar month and where a fraction of a month is involved a day shall be considered one-thirtieth of a month.

Sec. 5. Minnesota Statutes 1971, Section 56.15, Subdivision 1, is amended to read:

56.15 [LIMITATION ON AMOUNT AND INSURANCE.] Subdivision 1. No licensee shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use or forbearance of money, goods, or things in action, or upon the loan, use or sale of credit, of the amount or value of more than (\$900) \$1,500. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or otherwise, to owe, directly or contingently, or both, to the licensee at any time a sum of more than (\$900) \$1,500 for principal.

Sec. 6. Minnesota Statutes 1971, Section 56.16, is amended to read:

56.16 [OVERAGES DEEMED INTEREST.] The payment of (\$900) \$1,500 or less in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this chapter, be deemed a loan secured by the assignment, and the amount by which the assigned compensation exceeds the amount of the consideration actually paid shall, for the purposes of regulation under this chapter, be deemed interest or charges upon the loan from the date of the payment to the date the compensation is payable. This transaction shall be governed by, and subject to, the provisions of this chapter.

Sec. 7. Minnesota Statutes 1971, Section 56.18, is amended to read:

56.18 [UNLICENSED PERSONS NOT TO MAKE LOANS.] No person, except as authorized in this chapter, shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of (\$900) \$1,500 or less.

The foregoing prohibition shall apply to any person who, by any device, subterfuge, or pretense, shall charge, contract for, or receive greater interest, consideration, or charges than is authorized by this chapter for any such loan, use or forbearance of money, goods, or things in action, or for any such loan, use or sale of credit.

No loan of the amount or value of (\$900) \$1,500 or less for which a greater rate of interest, consideration, or charges than is permitted by this chapter has been charged, contracted for, or received, wherever made, shall be enforced in this state, and every person in anywise participating therein in this state shall

be subject to the provisions of this chapter, provided, that the foregoing shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principle to this chapter.

Sec. 8. This act is effective July 1, 1974.”.

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

“A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.01; 56.12; 56.13, Subdivisions 1 and 3; 56.15, Subdivision 1; 56.16 and 56.18.”.

The motion prevailed and the amendment was adopted.

Hanson moved to amend S. F. No. 1963, as amended, as follows:

Page 1, line 4, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 1, line 15, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 2, line 21, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 2, line 27, strike the figure “\$50” and insert in lieu thereof “\$100”.

Page 2, line 30, after “provided” strike the comma. Further in the line, after “that” strike the language remaining in the line.

Page 2, line 31, strike “*be made on that portion of a loan in excess of \$1,000, and*”.

Page 3, line 22, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 3, line 24, strike the figure “\$1,500” and insert “\$1,200”.

Page 3, line 26, strike the figure “\$1,500” and insert “\$1,200”.

Page 4, line 3, strike the figure “\$1,500” and insert “\$1,200”.

Page 4, line 8, strike the figure “\$1,500” and insert “\$1,200”.

The motion prevailed and the amendment was adopted.

Grove was excused for the remainder of today’s session.

S. F. No. 1963, A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill.

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

The roll being called, there were yeas 72, and nays 61, as follows:

Those who voted in the affirmative were:

Adams, J.	Esau	Knickerbocker	Mueller	Searle
Anderson, I.	Fjoslien	Knoll	Myrah	Sieben, H.
Bell	Forsythe	Kvam	Newcome	Smith
Biersdorf	Graba	Larson	Norton	Spanish
Brinkman	Graw	Lemke	Patton	Stangeland
Carlson, B.	Hagedorn	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, D.	Hanson	Lombardi	Pavlak, R. L.	Weaver
Clifford	Haugerud	Mann	Pieper	Wenzel
Connors	Heinitz	McArthur	Quirin	Wigley
DeGroat	Johnson, C.	McCauley	Resner	Wohlwend
Dirlam	Johnson, J.	McEachern	Rice	Wolcott
Eckstein	Johnson, R.	McFarlin	Salchert	Mr. Speaker
Eken	Jopp	McMillan	Samuelson	
Enebo	Jude	Menke	Savelkoul	
Erdahl	Kelly	Miller, D.	Schreiber	

Those who voted in the negative were:

Adams, S.	Cleary	Johnson, D.	Nelson	Sherwood
Andersen, R.	Culhane	Kahn	Niehaus	Sieben, M.
Anderson, D.	Cummiskey	Kempe	Ohnstad	Skaar
Anderson, G.	Dahl	Klaus	Ojala	Stanton
Becklin	Dieterich	Kostohryz	Parish	Swanson
Belisle	Erickson	Laidig	Pehler	Ulland
Bennett	Faricy	LaVoy	Peterson	Vanasek
Berg	Ferderer	Lindstrom, J.	Pleasant	Vento
Berglin	Fudro	Long	Prahl	Voss
Braun	Fugina	McCarron	Ryan	
Carlson, A.	Hook	Miller, M.	St. Onge	
Carlson, L.	Jacobs	Moe	Sarna	
Casserly	Jaros	Munger	Schulz	

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

H. F. No. 3455 was reported to the House.

Anderson, G., moved that H. F. No. 3455 be re-referred to the Committee on Agriculture. The motion prevailed.

S. F. No. 306 was reported to the House.

Nelson moved that S. F. No. 306 be re-referred to the Committee on Education. The motion prevailed.

S. F. No. 2447, A bill for an act relating to soil and water conservation; amending Minnesota Statutes 1971, Sections 40.03, Subdivision 1; 40.04, Subdivision 12; and 40.05, Subdivisions 3, 3a, and 4.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	Schulz
Adams, S.	Eckstein	Jopp	Miller, M.	Searle
Andersen, R.	Eken	Jude	Moe	Sherwood
Anderson, D.	Enebo	Kahn	Mueller	Sieben, H.
Anderson, I.	Erdahl	Kelly	Munger	Sieben, M.
Belisle	Erickson	Kempe	Myrah	Skaar
Bell	Esau	Klaus	Nelson	Smith
Bennett	Faricy	Knickerbocker	Niehau	Spanish
Berg	Fjoslien	Kostohryz	Norton	Stangeland
Berglin	Forsythe	Kvam	Ojala	Stanton
Biersdorf	Fudro	Laidig	Parish	Swanson
Braun	Fugina	Larson	Patton	Tomlinson
Brinkman	Graba	LaVoy	Pavlak, R.	Ulland
Carlson, A.	Graw	Lemke	Pavlak, R. L.	Vanasek
Carlson, B.	Hagedorn	Lindstrom, E.	Pehler	Voss
Carlson, L.	Hanson	Lindstrom, J.	Peterson	Wenzel
Cassery	Haugerud	Lombardi	Pieper	Wigley
Cleary	Heinitz	Mann	Pleasant	Wohlwend
Clifford	Hook	McArthur	Prahl	Wolcott
Connors	Jacobs	McCarron	Quirin	Mr. Speaker
Culhane	Jaros	McCauley	Rice	
Cummiskey	Johnson, C.	McEachern	Ryan	
Dahl	Johnson, D.	McFarlin	Sarna	
DeGroat	Johnson, J.	McMillan	Schreiber	

Those who voted in the negative were:

Becklin	Carlson, D.	Ohnstad	St. Onge	Vento
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The bill was passed and its title agreed to.

S. F. No. 2691 was reported to the House.

Sieben, H., moved that S. F. No. 2691 be returned to General Orders. The motion prevailed.

S. F. No. 2170, A bill for an act relating to the salary of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 6.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kempe	Moe	Schreiber
Adams, S.	Enebo	Klaus	Mueller	Schulz
Andersen, R.	Erdahl	Knickerbocker	Munger	Searle
Anderson, I.	Erickson	Knoll	Myrah	Sherwood
Belisle	Ferderer	Kostohryz	Nelson	Sieben, H.
Bell	Forsythe	Kvam	Norton	Skaar
Bennett	Fudro	Laidig	Ohnstad	Smith
Berg	Fugina	Larson	Ojala	Spanish
Berglin	Graba	LaVoy	Parish	Stangeland
Biersdorf	Graw	Lemke	Patton	Stanton
Braun	Hagedorn	Lindstrom, E.	Pavlak, R.	Swanson
Brinkman	Hanson	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, A.	Haugerud	Lombardi	Pehler	Ulland
Carlson, B.	Heinitz	Long	Peterson	Vanasek
Carlson, D.	Hook	Mann	Pleasant	Vento
Carlson, L.	Jacobs	McArthur	Prahl	Voss
Casserly	Johnson, C.	McCarron	Quirin	Weaver
Clifford	Johnson, D.	McCauley	Resner	Wenzel
Connors	Johnson, J.	McEachern	Rice	Wigley
Culhane	Johnson, R.	McFarlin	Ryan	Wohlwend
Cummiskey	Jopp	McMillan	St. Onge	Wolcott
Dahl	Jude	Menke	Salchert	Mr. Speaker
Dieterich	Kahn	Miller, D.	Sarna	
Eckstein	Kelly	Miller, M.	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Cleary	Faricy	Niehaus	Pieper
Becklin	DeGroat	Jaros		

The bill was passed and its title agreed to.

H. F. No. 1405 was reported to the House.

McFarlin moved that H. F. No. 1405 be returned to General Orders. The motion prevailed.

S. F. No. 2128 was reported to the House.

Tomlinson moved to amend S. F. No. 2128 as amended, as follows:

Page 1, line 14, strike "*one mile or more*" which was inserted by the Connors amendment of March 19 and insert "*the same distance*".

Page 1, line 15, after "*district*" and before the comma insert "*as public school pupils are transported in the transporting district*".

The motion prevailed and the amendment was adopted.

S. F. No. 2128, A bill for an act relating to education; providing school bus transportation for pupils to nonpublic schools in adjacent districts; amending Minnesota Statutes 1971, Section 123.78, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, D.	Salchert
Adams, S.	Dieterich	Jopp	Miller, M.	Samuelson
Andersen, R.	Eckstein	Jude	Moe	Sarna
Anderson, G.	Eken	Kelly	Mueller	Savelkoul
Anderson, I.	Enebo	Kempe	Munger	Schreiber
Becklin	Erdahl	Klaus	Myrah	Searle
Belisle	Erickson	Knickerbocker	Nelson	Sherwood
Bell	Esau	Knoll	Niehaus	Sieben, H.
Bennett	Faricy	Kostohryz	Norton	Sieben, M.
Berg	Ferderer	Kvam	Ohnstad	Skaar
Berglin	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Spanish
Braun	Fugina	LaVoy	Patton	Stangeland
Brinkman	Graba	Lemke	Pavlak, R.	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Hagedorn	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Hanson	Lombardi	Peterson	Ulland
Carlson, L.	Haugerud	Mann	Pieper	Vanasek
Cassery	Heinitz	McArthur	Pleasant	Voss
Cleary	Hook	McCarron	Prahl	Weaver
Clifford	Jacobs	McCauley	Quirin	Wenzel
Connors	Jaros	McEachern	Resner	Wigley
Culhane	Johnson, C.	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, D.	McMillan	Ryan	Wolcott
Dahl	Johnson, J.	Menke	St. Onge	Mr. Speaker

Those who voted in the negative were:

Anderson, D. Schulz

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

S. F. No. 734 was reported to the House.

There being no objection, S. F. No. 734 was continued on Special Orders for one day.

S. F. No. 2505 was reported to the House.

There being no objection, S. F. No. 2505 was continued on Special Orders for one day.

S. F. No. 2580 was reported to the House.

Weaver moved to amend S. F. No. 2580, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. This act may be cited as "The pupil fair dismissal act of 1974".

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 14, the terms defined in this section shall have the meanings assigned them.

Subd. 2. "Dismissal" means the denial of the appropriate educational program to any pupil, including exclusion, expulsion, and suspension.

Subd. 3. "District" means any school district or unorganized territory.

Subd. 4. "Exclusion" means an action taken by the school board to prevent enrollment or reenrollment of a pupil for a period that shall not extend beyond the school year.

Subd. 5. "Expulsion" means an action taken by a school board to prohibit an enrolled pupil from further attendance for a period that shall not extend beyond the school year.

Subd. 6. "Parent" means (a) one of the pupil's parents, or (b) in the case of divorce, legal separation, or illegitimacy, the custodial parent.

Subd. 7. "Pupil" means any handicapped or nonhandicapped student under 21 years of age eligible to attend a public elementary or secondary school.

Subd. 8. "School" means any school as defined in Minnesota Statutes 1971, Section 120.05, Subdivision 2.

Subd. 9. "School board" means the governing body of any school district or unorganized territory.

Subd. 10. "Suspension" means an action taken by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than five school days. This definition does not apply to dismissal from school for one school day or less. Each suspension action shall include a readmission plan. The readmission plan shall include, where appropriate, a provision for alternative programs to be implemented upon readmission. Suspension may not be consecutively imposed against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will

create an immediate and substantial danger to persons or property around him. In no event shall suspension exceed 15 school days, provided that an alternative program shall be implemented to the extent that suspension exceeds five days.

Sec. 3. [POLICY.] No public school shall deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding which may result in suspension, exclusion, or expulsion.

Sec. 4. [GROUNDS FOR DISMISSAL.] Subdivision 1. No school shall dismiss any pupil without attempting to provide alternative programs of education prior to dismissal proceedings. Such programs may include special tutoring, modification of the curriculum for the pupil, placement in a special class or assistance from other agencies.

Subd. 2. A pupil may be dismissed on the following grounds:

(a) Willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;

(b) Willful conduct which materially and substantially disrupts the rights of others to an education;

(c) Willful conduct which endangers the pupil or other pupils, or the property of the school.

Sec. 5. [SUSPENSION PROCEDURES.] Subdivision 1. No suspension from school shall be imposed without an informal administrative conference with the pupil, except where it appears that the pupil will create an immediate and substantial danger to persons or property around him.

Subd. 2. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of this act, shall be personally served upon the pupil at or before the time the suspension is to take effect, and upon his parent or guardian by certified mail within 48 hours of the conference. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to persons or property around him, the written notice shall be served either personally or by certified mail upon the pupil and his parent or guardian within 48 hours of the suspension. Service by certified mail is complete upon mailing.

Subd. 3. Notwithstanding the provisions of section 5, subdivisions 1 and 2, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided

that an alternative program shall be implemented to the extent that suspension exceeds five days.

Sec. 6. [EXCLUSION AND EXPULSION PROCEDURES.]
Subdivision 1. No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.

Subd. 2. Written notice of intent to take action shall:

(a) Be served upon the pupil and his parent or guardian by certified mail;

(b) Contain a complete statement of the facts, a list of the witnesses and a description of their testimony;

(c) State the date, time, and place of the hearing;

(d) Be accompanied by a copy of this act;

(e) Describe alternative educational programs accorded the pupil prior to commencement of the expulsion or exclusion proceedings; and

(f) Inform the pupil and parent or guardian of the right to:

(1) Have legal counsel at the hearing;

(2) Examine the pupil's records before the hearing;

(3) Present evidence; and

(4) Confront and cross-examine witnesses.

Subd. 3. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.

Subd. 4. The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.

Subd. 5. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.

Subd. 6. The pupil shall have a right to a representative of his own choosing, including legal counsel. If a pupil is financially unable to retain counsel, the school board shall advise the pupil's parent or guardian of available legal assistance.

Subd. 7. The hearing shall take place before:

- (a) An independent hearing officer;
- (b) A member of the school board;
- (c) A committee of the school board, or;
- (d) The full school board;

as determined by the school board.

Subd. 8. The proceedings of the hearing shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.

Subd. 9. At a reasonable time prior to the hearing, the pupil, parent or guardian, or his representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.

Subd. 10. The pupil, parent or guardian, or his representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.

Subd. 11. The pupil, parent or guardian, or his representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

Subd. 12. The pupil cannot be compelled to testify in the dismissal proceedings.

Subd. 13. The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and be made to the school board within two days of the end of the hearing.

Subd. 14. The decision by the school board shall be based upon the recommendation of the hearing officer or school board member or committee and shall be rendered at a special meeting within five days after receipt of the recommendation. The decision shall be in writing and the controlling facts found upon which the decision is made shall be stated in sufficient detail to apprise the parties and the commissioner of education of the basis and reason for the decision.

Sec. 7. [APPEAL.] An exclusion or expulsion decision made pursuant to this act may be appealed to the commissioner of education. The commissioner or his representative shall make a final decision based upon a record of evidence presented at the hearing. Such ruling shall be binding upon the parties, subject to judicial review as provided in section 8.

Sec. 8. [JUDICIAL REVIEW.] The decision of the commissioner of education made pursuant to this act shall be subject to direct judicial review in the district court of the county in which the school district or any part thereof is located. The scope of the judicial review shall be as provided by Minnesota Statutes 1971, Section 15.0425.

Sec. 9. [REPORTS TO SERVICE AGENCY.] The school board shall report any action taken pursuant to this act to the appropriate public service agency, when the pupil is under the supervision of such agency.

Sec. 10. [NONAPPLICATION OF CERTAIN LAW.] The provisions of Minnesota Statutes 1971, Section 120.10, Subdivision 1, shall not apply to any pupil during a dismissal pursuant to this act.

Sec. 11. [REPORT TO COMMISSIONER OF EDUCATION.] The school board shall report each exclusion or expulsion within 30 days of the effective date of the action to the commissioner of education. This report shall include a statement of alternative programs of education accorded the pupil prior to the commencement of exclusion or expulsion proceedings.

Sec. 12. [NOTICE OF RIGHT TO BE REINSTATED.] Whenever a pupil fails to return to school within ten school days of the termination of dismissal, the pupil and his parents shall be informed by certified mail of the pupil's right to attend and to be reinstated in the public school.

Sec. 13. [POLICIES TO BE ESTABLISHED.] The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt policies and rules in writing to effectuate the purposes of this act. The policies will emphasize the prevention of dismissal action through early detection of problems. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period and help prepare him for readmission.

Sec. 14. This act shall not be deemed to amend or otherwise affect or change Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 5, Clause (2).

Sec. 15. This act shall apply only to those portions of the school program for which credit is granted.

Sec. 16. [REPEALER.] Minnesota Statutes 1971, Section 127.071, is repealed."

The motion prevailed and the amendment was adopted.

S. F. No. 2580, A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Knickerbocker	Myrah	Schreiber
Adams, S.	Eken	Knoll	Nelson	Schulz
Andersen, R.	Enebo	Kostohryz	Newcome	Sherwood
Anderson, I.	Erdahl	Kvam	Niehaus	Sieben, H.
Becklin	Faricy	Laidig	Norton	Sieben, M.
Belisle	Ferderer	Larson	Ohnstad	Skaar
Bell	Fjoslien	LaVoy	Ojala	Smith
Bennett	Fudro	Lemke	Parish	Spanish
Berg	Fugina	Lindstrom, E.	Patton	Stangeland
Berglin	Graw	Lindstrom, J.	Pavlak, R.	Stanton
Biersdorf	Hagedorn	Lombardi	Pavlak, R. L.	Swanson
Braun	Hanson	Long	Pehler	Tomlinson
Brinkman	Haugerud	Mann	Pieper	Ulland
Carlson, A.	Heinitz	McArthur	Pleasant	Vanasek
Carlson, B.	Hook	McCarron	Prahl	Vento
Carlson, L.	Jaros	McCauley	Quirin	Voss
Casserly	Johnson, C.	McEachern	Resner	Weaver
Clifford	Johnson, D.	McFarlin	Rice	Wigley
Connors	Johnson, J.	McMillan	Ryan	Wohlwend
Culhane	Johnson, R.	Menke	St. Onge	Wolcott
Cummiskey	Jopp	Miller, M.	Salchert	Mr. Speaker
Dahl	Jude	Moe	Samuelson	
Dieterich	Kahn	Mueller	Sarna	
Dirlam	Kelly	Munger	Savelkoul	

Those who voted in the negative were:

Anderson, D.	DeGroat	Graba	Kempe	Peterson
Anderson, G.	Erickson	Jacobs	Klaus	Wenzel

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

S. F. No. 3355, A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Menke	Samuelson
Adams, S.	Dieterich	Jude	Miller, M.	Sarna
Andersen, R.	Dirlam	Kahn	Mueller	Savelkoul
Anderson, D.	Eckstein	Kelly	Munger	Schreiber
Anderson, G.	Eken	Kempe	Myrah	Schulz
Anderson, I.	Enebo	Klaus	Nelson	Sherwood
Becklin	Erickson	Knickerbocker	Newcome	Sieben, H.
Belisle	Faricy	Knoll	Niehaus	Sieben, M.
Bell	Ferderer	Kostohryz	Norton	Skaar
Bennett	Fjoslien	Kvam	Ohnstad	Smith
Berg	Fudro	Laidig	Ojala	Spanish
Berglin	Fugina	Larson	Patton	Stangeland
Biersdorf	Graba	LaVoy	Pavlak, R.	Stanton
Braun	Graw	Lemke	Pavlak, R. L.	Swanson
Brinkman	Hagedorn	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Hanson	Lindstrom, J.	Peterson	Ulland
Carlson, B.	Haugerud	Lombardi	Pieper	Vanasek
Carlson, D.	Heinitz	Long	Pleasant	Vento
Carlson, L.	Hook	Mann	Prahl	Voss
Casserly	Jacobs	McArthur	Quirin	Weaver
Clifford	Jaros	McCarron	Resner	Wenzel
Connors	Johnson, C.	McCauley	Rice	Wigley
Culhane	Johnson, D.	McEachern	Ryan	Wohlwend
Cummiskey	Johnson, J.	McFarlin	St. Onge	Wolcott
Dahl	Johnson, R.	McMillan	Salchert	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3477 was reported to the House.

Berg moved to amend S. F. No. 3477, the printed bill, as follows:

Line 3, in the title, strike "or" and insert "of".

The motion prevailed and the amendment was adopted.

S. F. No. 3477, 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 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6;

169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, M.	Savelkoul
Andersen, R.	Dirlam	Jude	Moe	Schreiber
Anderson, D.	Eckstein	Kahn	Mueller	Schulz
Anderson, G.	Eken	Kelly	Munger	Searle
Anderson, I.	Enebo	Kempe	Myrah	Sherwood
Becklin	Erdahl	Klaus	Nelson	Sieben, H.
Belisle	Erickson	Knickerbocker	Newcome	Sieben, M.
Bell	Esau	Knoll	Niehaus	Skaar
Bennett	Faricy	Kostohryz	Norton	Smith
Berg	Ferderer	Kvam	Ohnstad	Spanish
Berglin	Fjoslien	Laidig	Ojala	Stangeland
Biersdorf	Fudro	Larson	Parish	Stanton
Braun	Fugina	LaVoy	Pattson	Swanson
Brinkman	Graba	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, B.	Hagedorn	Lindstrom, J.	Pehler	Vento
Carlson, D.	Hanson	Lombardi	Peterson	Voss
Carlson, L.	Haugerud	Long	Pieper	Weaver
Casserly	Heinitz	Mann	Pleasant	Wenzel
Cleary	Hook	McArthur	Quirin	Wigley
Clifford	Jacobs	McCarron	Rice	Wohlwend
Connors	Jaros	McCauley	Ryan	Wolcott
Culhane	Johnson, C.	McEachern	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	Salchert	
Dahl	Johnson, J.	McMillan	Samuelson	
DeGroat	Johnson, R.	Menke	Sarna	

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

S. F. No. 3008 was reported to the House.

Moe moved that S. F. No. 3008 be re-referred to the Committee on Governmental Operations.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 55, and nays 59, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Heinitz	Moe	Savelkoul
Adams, S.	DeGroat	Johnson, D.	Nelson	Schulz
Anderson, D.	Dieterich	Kahn	Niehaus	Sherwood
Belisle	Eken	Kelly	Norton	Sieben, H.
Bell	Erickson	Klaus	Ohnstad	Sieben, M.
Berg	Faricy	Knickerbocker	Ojala	Stanton
Berglin	Ferderer	Knoll	Pavlak, R.	Swanson
Braun	Fugina	Kostohryz	Peterson	Tomlinson
Carlson, A.	Graba	McFarlin	Pleasant	Ulland
Cleary	Hagedorn	McMillan	Rice	Wolcott
Clifford	Hanson	Menke	Saichert	Mr. Speaker

Those who voted in the negative were:

Andersen, R.	Dirlam	Johnson, J.	Long	Schreiber
Anderson, G.	Eckstein	Johnson, R.	Mann	Skaar
Anderson, I.	Enebo	Jopp	McArthur	Spanish
Becklin	Erdahl	Jude	McCarron	Stangeland
Bennett	Esau	Kempe	McEachern	Vanasek
Biersdorf	Fjoslien	Kvam	Miller, M.	Vento
Carlson, B.	Forsythe	Laidig	Mueller	Voss
Carlson, D.	Fudro	Larson	Munger	Weaver
Carlson, L.	Graw	Lemke	Parish	Wenzel
Culhane	Hook	Lindstrom, E.	Pavlak, R. L.	Wigley
Cummiskey	Jacobs	Lindstrom, J.	Pieper	Wohlwend
Dahl	Johnson, C.	Lombardi	Prahl	

The motion did not prevail.

Moe moved to amend S. F. No. 3008, as amended, as follows:

Page 2, after Section 8, add a new section, as follows:

“Sec. 9. The board of trustees of the public employees retirement association is hereby charged to prepare and submit to the 1975 session of the legislature in the form of proposed legislation, a plan for the merger of the public employees retirement association, teachers retirement association and the Minnesota state retirement system into one statewide public pension system which shall equalize the benefit provisions and support rates for the major employee groups within. The proposed legislation shall also include a proposed recodification of the existing pension or retirement laws concerned in the proposed merger, and a proposal for the formation of a permanent board of directors.”

Renumber the remaining section.

Further, amend the title, line 7, after "therefor" and before the period, insert "; providing for a plan for a statewide public pension system".

The motion prevailed and the amendment was adopted.

S. F. No. 3008, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 24, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Jopp	Miller, M.	Schreiber
Andersen, R.	Enebo	Jude	Mueller	Schulz
Anderson, G.	Erdahl	Kahn	Munger	Searle
Anderson, I.	Erickson	Kelly	Myrah	Sieben, H.
Becklin	Esau	Klaus	Nelson	Sieben, M.
Belisle	Fjoslien	Knickerbocker	Newcome	Skaar
Bennett	Forsythe	Knoll	Norton	Smith
Berglin	Fudro	Kvam	Ohnstad	Spanish
Biersdorf	Fugina	Laidig	Ojala	Stangeland
Braun	Graba	Larson	Parish	Swanson
Brinkman	Graw	LaVoy	Patton	Tomlinson
Carlson, B.	Hagedorn	Lindstrom, E.	Pavlak, R. L.	Vento
Carlson, D.	Hanson	Lindstrom, J.	Pehler	Voss
Carlson, L.	Heinitz	Lombardi	Peterson	Weaver
Casserly	Hook	Mann	Pleasant	Wenzel
Cleary	Jacobs	McArthur	Prahl	Wigley
Culhane	Jaros	McCarron	Quirin	Wohlwend
Cummiskey	Johnson, C.	McEachern	Ryan	Wolcott
Dahl	Johnson, D.	McMillan	St. Onge	Mr. Speaker
Dirlam	Johnson, J.	Menke	Salchert	
Eckstein	Johnson, R.	Miller, D.	Sarna	

Those who voted in the negative were:

Adams, J.	Clifford	Ferderer	Moe	Savelkoul
Anderson, D.	Connors	Kempe	Niehaus	Sherwood
Bell	DeGroat	Kostohryz	Pavliak, R.	Stanton
Berg	Dieterich	Lemke	Pieper	Ulland
Carlson, A.	Faricy	McFarlin	Rice	

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

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3164.

H. F. No. 3164, A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 96, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Nelson	Schreiber
Adams, S.	Enebo	Kempe	Norton	Searle
Andersen, R.	Faricy	Knickerbocker	Ojala	Sherwood
Anderson, D.	Ferderer	Knoll	Parish	Sieben, H.
Anderson, I.	Forsythe	Kostohryz	Patton	Sieben, M.
Belisle	Fudro	Laidig	Pavlak, R.	Smith
Bell	Fugina	LaVoy	Pavlak, R. L.	Spanish
Bennett	Graba	Lindstrom, E.	Pehler	Swanson
Berg	Graw	Lombardi	Peterson	Tomlinson
Berglin	Hagedorn	Mann	Pieper	Ulland
Brinkman	Hanson	McArthur	Pleasant	Vanasek
Carlson, A.	Heintz	McCarron	Prahl	Vento
Carlson, B.	Hook	McCauley	Quirin	Wenzel
Carlson, L.	Jacobs	McFarlin	Resner	Wohlwend
Casserly	Jaros	McMillan	Ryan	Wolcott
Cleary	Johnson, D.	Menke	St. Onge	Mr. Speaker
Clifford	Johnson, J.	Miller, D.	Salchert	
Connors	Johnson, R.	Miller, M.	Samuelson	
Cummiskey	Jude	Moe	Sarna	
Dahl	Kahn	Munger	Savelkoul	

Those who voted in the negative were:

Anderson, G.	Dirlam	Johnson, C.	Long	Skaar
Becklin	Eckstein	Klaus	Mueller	Stangeland
Biersdorf	Erdahl	Kvam	Myrah	Stanton
Braun	Erickson	Larson	Niehaus	Weaver
Carlson, D.	Esau	Lemke	Ohnstad	Wigley
DeGroat	Fjoslien	Lindstrom, J.	Schulz	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued in sequence on Special Orders for Thursday, March 21, 1974, immediately following the Consent Calendar. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1470, A bill for an act relating to veterans; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Section 197.09.

Reported the same back with the following amendments:

Page 2, line 5, after "*in any*" insert "*Minnesota*".

Page 2, line 6, after "*or*" insert "*Minnesota*".

Page 2, line 11, after "*private*" insert "*Minnesota*".

Page 2, line 12, after "*private*" insert "*Minnesota*".

Page 2, line 15, after "*commission*" insert "*at a rate not exceeding the undergraduate tuition at Minnesota public institutions*".

Page 3, line 12, after "\$" insert "10,000.00".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1627, A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes, 1973 Supplement, Section 15A.211.

Reported the same back with the following amendments:

Page 1, line 22, after "*members*" and before "*who*" insert "*by reason of service on such boards, councils, and commissions,*" and in the same line after "*employees*" and before the comma insert "*and who are not paid per diem*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3497, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reported the same back with the following amendments:

Page 1, line 10, after "The" and before "commission" insert "bipartisan".

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3459, A bill for an act relating to the capitol area architectural and planning commission; appropriating money for a master plan implementation study.

Reported the same back with the following amendments:

Page 1, line 7, after "Section 1." strike the remainder of the line.

Page 1, strike line 8.

Page 1, line 9, strike "fund, the sum of \$93,000" and insert "There is reappropriated to the capitol area architectural and planning commission from the unexpended balance of the appropriation made in Laws 1973, Chapter 720, Section 56, an amount not to exceed \$46,500".

Page 2, strike lines 2 and 3 and insert the following:

"Sec. 3. The funds reappropriated in this act may be expended only if a similar sum of money is made available to the commission by the city of St. Paul and shall not lapse prior to the completion of the master plan."

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3504, A bill for an act relating to the organization and operation of state government; appropriating money to the Indian affairs commission.

Reported the same back with the following amendments:

Page 1, line 7, delete "\$86,000" and insert "\$20,000".

Page 1, line 11, after "appropriated" and before the period insert "and shall be for the employment of an Indian affairs commission representative in the Bemidji area".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 162, A bill for an act relating to private detectives and protective agents; providing regulations therefor; prescribing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 326.331; 326.332, Subdivision 1; 326.333; 326.334; 326.336; 326.337; 326.338, by adding a subdivision; 326.339; and Chapter 326, by adding sections; repealing Minnesota Statutes 1971, Section 326.335.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 2231, A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

Reported the same back with the following amendments:

Page 2, line 7, after "16.866," insert "Subdivision 2,".

Page 2, delete lines 9 to 28.

Page 3, delete lines 1 to 8.

Further, amend the title in line 14 after "16.866" by inserting "Subdivision 2".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 2669, A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 2954, A bill for an act relating to the department of education, division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1470, 1627, 3459, and 3504 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 162, 2231, 2669, and 2954 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3045, A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 773, A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

H. F. No. 2601, A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

H. F. No. 2796, A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

H. F. No. 3102, A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

H. F. No. 3281, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

H. F. No. 3287, A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

H. F. No. 3556, A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3179.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3577.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3179, A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 3577, A bill for an act relating to the organization and operation of state government; providing certain welfare allowances; creating an economic opportunity agency and regional action agencies; appropriating money; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Appropriations.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, March 21, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, March 21, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-TENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 21, 1974

The House convened at 11:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, J.	McMillan	St. Onge
Adams, S.	Dieterich	Johnson, R.	Menke	Samuelson
Andersen, R.	Dirlam	Jopp	Miller, D.	Sarna
Anderson, D.	Eckstein	Jude	Miller, M.	Savelkoul
Anderson, G.	Eken	Kahn	Moe	Schreiber
Anderson, I.	Enebo	Kelly	Mueller	Schulz
Becklin	Erdahl	Kempe	Munger	Sherwood
Belisle	Erickson	Klaus	Nelson	Sieben, H.
Bell	Esau	Knickerbocker	Newcome	Sieben, M.
Bennett	Faricy	Knoll	Niehaus	Smith
Berg	Ferderer	Kostohryz	Norton	Spanish
Berglin	Fjoslien	Kvam	Ohnstad	Stangeland
Biersdorf	Forsythe	Laidig	Ojala	Stanton
Braun	Fudro	Larson	Parish	Swanson
Brinkman	Fugina	LaVoy	Patton	Tomlinson
Carlson, A.	Graba	Lemke	Pavlak, R.	Ulland
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, D.	Growe	Lindstrom, J.	Pehler	Vento
Carlson, L.	Hagedorn	Lombardi	Peterson	Voss
Casserly	Hanson	Long	Pieper	Weaver
Cleary	Haugerud	Mann	Pleasant	Wenzel
Clifford	Hook	McArthur	Prahl	Wigley
Connors	Jacobs	McCarron	Quirin	Wohlwend
Culhane	Jaros	McCauley	Resner	Wolcott
Cummiskey	Johnson, C.	McEachern	Rice	Mr. Speaker
Dahl	Johnson, D.	McFarlin	Ryan	

A quorum was present.

Heinitz, Myrah, Salchert, Searle, and Skaar were excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Esau, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2949, 3285, 3382, 1470, 1627, 2046, 3459, 3499, 3504, and 3561 and S. F. Nos. 734, 3577 and 3179 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
3389		176	March 18	March 18

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2785, A bill for an act relating to the operation of state government; changing the salary setting authority of certain unclassified positions in the executive branch of government; amending Minnesota Statutes 1971, Sections 43.01, by adding subdivisions; 43.06, as amended; Chapter 15A, by adding a section; Chapter 43, by adding sections; repealing Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.081 and 43.02, as amended.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.062] [SALARY SETTING AUTHORITY.] *Subdivision 1. [SALARY LISTING.] The personnel board shall, on or before November 15 of each even numbered year, submit to the commissioner of personnel a listing of salaries for the positions listed in sections 8, subdivision 1, 15A.083 and for the members of the legislature. The board may also recommend adding or deleting of positions from this list.*

Subd. 2. -[BOARD TO CONSIDER ADVICE.] Before submitting the salary listing prescribed in subdivision 1 to the commissioner of personnel, the personnel board shall consult with the governor, the commissioner of administration, the commissioner of finance, and the commissioner of personnel concerning the salary listing and shall give due consideration to the advice of these officers. Before submitting to the commissioner of personnel a salary listing prescribed in subdivision 1 for an employee in the office of a constitutional officer, the personnel board shall consult with the constitutional officer concerning the salary listing and shall give due consideration to the advice of the officer.

Subd. 3. [BASE SALARIES AND ACHIEVEMENT AWARDS.] Except for positions for which salary ranges have been established, the salary listing shall contain a specific salary for each position defined in subdivision 1. For positions for which no salary ranges have been established, the salary listing shall further contain a specific monetary amount or percentage to which an incumbent's salary may be raised to reward achievement as prescribed by section 12. The board shall determine only a fixed salary for the positions of executive secretary of the board of investment, the workmens' compensation commissioner and the commissioner of public service who shall not be eligible for achievement awards as provided by section 11.

Subd. 4. [OFFICE OF ATTORNEY GENERAL.] Salaries within the ranges for professional positions within the office of the attorney general shall be established by the attorney general.

Sec. 2. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.064] [OTHER SALARIES SET BY PERSONNEL.] *Notwithstanding any other law to the contrary, salaries for all unclassified positions in the executive branch not enumerated in the listing described in section 8, subdivision 1, shall be established by the commissioner of personnel except for the follow-*

ing: (1) positions listed in Minnesota Statutes, Section 15A.083; (2) positions listed in Minnesota Statutes, Section 299D.03; (3) employees in the office of the governor whose salary shall be determined by the governor; (4) positions in the state college system, the state community college system, and in the higher education coordinating commission whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions or departments of colleges and community colleges or conducting research on academic subjects. Individual salaries for positions enumerated in clause (4) shall be determined by the state college board, the state community college board, and the higher education coordinating commission, respectively, within the limits of a salary plan which shall have been approved by the commissioner of personnel before becoming effective.

No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this section unless it is expressly provided in such subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Sec. 3. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.065] [SALARY REVIEW.] *Subdivision 1. [SALARIES TO BE EQUITABLE.] When determining salaries for any position, the personnel board and the commissioner of personnel shall assure that:*

(1) *Salaries in the classified and unclassified service bear equitable relationship to one another;*

(2) *Salaries among the various positions listed in section 8, subdivision 1, bear equitable relationships to one another; and*

(3) *Salaries for state positions bear equitable relationships to salaries for similar positions outside state service.*

Salaries bear equitable relationships to one another within the meaning of this section if salaries for positions which require comparable knowledge, abilities, duties, responsibilities and accountabilities are comparable and if salaries for positions which require differing knowledge, abilities, duties, responsibilities and accountabilities are directly proportional to the knowledge, abilities, duties, and responsibilities required.

Subd. 2. [METHOD OF REVIEW.] In recommending the salary listing described in section 8, subdivision 1, the board shall consider only those criteria established by subdivision 1 and shall not take into account personal performance of individual incumbents. The board shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities and accountabil-

ities and in determining salary listings rate each position according to this system.

Subd. 3. [INFORMATION, CONSULTANTS.] Each department shall furnish the board with any information which the board may request to aid in the performance of its duties. Subject to appropriations, the board may engage expert consultants.

Sec. 4. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.067] [SALARY LIMITS.] The base salary of the head of any state department in the executive branch shall serve as the upper limit of compensation in his organization unless the personnel board approves an exemption in individual cases. Salaries of medical doctors paid under the provisions of Minnesota Statutes, Section 43.126, shall be excluded from the limitation provided in this section.

Sec. 5. Minnesota Statutes 1971, Section 43.01, is amended by adding subdivisions to read:

Subd. 17. [LEGISLATIVE BRANCH.] For purposes of Minnesota Statutes, Chapters 15A and 43, "legislative branch" means all legislators and all employees of the legislature including part time or full time employees and temporary or permanent employees of legislative committees or commissions.

Subd. 18. [JUDICIAL BRANCH.] For the purposes of Minnesota Statutes, Chapters 15A and 43, "judicial branch" means all justices of the supreme court, all employees of the supreme court, including the commissions, boards and committees established by the supreme court, the board of law examiners, the law library, the office of the public defender, and all judges of district courts and such other agencies as may be placed in the judicial branch by law.

Subd. 19. [EXECUTIVE BRANCH.] For purposes of Minnesota Statutes, Chapters 15A and 43, "executive branch" means heads of all departments of government elective or appointive, established by statute or constitution and all employees of such department heads which have, within their particular field of responsibility state-wide jurisdiction, as opposed to jurisdiction in specifically defined geographical areas, such as regions, counties, cities, towns, municipalities, or school districts; and are not defined as part of the legislative or judicial branches of government. The executive branch shall include the governor and his staff. Not included into the executive branch shall be the university of Minnesota, the public employees retirement association, the Minnesota state retirement system, the teachers retirement association, the Minnesota historical society, and all of their employees, and any other entity which is incorporated, though it may receive state funds.

Subd. 20. [CIVIL SERVICE.] "Civil service" of the state means a system consisting of all employees in the legislative, the judicial, and the executive branches of state government. The state civil service shall be divided into the classified and the unclassified civil service as provided elsewhere in this chapter.

Subd. 21. [DEPARTMENT, AGENCY.] For purposes of Chapter 15A and of this chapter, the terms "department" and "agency" may be used interchangeably within the executive branch.

Subd. 22. [OFFICER, EMPLOYEE.] For purposes of chapter 15A and of this chapter, the terms "officer" and "employee" may be used interchangeably within the executive branch.

Sec. 6. Minnesota Statutes, 1973 Supplement, Section 43.06, is amended to read:

43.06 [BOARD; DUTIES, POWERS.] It shall be the duty of the personnel board and it shall have power:

(1) To conduct hearings and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, suspension, or removal of the officer or employee, in accordance with the provisions of this chapter;

(2) To hear and pass upon such other matters as the commissioner may, from time to time, bring before the board for determination; and

(3) The personnel board may employ, prescribe the duties, and, notwithstanding the provisions of section (15A.021) 2 of this act, fix the compensation of temporary and permanent hearing officers and other employees who shall be in the unclassified civil service or may be retained by contract. (THE BOARD MAY DECIDE MATTERS FROM A REPORT OF THE TESTIMONY TAKEN BY A HEARING OFFICER AND IN ACCORDANCE WITH SUCH RULES AS IT MAY PRESCRIBE.)

(4) The personnel board shall advise the commissioner of personnel on any matters concerning his rules when requested so to do by the commissioner.

(5) The personnel board shall render its advisory opinion on all proposed personnel rules, or proposed changes of personnel rules.

Sec. 7. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.055] [EXTENT OF AUTHORITY.] *Whenever any power or authority is given to the commissioner of personnel by*

any provision of chapters 15A or 43, such power or authority shall extend to all departments in the executive branch, but shall not extend to any subdivisions or employees in the judicial branch or legislative branch. The classified employees in the office of the legislative auditor, however, shall be subject to the powers or authority of the commissioner of personnel.

Sec. 8. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.063] [SALARIES FOR DEPARTMENT HEADS AND CERTAIN DEPUTIES.] *Subdivision 1. The following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:*

	<i>Base Salary or Range</i>
<i>Administration, department of commissioner</i>	<i>\$36,000</i>
<i>deputy commissioner</i>	<i>28,800</i>
<i>Aeronautics, department of commissioner</i>	<i>20,400</i>
<i>Agriculture, department of commissioner</i>	<i>22,000</i>
<i>deputy commissioner</i>	<i>17,600</i>
<i>Attorney General, office of attorney general</i>	<i>36,500</i>
<i>chief deputy attorney general</i>	<i>24,500 - 31,500</i>
<i>deputy attorney general</i>	<i>19,100 - 27,500</i>
<i>solicitor general</i>	<i>21,300 - 28,000</i>
<i>assistant attorney general</i>	<i>12,000 - 26,000</i>
<i>special assistant attorney general</i>	<i>12,600 - 22,600</i>
<i>Auditor, office of auditor</i>	<i>26,000</i>
<i>deputy auditor</i>	<i>20,800</i>
<i>Commerce, department of commissioner of banks</i>	<i>22,000</i>
<i>commissioner of insurance</i>	<i>22,000</i>
<i>commissioner of securities</i>	<i>22,000</i>

<i>Corrections, department of commissioner</i>	\$28,000
<i>deputy commissioner</i>	22,400
<i>Economic development, department of commissioner</i>	22,000
<i>deputy commissioner</i>	17,600
<i>Education, department of commissioner</i>	29,800
<i>Finance, department of commissioner</i>	35,500
<i>deputy commissioner</i>	28,400
<i>Governor, office of governor</i>	41,000
<i>Health, department of commissioner</i>	30,300
<i>Higher education coordinating commission executive director</i>	26,100
<i>assistant executive director</i>	20,900
<i>Highways, department of commissioner</i>	33,600
<i>Human rights, department of commissioner</i>	20,000
<i>Indian affairs commission executive director</i>	17,500
<i>Investment, board of executive secretary</i>	35,000
<i>Labor and industry, department of commissioner</i>	26,400
<i>deputy commissioner</i>	21,100
<i>workmen's compensation commissioner</i>	22,000
<i>director, mediation services</i>	21,000

<i>Lieutenant governor, office of lieutenant governor</i>	\$30,000
<i>Liquor control, department of commissioner</i>	19,000
<i>Manpower services, department of commissioner</i>	26,400
<i>Natural resources, department of commissioner</i>	28,300
<i>deputy commissioner</i>	22,600
<i>Personnel, department of commissioner</i>	31,000
<i>deputy commissioner</i>	24,800
<i>Planning agency director</i>	27,000
<i>Pollution control agency director</i>	24,000
<i>Public safety, department of commissioner</i>	26,900
<i>deputy commissioner</i>	21,500
<i>Public Service, department of commissioner, public services commission</i>	22,000
<i>director</i>	20,700
<i>Public welfare, department of commissioner</i>	33,600
<i>deputy commissioner</i>	26,900
<i>Secretary of state, office of secretary of state</i>	25,000
<i>deputy secretary of state</i>	17,500
<i>State college system chancellor</i>	32,500
<i>State community college system chancellor</i>	27,500

<i>Revenue, department of commissioner</i>	\$28,900
<i>Treasury, state treasurer</i>	25,000
<i>deputy treasurer</i>	17,500
<i>Veterans Affairs, department of commissioner</i>	16,000

Subd. 2. Members of the Minnesota national guard shall receive the pay and allowances prescribed by the armed forces of the United States for similar rank and time in service.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 43.09, Subdivision 6, is amended to read:

Subd. 6. [ACT NOT APPLICABLE TO REGENTS OF UNIVERSITY OF MINNESOTA.] The state (CIVIL SERVICE) personnel act (EXCEPT FOR THE PROVISIONS OF SECTIONS 43.12, SUBDIVISION 2, AND 43.122, SUBDIVISIONS 1 AND 3,) shall not be deemed to have been heretofore or hereafter applied to the Regents of the University of Minnesota, nor to persons, institutions, or employees under their control.

Sec. 10. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.068] [NO DECREASE IN PRESENT SALARIES.] *The salary of any state employee whose salary at the end of an odd numbered fiscal year was above the limit set in section 8 or section 15A.083, shall remain at that level at the beginning of the next fiscal year and until a vacancy in the position occurs or the salary falls below a newly established limit. New appointments shall be made at the base salary or within the salary range prescribed in section 8 or Section 15A.083.*

Sec. 11. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.069] [BOARD MAY LIFT SALARIES.] *Subdivision 1. Except as provided in section 1, the personnel board may raise the salary for any individual incumbent of a position whose base salary is established under the provisions of section 8, and which has not been provided with a salary range, provided:*

(a) *The incumbent has, in the opinion of the board, challenging written objectives which are specific as to amount and time and which have been agreed upon in advance by the appointing authority;*

(b) *The appointing authority of the incumbent applies to the board for the salary increase and simultaneously certifies to the board that the incumbent has fulfilled, or is fulfilling, his agreed upon objectives.*

Subd. 2. The board may require the appointing authority or the incumbent to submit additional information as it may deem necessary.

Subd. 3. The appointing authority may apply for, and the board may approve salary raises for the incumbent by any increment, and more than once. The aggregate of the increases under this section shall not increase the individual salary beyond 25 percent of the base salary established for the position under the provisions of section 8.

Subd. 4. Any achievement award granted to individuals under this section shall remain in effect for 12 months from the date of approval, unless the board determines a lesser effective period of time.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 43.324, is amended to read:

43.324 [COMPENSATION PLAN.] Subdivision 1. On or before December 1 of each even numbered year, the commissioner of personnel shall after consultation with the commissioner of finance submit to the governor, or if a governor has been elected in that year to the governor-elect, his recommendations concerning compensation to be paid all (STATE) employees (,) in the classified and unclassified *civil service in the executive branch with the exception of salaries for positions exempted from the commissioner's salary setting authority in section 2.* The recommendations so submitted shall be in bill form, drafted in conformity with the rules of the senate and house of representatives and may contain proposals concerning salaries, paid holidays, health and life insurance benefits, and other items of compensation for all employees (OF THE STATE) *in the executive branch.* The recommendations shall also include any agreements reached through collective bargaining, or ordered by arbitrators, or which may be the results of any negotiations conducted under a public employment labor relations law applicable to state employees to the extent that such agreements pertain to issues or items included in the commissioner's compensation recommendations described in this subdivision.

Subd. 2. The recommendation of the commissioner as required by subdivision 1 shall include the recommendations of the personnel board concerning salaries in the unclassified service or any modifications thereof which he has made. But no modification of the personnel board's recommendations shall be made by the commissioner without a written explanation therefor, and in no event may the commissioner make any changes in the rec-

ommendations of the personnel board concerning positions in the legislative and judicial branches.

Subd. 3. (THE GOVERNOR AT THE TIME OF DELIVERING) *As part of his budget message to the opening of a regular session of the legislature in January of each odd numbered year, the governor shall also transmit for legislative consideration the commissioner's proposals as recommended by the commissioner or as modified by the governor, but the governor shall not modify any recommendations concerning positions in the legislative or judicial branches, or any recommendations reached through collective bargaining, or ordered by arbitrators, or which may be the result of any negotiations conducted under a public employment labor relations law applicable to state employees.*

Sec. 13. Minnesota Statutes, 1973 Supplement, Section 43.128, is amended to read:

[43.128] [SALARY INCREASES, UNCLASSIFIED SERVICE.] Subdivision 1. The salaries of all employees in the unclassified *civil* service of the (STATE) *executive branch* whose salary is not fixed by section (15A.081) 8, shall be adjusted to the class of persons in the classified *civil* service performing comparable work and having comparable responsibility, as determined by the commissioner of personnel but in no event to an amount in excess of the maximum of such class.

Subd 2. The provisions of subdivision 1 shall not apply to state employees listed in sections 43.09, subdivision 2, clause (7) and 136A.03, except that the appointing authority of such employees shall submit a salary schedule to the commissioner for approval before such schedule may become effective. *The provisions of subdivision 1 shall further not apply to salaries for positions which are exempted from the commissioner's salary setting authority under the provisions of section 2.*

Sec. 14. Minnesota Statutes 1971, Section 15.61, is amended to read:

15.61 [UNEMPLOYED AND UNDEREMPLOYED; EMPLOYMENT BY STATE AND OTHER GOVERNMENTAL UNITS.] Subdivision 1. The state of Minnesota, its departments, agencies and instrumentalities, and any county, city, (VILLAGE, BOROUGH,) town, school district or other body corporate and politic, may employ unemployed and underemployed persons as defined in the federal (EMERGENCY EMPLOYMENT ACT OF 1971) *Comprehensive Manpower Training and Employment Act of 1973, Title II* pursuant to and in accordance with the terms of that act.

Subd. 2. The provisions of Minnesota Statutes 1969, Sections 197.45 to 197.48 and 43.30 and any other law or ordinance relating to preference in employment and promotion of persons

having served in the armed services, the provisions of any civil service law, rule or regulation, the provisions of any city charter or any ordinance or resolution, or the provisions of any other law or statute in conflict with the provisions of the federal (EMERGENCY EMPLOYMENT ACT OF 1971) *Comprehensive Manpower Training and Employment Act of 1973, Title II* shall not be applicable to the employment of the persons specified in subdivision 1.

Subd. 3. The provision of any law limiting the complement of any state department or agency is not applicable to persons employed pursuant to this section and the provisions of the federal (EMERGENCY EMPLOYMENT ACT OF 1971) *Comprehensive Manpower Training and Employment Act of 1973, Title II* when such employment by a state department or agency has been approved by the commissioner of administration.

Sec. 15. [REPEALER.] Minnesota Statutes 1971, Section 15A.14, and Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085, and 43.02 are repealed.

Sec. 16. [EFFECTIVE DATE.] This act shall be effective the beginning of the pay period following its final enactment.”.

Further amend by striking the title in its entirety and substituting the following:

“A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

S. F. No. 756, A bill for an act relating to the sales and use tax; defining use; imposing the use tax; amending Minnesota Statutes 1971, Sections 297A.01, Subdivision 6, and 297A.14.

Reported the same back with the following amendments:

Page 2, after line 16, insert a new section 3 to read as follows:

"Sec. 3. The provisions of this act shall not apply to the exercise of any right or power over tangible personal property in the performance of a written contract for the erection of buildings or the alteration, repair or improvement of real property if such contract was executed and enforceable prior to the effective date of this act."

Page 2, line 17, renumber "Sec. 3." as "Sec. 4."

Page 2, lines 17 and 18, strike "*the day following its final enactment*" and insert "*January 1, 1974*".

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2785 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 756 was read for the second time.

INTRODUCTION OF BILLS

Dieterich, McEachern, Moe, Kahn, and Jaros introduced:

H. F. No. 3723, A bill for an act relating to highway traffic regulations; requiring counties to establish alcohol safety programs for persons convicted of driving under the influence of alcoholic beverages; requiring presentence investigation reports for certain driving offenses; amending Minnesota Statutes 1971, Chapter 169, by adding sections.

The bill was read for the first time and referred to the Committee on Transportation.

Norton, for the Committee on Appropriations, introduced:

H. F. No. 3724, A bill for an act relating to the organization, operation, and financing of state government; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the preparation of fiscal notes; the coordination and integration of human services; the fixing of certain salaries; the purchase of supplies, materials

and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 268.071, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapter 595, Sections 1 and 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

The bill was read for the first time and laid over one day.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 401, A bill for an act relating to game and fish; authorizing angling with two lines through the ice; amending Minnesota Statutes 1971, Sections 97.40, Subdivision 32; 101.41, Subdivision 2, and 101.42, Subdivision 20.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 3036 for further consideration:

S. F. No. 3036, A bill for an act relating to courts: providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

Senate File No. 3036 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Knoll moved that the vote whereby S. F. No. 3036 was passed by the House on the Consent Calendar on March 19, 1974, be now reconsidered. The motion prevailed.

Knoll moved that the action whereby S. F. No. 3036 was given a third reading by the House on March 19, 1974, be now reconsidered. The motion prevailed.

S. F. No. 3036 was reported to the House.

Knoll moved to amend S. F. No. 3036, as follows:

Page 2, lines 5, 6, and 7, strike "by the then senior or presiding judge of the district he has theretofore served in, for service in such district" and insert "*pursuant to Minnesota Statutes, Section 2.724*".

The motion prevailed and the amendment was adopted.

S. F. No. 3036, A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

The bill was read for the third time, as amended, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 79, and nays 41, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Miller, D.	St. Onge
Adams, S.	Dirlam	Klaus	Moe	Sarna
Andersen, R.	Enebo	Knickerbocker	Mueller	Sherwood
Anderson, I.	Esau	Knoll	Munger	Sieben, H.
Bell	Forsythe	Kostohryz	Nelson	Sieben, M.
Bennett	Fudro	Laidig	Norton	Stanton
Berg	Fugina	LaVoy	Ojala	Swanson
Berglin	Graw	Lindstrom, E.	Parish	Tomlinson
Carlson, A.	Growe	Lindstrom, J.	Patton	Ulland
Carlson, B.	Hook	Lombardi	Pavlak, R.	Vanasek
Carlson, L.	Jacobs	Mann	Pavlak, R. L.	Vento
Casserly	Johnson, C.	McCarron	Pehler	Weaver
Connors	Johnson, D.	McEachern	Peterson	Wigley
Cummiskey	Johnson, J.	McFarlin	Quirin	Wolcott
Dahl	Jude	McMillan	Rice	Mr. Speaker
DeGroat	Kahn	Menke	Ryan	

Those who voted in the negative were:

Anderson, D.	Clifford	Hagedorn	Miller, M.	Smith
Anderson, G.	Culhane	Hanson	Niehhaus	Spanish
Becklin	Eckstein	Jaros	Ohnstad	Stangeland
Belisle	Eken	Johnson, R.	Pieper	Wenzel
Biersdorf	Erdahl	Jopp	Pleasant	Wohlwend
Braun	Erickson	Kvam	Prahl	
Brinkman	Faricy	Larson	Savelkoul	
Carlson, D.	Fjoslien	Lemke	Schreiber	
Cleary	Graba	Long	Schulz	

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

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 3271 for further consideration:

S. F. No. 3271, A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.

Senate File No. 3271 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dahl moved that the vote whereby S. F. No. 3271 was passed by the House on the Consent Calendar on March 14, 1974, be now reconsidered. The motion prevailed.

Dahl moved that the action whereby S. F. No. 3271 was given a third reading by the House on March 14, 1974, be now reconsidered. The motion prevailed.

S. F. No. 3271 was reported to the House.

Dahl moved to amend S. F. No. 3271 as follows:

Page 1, line 10, strike "Annandale Pioneer Transportation Museum" and insert "Minnesota Pioneer Travel Park".

Amend the title as follows:

Page 1, lines 5 and 6, strike "Annandale Pioneer Transportation Museum" and insert "Minnesota Pioneer Travel Park".

The motion prevailed and the amendment was adopted.

S. F. No. 3271, A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.

The bill was read for the third time, as amended, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	Sarna
Adams, S.	Dieterich	Johnson, R.	Menke	Savelkoul
Andersen, R.	Dirlam	Jopp	Miller, D.	Schreiber
Anderson, D.	Eckstein	Jude	Miller, M.	Schulz
Anderson, G.	Eken	Kahn	Moe	Sherwood
Anderson, I.	Enebo	Kelly	Mueller	Sieben, H.
Becklin	Erdahl	Kempe	Munger	Sieben, M.
Bell	Erickson	Klaus	Nelson	Smith
Bennett	Esau	Knickerbocker	Niehaus	Spanish
Berg	Faricy	Knoll	Norton	Stangeland
Berglin	Fjoslien	Kostohryz	Ohnstad	Stanton
Biersdorf	Forsythe	Kvam	Ojala	Swanson
Braun	Fudro	Laidig	Parish	Tomlinson
Brinkman	Fugina	Larson	Patton	Ulland
Carlson, A.	Graba	LaVoy	Pavlak, R.	Vanasek
Carlson, B.	Graw	Lemke	Pehler	Vento
Carlson, D.	Growe	Lindstrom, E.	Peterson	Weaver
Carlson, L.	Hagedorn	Lindstrom, J.	Pieper	Wenzel
Casserly	Hanson	Lombardi	Pleasant	Wigley
Cleary	Haugerud	Long	Prahl	Wohlwend
Clifford	Hook	Mann	Quirin	Wolcott
Connors	Jacobs	McArthur	Rice	Mr. Speaker
Culhane	Jaros	McCarron	Ryan	
Cummiskey	Johnson, C.	McEachern	St. Onge	
Dahl	Johnson, D.	McFarlin	Samuelson	

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2773, A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Prahl moved that the House concur in the Senate amendments to H. F. No. 2773 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2773, A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Savelkoul
Andersen, R.	Dirlam	Jude	Miller, M.	Schreiber
Anderson, D.	Eckstein	Kahn	Moe	Schulz
Anderson, G.	Eken	Kelly	Mueller	Sherwood
Anderson, I.	Enebo	Kempe	Munger	Sieben, H.
Becklin	Erdahl	Klaus	Nelson	Sieben, M.
Belisle	Erickson	Knickerbocker	Niehaus	Smith
Bell	Esau	Knoll	Norton	Spanish
Bennett	Faricy	Kostohryz	Ohnstad	Stangeland
Berg	Fjoslien	Kvam	Ojala	Stanton
Berglin	Forsythe	Laidig	Parish	Swanson
Biersdorf	Fudro	Larson	Patton	Tomlinson
Braun	Fugina	LaVoy	Pavlak, R.	Ulland
Brinkman	Graba	Lemke	Pavlak, R. L.	Vanasek
Carlson, A.	Growe	Lindstrom, E.	Pehler	Vento
Carlson, B.	Hagedorn	Lindstrom, J.	Peterson	Weaver
Carlson, D.	Hanson	Lombardi	Pieper	Wenzel
Carlson, L.	Haugerud	Long	Pleasant	Wigley
Casserly	Hook	Mann	Prahl	Wohlwend
Cleary	Jacobs	McArthur	Quirin	Wolcott
Clifford	Jaros	McCarron	Rice	Mr. Speaker
Connors	Johnson, C.	McEachern	Ryan	
Cummiskey	Johnson, D.	McFarlin	St. Onge	
Dahl	Johnson, J.	McMillan	Samuelson	
DeGroat	Johnson, R.	Menke	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lindstrom, J., moved that the House refuse to concur in the Senate amendments to H. F. No. 2992, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3356, A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 3356 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3356, A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	Savelkoul
Adams, S.	Dirlam	Jopp	Miller, D.	Schreiber
Andersen, R.	Eckstein	Jude	Miller, M.	Schulz
Anderson, D.	Eken	Kahn	Moe	Sherwood
Anderson, I.	Enebo	Kelly	Mueller	Sieben, H.
Becklin	Erdahl	Kempe	Munger	Sieben, M.
Belisle	Erickson	Klaus	Nelson	Smith
Bell	Esau	Knickerbocker	Niehaus	Spanish
Bennett	Faricy	Knoll	Norton	Stangeland
Berg	Fjoslien	Kostohryz	Ohnstad	Stanton
Berglin	Forsythe	Kvam	Ojala	Swanson
Biersdorf	Fudro	Laidig	Parish	Tomlinson
Braun	Fugina	Larson	Patton	Ulland
Brinkman	Graba	LaVoy	Pavlak, R.	Vanasek
Carlson, A.	Graw	Lemke	Pavlak, R. L.	Vento
Carlson, B.	Growe	Lindstrom, E.	Pehler	Weaver
Carlson, D.	Hagedorn	Lindstrom, J.	Peterson	Wenzel
Carlson, L.	Hanson	Lombardi	Pieper	Wigley
Casserly	Haugerud	Long	Pleasant	Wohlwend
Cleary	Hook	Mann	Prahl	Wolcott
Clifford	Jacobs	McArthur	Quirin	Mr. Speaker
Connors	Jaros	McCarron	Rice	
Cummiskey	Johnson, C.	McEachern	Ryan	
Dahl	Johnson, D.	McFarlin	St. Onge	
DeGroat	Johnson, J.	McMillan	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2980, A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Faricy moved that the House concur in the Senate amendments to H. F. No. 2980 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2980, A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Grove	Laidig	Niehaus
Adams, S.	Connors	Hagedorn	Larson	Norton
Andersen, R.	Culhane	Hanson	LaVoy	Ohnstad
Anderson, D.	Cummiskey	Haugerud	Lemke	Ojala
Anderson, G.	Dahl	Hook	Lindstrom, E.	Parish
Anderson, I.	DeGroat	Jacobs	Lindstrom, J.	Patton
Becklin	Dieterich	Jaros	Lombardi	Pavlak, R.
Belisle	Dirlam	Johnson, C.	Long	Pavlak, R. L.
Bell	Eckstein	Johnson, D.	Mann	Pehler
Bennett	Eken	Johnson, J.	McArthur	Peterson
Berg	Enebo	Johnson, R.	McCarron	Pieper
Berglin	Erdahl	Jopp	McEachern	Pleasant
Biersdorf	Erickson	Jude	McFarlin	Prahl
Braun	Esau	Kahn	McMillan	Quirin
Brinkman	Faricy	Kelly	Menke	Rice
Carlson, A.	Fjoslien	Kempe	Miller, D.	Ryan
Carlson, B.	Forsythe	Klaus	Miller, M.	St. Onge
Carlson, D.	Fudro	Knickerbocker	Moe	Samuelson
Carlson, L.	Fugina	Knoll	Mueller	Sarna
Casserly	Graba	Kostohryz	Munger	Savelkoul
Clarey	Graw	Kvam	Nelson	Schreiber

Schulz	Smith	Swanson	Vento	Wohlwend
Sherwood	Spanish	Tomlinson	Weaver	Wolcott
Sieben, H.	Stangeland	Ulland	Wenzel	Mr. Speaker
Sieben, M.	Stanton	Vanasek	Wigley	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3230, A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McEachern moved that the House concur in the Senate amendments to H. F. No. 3230 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3230, A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Erdahl	Jaros	Larson
Adams, S.	Carlson, D.	Erickson	Johnson, C.	LaVoy
Andersen, R.	Carlson, L.	Esau	Johnson, D.	Lemke
Anderson, D.	Casserly	Farcy	Johnson, J.	Lindstrom, E.
Anderson, G.	Cleary	Fjoslien	Johnson, R.	Lombardi
Anderson, I.	Clifford	Forsythe	Jopp	Long
Becklin	Connors	Fudro	Jude	Mann
Belisle	Culhane	Fugina	Kahn	McArthur
Bell	Cummiskey	Graba	Kelly	McCarron
Bennett	Dahl	Graw	Kempe	McEachern
Berg	DeGroat	Grove	Klaus	McFarlin
Berglin	Dieterich	Hagedorn	Knickerbocker	McMillan
Biersdorf	Dirlam	Hanson	Knoll	Menke
Braun	Eckstein	Haugerud	Kostohryz	Miller, D.
Brinkman	Eken	Hook	Kvam	Miller, M.
Carlson, A.	Enebo	Jacobs	Laidig	Moe

Mueller	Pavlak, R.	Ryan	Sieben, M.	Vento
Munger	Pavlak, R. L.	St. Onge	Smith	Weaver
Nelson	Pehler	Samuelson	Spanish	Wenzel
Niehaus	Peterson	Sarna	Stangeland	Wigley
Norton	Pieper	Savelkoul	Stanton	Wohlwend
Ohnstad	Pleasant	Schreiber	Swanson	Wolcott
Ojala	Prahl	Schulz	Tomlinson	Mr. Speaker
Parish	Quirin	Sherwood	Ulland	
Patton	Rice	Sieben, H.	Vanasek	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3712, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton, for the Committee on Appropriations, moved that the House refuse to concur in the Senate amendments to H. F. No. 3712, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3143, A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kvam moved that the House refuse to concur in the Senate amendments to H. F. No. 3143, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2683 and 3323.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3580.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2683, A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition; amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivision 5; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

S. F. No. 3323, A bill for an act relating to the capitol area architectural and planning commission; redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; appropriating money for a master plan implementation study; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Norton moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3323 be given its second reading. The motion prevailed.

Norton moved that the rules of the House be so far suspended that S. F. No. 3323 be given its second reading. The motion prevailed.

S. F. No. 3323 was read for the second time.

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Norton moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3580 be given its second reading. The motion prevailed.

Norton moved that the rules of the House be so far suspended that S. F. No. 3580 be given its second reading. The motion prevailed.

S. F. No. 3580 was read for the second time.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3002

March 19, 1974

Honorable Martin O. Sabo
 Speaker of the House of Representatives
 Honorable Alec G. Olson
 President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3002, recommend as follows:

That the House accede to the Senate amendment.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RICHARD ANDERSEN, THOMAS M. HAGEDORN, and BERNARD O. CARLSON.

Senate Conferees: ROBERT O. ASHBACH, ROGER HANSON, and STANLEY N. THORUP.

Andersen, R., moved that the report of the Conference Committee on H. F. No. 3002 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3002, A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Braun	DeGroat	Fugina	Johnson, R.
Adams, S.	Brinkman	Dieterich	Graba	Jopp
Andersen, R.	Carlson, A.	Dirlam	Graw	Jude
Anderson, D.	Carlson, B.	Eckstein	Grove	Kahn
Anderson, G.	Carlson, D.	Eken	Hagedorn	Kelly
Anderson, I.	Carlson, L.	Enebo	Hanson	Kempe
Becklin	Cassery	Erdahl	Haugerud	Klaus
Belisle	Cleary	Erickson	Hook	Knickerbocker
Bell	Clifford	Esau	Jacobs	Knoll
Bennett	Connors	Faricy	Jaros	Kostohryz
Berg	Culhane	Fjoslien	Johnson, C.	Kvam
Berglin	Cummiskey	Forsythe	Johnson, D.	Laidig
Biersdorf	Dahl	Fudro	Johnson, J.	Larson

LaVoy	Menke	Patton	St. Onge	Stanton
Lemke	Miller, D.	Pavlak, R.	Samuelson	Swanson
Lindstrom, E.	Miller, M.	Pavlak, R. L.	Sarna	Tomlinson
Lindstrom, J.	Moe	Pehler	Savelkoul	Ulland
Lombardi	Mueller	Peterson	Schreiber	Vanasek
Long	Munger	Pieper	Schulz	Vento
Mann	Nelson	Pleasant	Sherwood	Weaver
McArthur	Newcome	Prahl	Sieben, H.	Wenzel
McCarron	Niehaus	Quirin	Sieben, M.	Wigley
McEachern	Ohnstad	Resner	Smith	Wohlwend
McFarlin	Ojala	Rice	Spanish	Wolcott
McMillan	Parish	Ryan	Stangeland	Mr. Speaker

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1136

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1136, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments and that H. F. No. 1136 be further amended as follows:

Page 2 of the Senate amendment, clause (a), lines 3 and 4, delete "*other than a de minimis violation*".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: NORMAN PRAHL, SALISBURY ADAMS, and IRVIN ANDERSON.

Senate Conferees: A. J. PERPICH, NORBERT ARNOLD, and AL KOWALCZYK.

Prahl moved that the report of the Conference Committee on H. F. No. 1136 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1136, A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, D.	Sarna
Adams, S.	Dieterich	Jopp	Miller, M.	Schreiber
Andersen, R.	Dirlam	Jude	Moe	Schulz
Anderson, D.	Eckstein	Kahn	Mueller	Sherwood
Anderson, G.	Eken	Kelly	Munger	Sieben, H.
Anderson, I.	Enebo	Kempe	Nelson	Sieben, M.
Becklin	Erdahl	Klaus	Newcome	Smith
Belisle	Erickson	Knickerbocker	Niehaus	Spanish
Bell	Esau	Knoll	Norton	Stangeland
Bennett	Faricy	Kostohryz	Ohnstad	Stanton
Berg	Fjoslien	Kvam	Ojala	Swanson
Berglin	Forsythe	Laidig	Parish	Tomlinson
Biersdorf	Fudro	Larson	Patton	Ulland
Braun	Fugina	LaVoy	Pavlak, R.	Vanasek
Brinkman	Graba	Lemke	Pavlak, R. L.	Vento
Carlson, A.	Graw	Lindstrom, E.	Pehler	Voss
Carlson, E.	Growe	Lindstrom, J.	Peterson	Weaver
Carlson, D.	Hagedorn	Lombardi	Pieper	Wenzel
Carlson, L.	Hanson	Long	Pleasant	Wigley
Casserly	Haugerud	Mann	Prahl	Wohlwend
Cleary	Hook	McArthur	Quirin	Wolcott
Clifford	Jacobs	McCarron	Resner	Mr. Speaker
Connors	Jaros	McEachern	Rice	
Culhane	Johnson, C.	McFarlin	Ryan	
Cummiskey	Johnson, D.	McMillan	St. Onge	
Dahl	Johnson, J.	Menke	Samuelson	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2990

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2990, 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. 2990 be further amended as follows:

Page 1, line 22, after "houseparent" insert "*special schools counselor, shop instructor*".

Page 2, line 8, after "*certified*" insert "*by the commissioner of personnel*".

Page 2, line 9, after "*being*" insert "*regularly*".

Page 2, line 11, after "*men*" insert "*, the state prison and the Minnesota correctional institution for women*".

Page 2, line 14, delete "*the reformatory for men*" and insert in lieu thereof "*one of the foregoing institutions*".

Further, amend the title in line 3 by deleting "*the*" and in line 4, by deleting "*reformatory for men*" and inserting "*correctional institutions*".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: AL PATTON, DONALD M. MOE, and CALVIN R. LARSON.

Senate Conferees: ED SCHROM, and ROBERT J. BROWN.

Patton moved that the report of the Conference Committee on H. F. No. 2990 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Graba	Kostohryz	Moe
Adams, S.	Clifford	Graw	Kvam	Mueller
Andersen, R.	Connors	Growe	Laidig	Munger
Anderson, D.	Culhane	Hagedorn	Larson	Nelson
Anderson, G.	Cummiskey	Hanson	LaVoy	Newcome
Anderson, I.	Dahl	Haugerud	Lemke	Niehaus
Becklin	DeGroat	Hook	Lindstrom, E.	Norton
Belisle	Dieterich	Jacobs	Lindstrom, J.	Ohnstad
Bell	Dirlam	Jaros	Lombardi	Ojala
Bennett	Eckstein	Johnson, C.	Long	Parish
Berg	Eken	Johnson, D.	Mann	Patton
Berglin	Enebo	Johnson, J.	McArthur	Pavlak, R.
Biersdorf	Erdahl	Johnson, R.	McCarron	Pavlak, R. L.
Braun	Erickson	Jopp	McCauley	Pehler
Brinkman	Esau	Jude	McEachern	Peterson
Carlson, A.	Fariey	Kahn	McFarlin	Pieper
Carlson, B.	Fjoslien	Kelly	McMillan	Pleasant
Carlson, D.	Forsythe	Kempe	Menke	Prahl
Carlson, L.	Fudro	Knickerbocker	Miller, D.	Quirin
Casserly	Fugina	Knoll	Miller, M.	Resner

Rice	Schreiber	Spanish	Vanasek	Wolcott
Ryan	Schulz	Stangeland	Vento	Mr. Speaker
St. Onge	Sherwood	Stanton	Voss	
Samuelson	Sieben, H.	Swanson	Wenzel	
Sarna	Sieben, M.	Tomlinson	Wigley	
Savelkoul	Smith	Ulland	Wohlwend	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3571

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3571, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: IRVIN N. ANDERSON, MARTIN O. SABO, and AUBREY W. DIRLAM.

Senate Conferees: NICHOLAS D. COLEMAN, HAROLD G. KRIEGER, and GEORGE R. CONZEMIUS.

Anderson, I., moved that the report of the Conference Committee on H. F. No. 3571 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berg	Esau	Klaus	Mueller	Savelkoul
Berglin	Faricy	Knickerbocker	Munger	Schreiber
Biersdorf	Fjoslien	Knoll	Nelson	Schulz
Braun	Forsythe	Kostohryz	Newcome	Sherwood
Brinkman	Fudro	Kvam	Niehaus	Sieben, H.
Carlson, A.	Fugina	Laidig	Norton	Sieben, M.
Carlson, B.	Graba	Larson	Ohnstad	Smith
Carlson, D.	Graw	LaVoy	Ojala	Spanish
Carlson, L.	Growe	Lemke	Parish	Stangeland
Casserly	Hagedorn	Lindstrom, E.	Patton	Stanton
Cleary	Hanson	Lindstrom, J.	Pavlak, R.	Swanson
Clifford	Haugerud	Lombardi	Pavlak, R. L.	Tomlinson
Connors	Hook	Long	Pehler	Ulland
Culhane	Jacobs	Mann	Peterson	Vanasek
Cummiskey	Jaros	McArthur	Pieper	Vento
Dahl	Johnson, C.	McCarron	Pleasant	Voss
DeGroat	Johnson, D.	McCauley	Prahl	Wenzel
Dieterich	Johnson, J.	McEachern	Quirin	Wigley
Dirlam	Johnson, R.	McFarlin	Resner	Wohlwend
Eckstein	Jopp	McMillan	Rice	Wolcott
Eken	Jude	Menke	Ryan	Mr. Speaker
Enebo	Kahn	Miller, D.	St. Onge	
Erdahl	Kelly	Miller, M.	Samuelson	
Erickson	Kempe	Moe	Sarna	

The bill was repassed, as amended by Conference, and its title agreed to.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Cummiskey reported on the progress of H. F. No. 1810, now in Conference Committee.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. Nos. 3210 and 852.

S. F. No. 3210, A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Connors	Erdahl	Growe
Adams, S.	Berglin	Culhane	Erickson	Hagedorn
Andersen, R.	Biersdorf	Cummiskey	Esau	Hanson
Anderson, D.	Braun	Dahl	Faricy	Haugerud
Anderson, G.	Brinkman	DeGroat	Fjoslien	Hook
Anderson, I.	Carlson, A.	Dieterich	Forsythe	Jacobs
Becklin	Carlson, B.	Dirlam	Fudro	Jaros
Belisle	Carlson, D.	Eckstein	Fugina	Johnson, C.
Bell	Carlson, L.	Eken	Graba	Johnson, D.
Bennett	Casserly	Enebo	Graw	Johnson, J.

Johnson, R.	Lombardi	Nelson	Quirin	Stangeland
Jopp	Long	Newcome	Resner	Stanton
Jude	Mann	Niehaus	Rice	Swanson
Kahn	McArthur	Norton	Ryan	Tomlinson
Klaus	McCarron	Ohnstad	St. Onge	Ulland
Knickerbocker	McCauley	Ojala	Samuelson	Vanasek
Knoll	McEachern	Parish	Sarna	Vento
Kostohryz	McFarlin	Patton	Savelkoul	Weaver
Kvam	McMillan	Pavlak, R.	Schreiber	Wenzel
Laidig	Menke	Pavlak, R. L.	Schulz	Wigley
Larson	Miller, D.	Pehler	Sherwood	Wohlwend
LaVoy	Miller, M.	Peterson	Sieben, H.	Wolcott
Lemke	Moe	Pieper	Sieben, M.	Mr. Speaker
Lindstrom, E.	Mueller	Pleasant	Smith	
Lindstrom, J.	Munger	Prahl	Spanish	

The bill was passed and its title agreed to.

S. F. No. 852, A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 13.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Menke	Samuelson
Adams, S.	Dirlam	Jude	Miller, D.	Sarna
Andersen, R.	Eckstein	Kahn	Miller, M.	Savelkoul
Anderson, D.	Eken	Kelly	Moe	Schreiber
Anderson, G.	Enebo	Kempe	Mueller	Schulz
Anderson, I.	Erdahl	Klaus	Munger	Sherwood
Becklin	Erickson	Knickerbocker	Nelson	Sieben, H.
Belisle	Esau	Knoll	Newcome	Sieben, M.
Bell	Faricy	Kostohryz	Niehaus	Smith
Bennett	Fjoslien	Kvam	Norton	Spanish
Berg	Forsythe	Laidig	Ohnstad	Stangeland
Berglin	Fudro	Larson	Ojala	Stanton
Biersdorf	Fugina	LaVoy	Parish	Swanson
Braun	Graba	Lemke	Patton	Tomlinson
Brinkman	Graw	Lindstrom, E.	Pavlak R.	Ulland
Carlson, A.	Grove	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, B.	Hagedorn	Lombardi	Pehler	Vento
Carlson, D.	Hanson	Long	Peterson	Weaver
Carlson, L.	Haugerud	Mann	Pieper	Wenzel
Casserly	Jacobs	McArthur	Pleasant	Wigley
Connors	Jaros	McCarron	Quirin	Wohlwend
Culhane	Johnson, C.	McCauley	Resner	Wolcott
Cummiskey	Johnson, D.	McEachern	Rice	Mr. Speaker
Dahl	Johnson, J.	McFarlin	Ryan	
DeGroat	Johnson, R.	McMillan	St. Onge	

Those who voted in the negative were:

Hook Prahl

The bill was passed and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Miller D., was excused for the remainder of today's session.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3285.

CALL OF THE HOUSE

On the motion of Swanson and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Adams, J.	Eckstein	Jopp	Miller, M.	Sherwood
Andersen, R.	Eken	Jude	Mueller	Sieben, H.
Anderson, D.	Enebo	Kahn	Munger	Sieben, M.
Anderson, G.	Erdahl	Kelly	Myrah	Skaar
Anderson, I.	Erickson	Kempe	Nelson	Smith
Becklin	Esau	Klaus	Newcome	Spanish
Belisle	Faricy	Knickerbocker	Niehaus	Stangeland
Bell	Ferderer	Knoll	Ohnstad	Stanton
Berg	Fjoslien	Kostohryz	Ojala	Swanson
Biersdorf	Fudro	Kvam	Parish	Tomlinson,
Braun	Fugina	Laidig	Patton	Ulland
Brinkman	Graba	Larson	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	LaVoy	Pehler	Vento
Carlson, B.	Growe	Lindstrom, E.	Peterson	Voss
Carlson, L.	Hagedorn	Lombardi	Pieper	Wenzel
Casserly	Haugerud	Long	Prahl	Wigley
Cleary	Heinitz	Mann	Resner	Wohlwend
Connors	Jacobs	McArthur	Ryan	Wolcott
Culhane	Jaros	McCarron	St. Onge	Mr. Speaker
Dahl	Johnson, C.	McCauley	Salchert	
DeGroat	Johnson, D.	McFarlin	Sarna	
Dieterich	Johnson, J.	McMillan	Schreiber	
Dirlam	Johnson, R.	Menke	Searle	

Swanson moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 3285, A bill for an act appropriating money and authorizing the issuance of Minnesota state building bonds for the acquisition and betterment of public land, buildings, and capital improvements needed to provide facilities for Gillette children's hospital in conjunction with the Ramsey county hospital.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 113, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, M.	Schreiber
Adams, S.	Dieterich	Jude	Moe	Schulz
Andersen, R.	Eckstein	Kahn	Mueller	Searle
Anderson, G.	Eken	Kelly	Myrah	Sherwood
Anderson, I.	Enebo	Kempe	Nelson	Sieben, H.
Becklin	Erickson	Klaus	Newcome	Sieben, M.
Belisie	Esau	Knickerbocker	Niehaus	Skaar
Bell	Faricy	Knoll	Norton	Smith
Bennett	Ferderer	Kostohryz	Ohnstad	Spanish
Berglin	Fjoslien	Laidig	Ojala	Stangeland
Biersdorf	Fudro	Larson	Parish	Stanton
Braun	Fugina	Lemke	Patton	Swanson
Brinkman	Graba	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, B.	Growe	Lombardi	Pehler	Vento
Carlson, D.	Hagedorn	Long	Peterson	Weaver
Carlson, L.	Heinitz	Mann	Pieper	Wenzel
Casserly	Hook	McArthur	Prahl	Wigley
Cleary	Jacobs	McCarron	Quirin	Wohlwend
Clifford	Johnson, C.	McEachern	Ryan	Wolcott
Connors	Johnson, D.	McFarlin	St. Onge	Mr. Speaker
Culhane	Johnson, J.	McMillan	Sarna	
Dahl	Johnson, R.	Menke	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Erdahl	Kvam	Munger	Samuelson
Berg	Forsythe	LaVoy	Resner	Ulland
Dirlam	Jaros	McCauley	Salchert	Voss

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3182, A bill for an act relating to energy conservation; appropriating money to the university of Minnesota for the purpose of research into developing an alcohol supplement that can be blended with gasoline.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3337, A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

Reported the same back with the following amendments:

Page 1, line 11, delete "lapse or" and insert in lieu thereof "cancel until June 30, 1977. The department of economic development shall, by written contract upon such conditions as it may provide, require the sponsors of the Biocentennial Agricultural Exposition to return to the state of Minnesota for deposit in the general fund all or part of the funds hereby appropriated if the event shows a profit."

Page 1, line 12, delete all of the language.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Norton from the Committee on Appropriations to which was referred:

S. F. No. 1800, A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3182 and 3337 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1800 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3506, A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on :

H. F. No. 1292, A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on :

H. F. No. 3202, A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested :

H. F. No. 3015, A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivi-

sions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 3015 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3015, A bill for an act relating to commercial law; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivisions 1, 2, 3, 3a, and 3b.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 100, and nays 31, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Moe	Sarna
Adams, S.	Eken	Kelly	Mueller	Savelkoul
Andersen, R.	Enebo	Kempe	Munger	Schulz
Anderson, G.	Faricy	Klaus	Nelson	Sherwood
Anderson, I.	Ferderer	Knickerbocker	Newcome	Sieben, H.
Bennett	Fudro	Knoll	Norton	Sieben, M.
Berg	Graba	Kostohryz	Parish	Smith
Berglin	Graw	LaVoy	Patton	Spanish
Braun	Growe	Lemke	Pavlak, R.	Stanton
Brinkman	Hanson	Lindstrom, E.	Pehler	Swanson
Carlson, A.	Haugerud	Lindstrom, J.	Peterson	Tomlinson
Carlson, B.	Heinitz	Lombardi	Pieper	Ulland
Carlson, D.	Hook	McArthur	Pleasant	Vanasek
Carlson, L.	Jacobs	McCarron	Prahl	Vento
Cassery	Jaros	McCaughey	Quirin	Voss
Connors	Johnson, C.	McEachern	Resner	Wenzel
Culhane	Johnson, D.	McFarlin	Rice	Wigley
Dahl	Johnson, R.	McMillan	Ryan	Wohlwend
DeGroat	Jopp	Menke	St. Onge	Wolcott
Dieterich	Jude	Miller, M.	Samuelson	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Dirlam	Hagedorn	Myrah	Skaar
Becklin	Erdahl	Johnson, J.	Niehaus	Stangeland
Belisle	Erickson	Kvam	Ohnstad	Weaver
Bell	Esau	Laidig	Ojala	
Biersdorf	Fjoslien	Larson	Pavlak, R. L.	
Cleary	Forsythe	Long	Schreiber	
Clifford	Fugina	Mann	Searle	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1951, A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 1951 and that the bill be repassed as amended by the Senate.

Pavlak, R., moved that the House refuse to concur in the Senate amendments to H. F. No. 1951, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 69, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Johnson, D.	McFarlin	Savelkoul
Anderson, D.	Erdahl	Johnson, J.	Menke	Schulz
Bellisle	Erickson	Johnson, R.	Miller, M.	Searle
Bell	Esau	Kempe	Myrah	Sieben, H.
Biersdorf	Ferderer	Klaus	Newcome	Sieben, M.
Carlson, B.	Fjoslien	Kvam	Niehaus	Skaar
Carlson, D.	Forsythe	Laidig	Norton	Smith
Cleary	Fugina	Larson	Ohnstad	Spanish
Clifford	Graw	Lemke	Ojala	Stangeland
Connors	Hagedorn	Lindstrom, E.	Pavlak, R.	Swanson
Culhane	Haugerud	Lombardi	Pavlak, R. L.	Vanasek
DeGroat	Heinitz	Long	Pieper	Weaver
Dirlam	Hook	Mann	Pleasant	Wohlwend
Eckstein	Johnson, C.	McCauley	Prahl	

Those who voted in the negative were:

Adams, J.	Anderson, G.	Becklin	Berg	Braun
Andersen, R.	Anderson, I.	Bennett	Berglin	Carlson, A.

Carlson, L.	Jaros	McArthur	Rice	Ulland
Cassery	Jopp	McCarron	Ryan	Vento
Cummiskey	Jude	McEachern	St. Onge	Voss
Dahl	Kahn	McMillan	Salchert	Wenzel
Dieterich	Kelly	Moe	Samuelson	Wigley
Enebo	Knickerbocker	Mueller	Sarna	Wolcott
Faricy	Knoll	Munger	Schreiber	Mr. Speaker
Growe	Kostohryz	Nelson	Sherwood	
Hanson	LaVoy	Pehler	Stanton	
Jacobs	Lindstrom, J.	Peterson	Tomlinson	

The Pavlak, R., motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2923, A bill for an act relating to reimbursement of nonpublic school pupil expenditures in certain cases; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Miller, M., moved that the House refuse to concur in the Senate amendments to H. F. No. 2923 and that H. F. No. 2923 be returned to the Senate. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 2928, A bill for an act relating to energy conservation; appropriating money for experimentation in building construction.

Reported the same back with the following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. The unexpended balances of the appropriation made by Laws 1971, Chapter 963, Section 4, Clause (2) [a] are hereby appropriated for the purposes enumerated in this act.

Sec. 2. Subdivision 1. To the regents of the University of Minnesota:

Subd. 2. Working drawings for a \$10,000,000 law school building excluding site work and equipment . . . \$400,000

Subd. 3. Planning funds for phase I and II for St. Paul library/learning resources center . . . \$140,000

Subd. 4. Minneapolis campus development study . . . \$

Subd. 5. Performing arts special equipment phase II \$500,000

Subd. 6. Construction, and equipment for expansion of kidney dialysis unit at university of Minnesota hospital \$750,000

Subd. 7. Planning funds for phase I of industrial education building \$160,000

Sec. 3. To the commissioner of administration for preparation of necessary plans phasing out lower campus at Mankato state college \$ 50,000

The commissioner of administration shall prepare and submit to the legislature, no later than January 15, 1975, detailed plans, time schedules and cost estimates for remodeling and expanding existing Highland campus facilities, necessary to accommodate consolidation of all academic and administrative programs on the Highland campus.

Sec. 4. Neither the commissioner of administration nor the board of regents shall prepare final plans and specifications for any building authorized in this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and they have made their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 5. This act is in effect the day following final enactment.”.

Further amend by striking the title in its entirety and substituting the following:

“A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2928 was read for the second time.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2120, A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Moe moved that the House refuse to concur in the Senate amendments to H. F. No. 2120, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 70, and nays 61, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jaros	Moe	Sarna
Anderson, G.	Dahl	Johnson, D.	Munger	Schulz
Anderson, I.	Dieterich	Jude	Nelson	Sieben, H.
Bell	Eken	Kahn	Norton	Sieben, M.
Berg	Enebo	Kelly	Ohnstad	Spanish
Berglin	Faricy	Knoll	Ojala	Stanton
Brinkman	Fjoslien	Kostohryz	Parish	Swanson
Carlson, A.	Fudro	LaVoy	Patton	Tomlinson
Carlson, B.	Fugina	Lemke	Pavlak, R.	Vanasek
Carlson, L.	Graba	McCarron	Pehler	Vento
Casserly	Growe	McEachern	Prahl	Voss
Cleary	Hagedorn	McMillan	Rice	Wenzel
Connors	Hanson	Menke	Ryan	Wolcott
Culhane	Jacobs	Miller, M.	St. Onge	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Belisle	Braun	DeGroat	Erdahl
Anderson, D.	Bennett	Carlson, D.	Dirlam	Erickson
Becklin	Biersdorf	Clifford	Eckstein	Esau

Ferderer	Kempe	Mann	Pieper	Smith
Forsythe	Klaus	McArthur	Pleasant	Stangeland
Graw	Knickerbocker	McCauley	Quirin	Ulland
Haugerud	Kvam	McFarlin	Resner	Weaver
Heinitz	Laidig	Mueller	Samuelson	Wigley
Hook	Larson	Myrah	Savelkoul	Wohlwend
Johnson, C.	Lindstrom, E.	Newcome	Schreiber	
Johnson, J.	Lindstrom, J.	Niehaus	Searle	
Johnson, R.	Lombardi	Pavlak, R. L.	Sherwood	
Jopp	Long	Peterson	Skaar	

The Moe motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3143:

Kvam; Johnson, C.; and Carlson, B.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3712:

Faricy, McCarron, and Erdahl.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2992:

Lindstrom, J.; Haugerud; Adams, S.; Eken; and Stangeland.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1951:

Casserly; Pavlak, R.; and Schreiber.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of S. F. Nos. 2669 and 2954; H. F. Nos. 1627 and 3504; S. F. Nos. 162 and 2231; H. F. No. 1470; S. F. No. 3323; H. F. No. 3382; and S. F. No. 3580.

S. F. No. 2669, A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 71, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Knoll	Parish	Smith
Adams, S.	Fudro	Kostohryz	Patton	Spanish
Anderson, I.	Fugina	LaVoy	Pavlak, R.	Stanton
Berg	Graba	Lemke	Pehler	Swanson
Berglin	Grove	Lindstrom, J.	Prahl	Tomlinson
Braun	Hanson	McCarron	Quirin	Ulland
Brinkman	Haugerud	McCauley	Rice	Vento
Carlson, B.	Jacobs	McEachern	Ryan	Voss
Carlson, L.	Jaros	McMillan	St. Onge	Wohlwend
Casserly	Johnson, C.	Menke	Salchert	Wolcott
Culhane	Johnson, D.	Moe	Sarna	Mr. Speaker
Dahl	Johnson, R.	Munger	Savelkoul	
Dieterich	Kahn	Nelson	Sherwood	
Dirlam	Kelly	Norton	Sieben, H.	
Eken	Knickerbocker	Ojala	Sieben, M.	

Those who voted in the negative were:

Andersen, R.	Clifford	Graw	Lombardi	Pleasant
Anderson, D.	Connors	Hagedorn	Long	Resner
Anderson, G.	DeGroat	Heinitz	Mann	Samuelson
Becklin	Eckstein	Hook	McFarlin	Searle
Belisle	Erdahl	Johnson, J.	Mueller	Skaar
Bell	Erickson	Jopp	Myrah	Stangeland
Bennett	Esau	Jude	Niehau	Vanasek
Biersdorf	Faricy	Kempe	Ohnstad	Weaver
Carlson, A.	Ferderer	Klaus	Pavlak, R. L.	Wenzel
Carlson, D.	Fjoslien	Laidig	Peterson	Wigley
Cleary	Forsythe	Larson	Pieper	

The bill was passed and its title agreed to.

S. F. No. 2954, A bill for an act relating to the department of education, division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Berglin	Carlson, B.	Clifford
Adams, S.	Becklin	Biersdorf	Carlson, D.	Connors
Andersen, R.	Belisle	Braun	Carlson, L.	Culhane
Anderson, D.	Bell	Brinkman	Casserly	Cummiskey
Anderson, G.	Bennett	Carlson, A.	Cleary	Dahl

DeGroat	Heinitz	Lindstrom, J.	Ojala	Sherwood
Dieterich	Hook	Lombardi	Parish	Sieben, H.
Dirlam	Jacobs	Long	Patton	Sieben, M.
Eckstein	Jaros	Mann	Pavlak, R.	Skaar
Eken	Johnson, C.	McArthur	Pavlak, R. L.	Smith
Enebo	Johnson, D.	McCarron	Pehler	Spanish
Erdahl	Johnson, J.	McCauley	Peterson	Stangeland
Erickson	Johnson, R.	McEachern	Pieper	Stanton
Esau	Jopp	McFarlin	Pleasant	Swanson
Faricy	Jude	McMillan	Prahl	Tomlinson
Ferderer	Kahn	Menke	Quirin	Ulland
Fjoslien	Klaus	Miller, M.	Resner	Vento
Forsythe	Knickerbocker	Moe	Rice	Voss
Fudro	Knoll	Mueller	Ryan	Weaver
Fugina	Kostohryz	Munger	St. Onge	Wenzel
Graba	Kvam	Myrah	Salchert	Wigley
Graw	Laidig	Nelson	Samuelson	Wohlwend
Growe	Larson	Newcome	Sarna	Wolcott
Hagedorn	LaVoy	Niehaus	Savelkoul	Mr. Speaker
Hanson	Lemke	Norton	Schulz	
Haugerud	Lindstrom, E.	Ohnstad	Searle	

The bill was passed and its title agreed to.

H. F. No. 1627, A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes, 1973 Supplement, Section 15A.211.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 101, and nays 22, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Jude	Mueller	Savelkoul
Adams, S.	Enebo	Kahn	Munger	Schulz
Andersen, R.	Erdahl	Kempe	Nelson	Searle
Anderson, I.	Erickson	Klaus	Newcome	Sherwood
Bell	Esau	Knickerbocker	Norton	Sieben, H.
Bennett	Faricy	Knoll	Parish	Spanish
Berglin	Ferderer	Laidig	Patton	Stanton
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Swanson
Braun	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Fugina	Lindstrom, E.	Pehler	Ulland
Carlson, A.	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Growe	Mann	Pieper	Vento
Carlson, L.	Hanson	McArthur	Prahl	Voss
Casserly	Haugerud	McCarron	Quirin	Wigley
Connors	Hook	McCauley	Resner	Wohlwend
Culhane	Jacobs	McEachern	Rice	Wolcott
Dahl	Jaros	McFarlin	Ryan	Mr. Speaker
DeGroat	Johnson, C.	McMillan	St. Onge	
Dieterich	Johnson, D.	Menke	Salchert	
Dirlam	Johnson, J.	Miller, M.	Samuelson	
Eckstein	Johnson, R.	Moe	Sarna	

Those who voted in the negative were:

Anderson, D.	Clifford	Jopp	Ohnstad	Weaver
Anderson, G.	Fjoslien	Larson	Ojala	Wenzel
Becklin	Graw	Long	Pleasant	
Belisle	Hagedorn	Myrah	Skaar	
Cleary	Heinitz	Niehaus	Stangeland	

The bill was passed and its title agreed to.

H. F. No. 3504, A bill for an act relating to the organization and operation of state government; appropriating money to the Indian affairs commission.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Mueller	Schreiber
Adams, S.	Eckstein	Jude	Munger	Schulz
Andersen, R.	Eken	Kelly	Myrah	Searle
Anderson, D.	Enebo	Kempe	Nelson	Sherwood
Anderson, G.	Erdahl	Klaus	Newcome	Sieben, H.
Anderson, I.	Erickson	Knickerbocker	Niehaus	Sieben, M.
Becklin	Esau	Knoll	Norton	Skaar
Belisle	Faricy	Kostohryz	Ohnstad	Smith
Bell	Ferderer	Kvam	Ojala	Spanish
Bennett	Fjoslien	Laidig	Parish	Stangeland
Berglin	Forsythe	Larson	Patton	Stanton
Biersdorf	Fudro	LaVoy	Pavlak, R.	Swanson
Braun	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lindstrom, E.	Pehler	Uiland
Carlson, A.	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, B.	Grove	Lombardi	Pieper	Vento
Carlson, D.	Hagedorn	Long	Pleasant	Voss
Carlson, L.	Hanson	Mann	Prahl	Weaver
Casserly	Haugerud	McArthur	Quirin	Wenzel
Cleary	Heinitz	McCarron	Resner	Wigley
Clifford	Hook	McCauley	Rice	Wohlwend
Connors	Jacobs	McEachern	Ryan	Wolcott
Culhane	Jaros	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, C.	McMillan	Salchert	
Dahl	Johnson, D.	Menke	Samuelson	
DeGroat	Johnson, J.	Miller, M.	Sarna	
Dieterich	Johnson, R.	Moe	Savelkoul	

The bill was passed and its title agreed to.

S. F. No. 162, A bill for an act relating to private detectives and protective agents; providing regulations therefor; prescribing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 326.331; 326.332, Subdivision 1; 326.333; 326.334; 326.336; 326.337; 326.338, by adding a subdivision; 326.339; and Chapter 326, by adding sections; repealing Minnesota Statutes 1971, Section 326.335.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Moe	Schreiber
Adams, S.	Dirlam	Jopp	Mueller	Schulz
Andersen, R.	Eckstein	Jude	Munger	Searle
Anderson, D.	Eken	Kahn	Myrah	Sherwood
Anderson, G.	Enebo	Kelly	Nelson	Sieben, H.
Anderson, I.	Erdahl	Kempe	Newcome	Sieben, M.
Becklin	Erickson	Klaus	Niehaus	Skaar
Belisle	Esau	Knickerbocker	Norton	Smith
Bell	Farcy	Knoll	Ohnstad	Spanish
Bennett	Ferderer	Kvam	Ojala	Stangeland
Berg	Fjoslien	Laidig	Parish	Stanton
Berglin	Forsythe	Larson	Patton	Swanson
Bjersdorf	Fudro	LaVoy	Pavlak, R.	Tomlinson
Braun	Fugina	Lemke	Pavlak, R. L.	Ulland
Brinkman	Graba	Lindstrom, E.	Pehler	Vanasek
Carlson, A.	Graw	Lindstrom, J.	Peterson	Vento
Carlson, B.	Grove	Lombardi	Pieper	Voss
Carlson, D.	Hagedorn	Long	Pleasant	Weaver
Carlson, L.	Hanson	Mann	Prahl	Wenzel
Casserly	Haugerud	McArthur	Resner	Wigley
Cleary	Heinitz	McCarron	Rice	Wohlwend
Clifford	Hook	McCauley	Ryan	Wolcott
Connors	Jacobs	McEachern	St. Onge	Mr. Speaker
Culhane	Jaros	McFarlin	Salchert	
Cummiskey	Johnson, C.	McMillan	Samuelson	
Dahl	Johnson, D.	Menke	Sarna	
DeGroat	Johnson, J.	Miller, M.	Savelkoul	

The bill was passed and its title agreed to.

S. F. No. 2231, A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, G.	Bell	Bjersdorf	Carlson, B.
Adams, S.	Anderson, I.	Bennett	Braun	Carlson, D.
Andersen, R.	Becklin	Berg	Brinkman	Carlson, L.
Anderson, D.	Belisle	Berglin	Carlson, A.	Casserly

Cleary	Hagedorn	LaVoy	Norton	Schulz
Connors	Hanson	Lemke	Ohnstad	Searle
Culhane	Haugerud	Lindstrom, E.	Ojala	Sherwood
Cummiskey	Heinitz	Lindstrom, J.	Parish	Sieben, H.
Dahl	Hook	Lombardi	Patton	Sieben, M.
DeGroat	Jacobs	Long	Pavlak, R.	Skaar
Dirlam	Jaros	Mann	Pavlak, R. L.	Smith
Eckstein	Johnson, C.	McArthur	Pehler	Spanish
Eken	Johnson, D.	McCarron	Peterson	Stangeland
Enebo	Johnson, J.	McCauley	Pieper	Stanton
Erdahl	Johnson, R.	McEachern	Pleasant	Swanson
Erickson	Jopp	McFarlin	Prahl	Tomlinson
Esau	Jude	McMillan	Quirin	Ulland
Faricy	Kahn	Menke	Resner	Vanasek
Ferderer	Kelly	Miller, M.	Rice	Vento
Fjoslien	Kempe	Moe	Ryan	Voss
Forsythe	Klaus	Mueller	St. Onge	Weaver
Fudro	Knickerbocker	Munger	Salchert	Wenzel
Fugina	Knoll	Myrah	Samuelson	Wigley
Graba	Kvam	Nelson	Sarna	Wohlwend
Graw	Laidig	Newcome	Savelkoul	Wolcott
Growe	Larson	Niehaus	Schreiber	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 1470, A bill for an act relating to veterans; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Section 197.09.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Hook	Long	Peterson
Adams, S.	Dahl	Jacobs	Mann	Pieper
Andersen, R.	DeGroat	Jaros	McArthur	Pleasant
Anderson, D.	Dieterich	Johnson, C.	McCarron	Prahl
Anderson, G.	Dirlam	Johnson, D.	McCauley	Quirin
Anderson, I.	Eckstein	Johnson, J.	McEachern	Resner
Becklin	Eken	Johnson, R.	McFarlin	Rice
Belisle	Enebo	Jopp	McMillan	Ryan
Bell	Erdahl	Jude	Menke	St. Onge
Bennett	Erickson	Kahn	Miller, M.	Salchert
Berg	Esau	Kelly	Mueller	Samuelson
Berglin	Faricy	Kempe	Munger	Sarna
Biersdorf	Ferderer	Klaus	Myrah	Savelkoul
Braun	Fjoslien	Knickerbocker	Nelson	Schreiber
Brinkman	Forsythe	Knoll	Newcome	Schulz
Carlson, A.	Fudro	Kostohryz	Niehaus	Searle
Carlson, B.	Fugina	Kvam	Norton	Sherwood
Carlson, D.	Graba	Laidig	Ohnstad	Sieben, H.
Carlson, L.	Graw	Larson	Ojala	Sieben, M.
Casserly	Growe	LaVoy	Parish	Skaar
Cleary	Hagedorn	Lemke	Patton	Smith
Clifford	Hanson	Lindstrom, E.	Pavlak, R.	Spanish
Connors	Haugerud	Lindstrom, J.	Pavlak, R. L.	Stangeland
Culhane	Heinitz	Lombardi	Pehler	Stanton

Swanson
Tomlinson
Ulland

Vanasek
Vento
Voss

Weaver
Wenzel

Wigley
Wohlwend

Wolcott
Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 3323 was reported to the House.

Anderson, I., moved to amend S. F. No. 3323 as follows:

Page 3, line 1, strike the comma and strike the remainder of the line.

Page 3, line 2, strike everything before and including the comma.

Page 3, line 7, after the period insert: "*Effective following the end of terms of members expiring June 30, 1975, the number of members to be appointed by the governor shall increase to four and the number of members to be appointed by the mayor of the city of Saint Paul shall decrease to two.*"

Page 11, after line 6, insert a new section to read as follows:

"Sec. 6. Minnesota Statutes 1971, Section 15.50, Subdivision 3, is amended to read:

Subd. 3. The administrative and planning expenses of the commission shall be borne (EQUALLY) by the state (AND BY THE CITY OF SAINT PAUL, AND IN ORDER TO MEET SUCH EXPENSE THE CITY MAY EXPEND MONEYS CURRENTLY IN THE CITY OF SAINT PAUL CAPITOL APPROACH IMPROVEMENT FUND ESTABLISHED BY LAWS 1945, CHAPTER 315, AND ACTS AMENDATORY THEREOF, AND MAY HOLD THE MONEYS IN SAID FUND UNTIL EXPENDED IN ACCORDANCE HERewith AND WHEN SUCH FUNDS HAVE BEEN EXPENDED SUCH EXPENSE 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 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 development purposes in the capitol area. Upon such request by the commission, the city shall expend such funds in the manner and for the purposes specified by the request.*

(IF THE MONEYS CURRENTLY IN THE FUND OF THE CITY OF SAINT PAUL HERETOFORE REFERRED TO ARE INSUFFICIENT TO MEET THE CITY'S SHARE OF THE

ADMINISTRATIVE PLANNING EXPENSES OF THE COMMISSION, THE CITY OF SAINT PAUL SHALL HAVE POWER, IN ADDITION TO AND EXCLUSIVE OF ANY LIMITATION NOW OR HEREAFTER IMPOSED BY CHARTER OR STATUTE UPON ITS ABILITY TO LEVY TAXES, TO LEVY AN AD VALOREM TAX ON ALL TAXABLE PROPERTY IN AN AMOUNT WHICH WILL PRODUCE A SUM EQUAL TO A LEVY OF NOT MORE THAN ONE-HALF MILL UPON SUCH PROPERTY, INCLUDING SHRINKAGE.)”.

Renumber the remaining sections accordingly.

Page 9, strike all of lines 23 through 28.

Page 10, strike all of lines 1 through 5.

Reletter the remaining clauses accordingly.

Further, amend the title, line 10, after “1,” insert “3, and”.

The motion prevailed and the amendment was adopted.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Norton moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3323 be given its third reading and be placed upon its final passage. The motion prevailed.

Norton moved that the rules of the House be so far suspended that S. F. No. 3323 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 3323, A bill for an act relating to the capitol area architectural and planning commission; redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; appropriating money for a master plan implementation study; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, R.	Menke	Samuelson
Andersen, R.	Eken	Jopp	Miller, M.	Savelkoul
Anderson, D.	Enebo	Jude	Moe	Schreiber
Anderson, G.	Erdahl	Kahn	Mueller	Schulz
Anderson, I.	Erickson	Kelly	Munger	Searle
Becklin	Esau	Kempe	Myrah	Sherwood
Belisle	Ferderer	Klaus	Nelson	Sieben, H.
Bell	Forsythe	Knickerbocker	Newcome	Sieben, M.
Bennett	Fudro	Knoll	Norton	Skaar
Berg	Fugina	Kvam	Ojala	Smith
Berglin	Graba	Laidig	Parish	Spanish
Biersdorf	Graw	LaVoy	Patton	Stangeland
Brinkman	Grove	Lemke	Pavlak, R.	Stanton
Carlson, A.	Hagedorn	Lindstrom, E.	Pehler	Swanson
Carlson, B.	Hanson	Lindstrom, J.	Peterson	Tomlinson
Carlson, D.	Haugerud	Lombardi	Pieper	Ulland
Carlson, L.	Heinitz	Long	Prahl	Vento
Casserly	Hook	Mann	Quirin	Weaver
Connors	Jacobs	McArthur	Resner	Wenzel
Cummiskey	Jaros	McCarron	Rice	Wigley
Dahl	Johnson, C.	McEachern	Ryan	Wohlwend
DeGroat	Johnson, D.	McFarlin	St. Onge	Wolcott
Dirlam	Johnson, J.	McMillan	Salchert	Mr. Speaker

Those who voted in the negative were:

Cleary	Dieterich	Kostohryz	Ohnstad	Vanasek
Clifford	Faricy	Larson	Pavlak, R. L.	
Culhane	Fjoslien	Niehaus	Pleasant	

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

H. F. No. 3382 was reported to the House.

Swanson moved to amend H. F. No. 3382, the printed bill, as follows:

Page 3, line 15, strike everything in the sentence after "qualifications" and insert in lieu thereof "*and evidence of a review by the higher education coordinating commission as authorized under Minnesota Statutes 136A.04, clause (d).*".

Page 3, lines 28 and 29, after "responsibility" strike everything in the sentence and insert in lieu thereof "*and evidence of a review by the higher education coordinating commission as authorized under Minnesota Statutes, 1973 Supplement, Section 136A.04, clause (d).*".

The motion prevailed and the amendment was adopted.

H. F. No. 3382, A bill for an act relating to beauticians; changing certain regulating provisions; amending Minnesota Statutes 1971, Sections 155.06, Subdivision 1; 155.08; 155.09, Subdivisions 3 and 5, and by adding a subdivision; 155.11, Subdivisions 1, 2 and 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, M.	Savelkoul
Adams, S.	Dieterich	Jopp	Moe	Schreiber
Andersen, R.	Dirlam	Jude	Mueller	Searle
Anderson, D.	Eckstein	Kahn	Munger	Sherwood
Anderson, G.	Eken	Kelly	Myrah	Sieben, H.
Anderson, I.	Enebo	Kempe	Nelson	Sieben, M.
Becklin	Erdahl	Klaus	Newcome	Skaar
Belisle	Erickson	Knickerbocker	Niehaus	Smith
Bell	Esau	Knoll	Norton	Spanish
Bennett	Faricy	Kostohryz	Ohnstad	Stangeland
Berg	Ferderer	Kvam	Parish	Stanton
Berglin	Forsythe	Laidig	Patton	Swanson
Biersdorf	Fudro	LaVoy	Pavlak, R.	Tomlinson
Braun	Fugina	Lemke	Pavlak, R. L.	Ulland
Brinkman	Graba	Lindstrom, J.	Pehler	Vento
Carlson, A.	Graw	Lombardi	Peterson	Voss
Carlson, B.	Grove	Long	Pieper	Weaver
Carlson, D.	Hagedorn	Mann	Prahl	Wenzel
Carlson, L.	Hanson	McArthur	Quirin	Wigley
Casserly	Haugerud	McCarron	Resner	Wohlwend
Cleary	Heinitz	McCauley	Rice	Wolcott
Clifford	Hook	McEachern	Ryan	Mr. Speaker
Connors	Jacobs	McFarlin	St. Onge	
Culhane	Jaros	McMillan	Salchert	
Dahl	Johnson, D.	Menke	Sarna	

Those who voted in the negative were:

Fjoslien Larson Lindstrom, E.

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

Hagedorn, Myrah, and Pleasant were excused for the remainder of today's session.

S. F. No. 3580 was reported to the House.

Norton moved to amend S. F. No. 3580 as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. The sum of \$177,360 appropriated from the general fund for the legislative service commission by Laws 1973, Chapter 720, Section 2, Subdivision 3, is cancelled.

Sec. 2. There is hereby transferred from the appropriation to the commissioner of administration made in Laws 1973, Chapter 778, Section 6, Subdivision 1 (4) for capitol complex building

and remodeling the sum of \$19,500 to the house of representatives, salaries, supplies and expense account for the fiscal year 1973-1974. Such sum is hereby appropriated.

Sec. 3. The appropriations made in Laws 1973, Chapter 720, Section 13, Subdivision 3, and in Laws 1973, Chapter 720, Section 20, Subdivision 3, shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 4. There is appropriated to the state boxing commission from the general fund the sum of \$5,000, or so much thereof as may be required, for the purpose of carrying out the duties of the commission during the fiscal year commencing July 1, 1974 and ending June 30, 1975. Funds appropriated by this section are in addition to any other funds appropriated by law.

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 82.34, Subdivision 15, is amended to read:

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sum shall be allocated exclusively for the purposes provided in this section. *All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.*

Sec. 6. Notwithstanding the provisions of Laws 1973, Chapter 720, Section 43, Subdivision 14, or any other law to the contrary there is appropriated to the Arrowhead regional development commission from the natural resource federal reimbursement account the sum of \$50,000 for the development of a water quality management plan for the Lake Superior basin.

Sec. 7. There is appropriated from the general fund to the joint coordinating committee for the legislative reference library the sum of \$216,350 for the biennium ending June 30, 1975.

Sec. 8. [TRANSFER OF FUNDS, COMMISSIONER OF FINANCE.] The commissioner of finance shall transfer to the general fund the sum of \$32,285.47 from the state airports fund to reimburse the general fund for the appropriation made in Laws 1973, Chapter 300, Section 2, Subdivision 21.

Sec. 9. The appropriation to the department of natural resources made in Laws 1971, Extra Session Chapter 3, Section 48, Subdivision 6 (f) (4), Bonanza Valley deep water survey \$15,000 for the biennium 1971-1973, is hereby reappropriated to the department of natural resources for the same purpose for the biennium ending June 30, 1975.

Sec. 10. There is appropriated to the department of agriculture from the general fund \$35,000 for the fiscal year ending

June 30, 1974 and \$35,000 for the fiscal year ending June 30, 1975 for crop and livestock statistical reporting. Such amounts to be added to the appropriations made by Laws 1973, Chapter 720, Section 33.

Publications resulting from the reporting of crop and livestock statistics and not required by the department for its own use and the use of public agencies shall be sold and distributed by the documents section of the department of administration.

Sec. 11. Any unexpended balance not to exceed \$5,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 720, Section 16, Subdivision 2, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 12. There is appropriated to the supreme court from the general fund the sum of \$63,000 for the biennium ending June 30, 1975 for the purchase of furniture and equipment for the remodeled supreme court quarters.

Sec. 13. There is appropriated from the general fund to the university of Minnesota for fiscal year 1974-1975 the sum of \$62,000 which is to be added to the appropriation for that year made in Laws 1973, Chapter 768, Section 11, Subdivision 1.

Sec. 14. Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6, are repealed.

Sec. 15. Minnesota Statutes 1971, Section 176.611, is amended by adding a subdivision 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 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 \$1,960,986.88 heretofore appropriated from the general fund totals \$2,470,000 and constitutes the revolving fund.

Sec. 16. There is appropriated from the general fund, the sum of \$98,000 to the state planning agency for fiscal year 1974-1975 to be added to the appropriation made in Laws 1973, Chapter 720, Section 4, Subdivision 1, for grant administration of Law-con, Hud, and natural resources acceleration funds.

Sec. 17. There is appropriated from the general fund the sum of \$300,000 to the department of agriculture, livestock and grain account for the fiscal year ending June 30, 1974 for grain inspection services. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 33.

Sec. 18. There is appropriated from the general fund the sum of \$100,000 to the general contingent account. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 2, Subdivision 9.

Sec. 19. There is appropriated from the general fund for fiscal year 1973-1974 the sum of \$180,224 to the attorney general for the Minnesota peace officers training board - reimbursements to local government. This is in addition to the appropriation of \$100,000 in fiscal year 1971-1972 made by Laws 1971, Extra Session Chapter 3, Section 12, Subdivision 4 (c). This appropriation and moneys heretofore appropriated shall cancel to the general fund on June 30, 1974.

Sec. 20. There is appropriated from the general fund for fiscal year 1974-1975 the sum of \$34,000 to be added to the appropriation made in Laws 1973, Chapter 720, Section 26, Subdivision 1, salaries, and \$8,000 to be added to subdivision 2, supplies and expense for the administration of "no fault" insurance.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry the sum of \$5,000 for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to at least \$5,000 in monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund the difference between the amounts actually paid for such dependency benefits and \$5,000; but in no event shall the employer pay the commissioner of the department of labor and industry less than \$1,000;

(2) When an employee shall suffer personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or dependants to compensation under sections 176.101 or 176.111, the employer shall in addition to compensation provided therein, pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund a lump sum without interest deduction equal to seven percent of such total compensation, as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties and such amount is approved by the commissioner of the department of labor and industry.

The provisions of clause (1) and clause (2) of this subdivision shall apply to all workmen's compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

The seven percent of the total compensation required to be paid by the employer to the commissioner of the department of labor and industry for the benefit of the special compensation fund as provided in clause (2) of this subdivision shall remain fixed at said seven percent for the period from June 1, 1971, to June 1, 1972. Effective June 1, 1972, and thereafter on June 1, of each subsequent year, the rate shall be adjusted on the following basis: if the balance in the special compensation fund as of April 30 in any year is below \$1,000,000, the rate of payment shall be increased by two percent over the then prevailing rate. If the balance is at least \$1,000,000 but below \$1,500,000, the rate will be increased by one percent. If the balance is at least \$1,500,000 but below \$2,000,000, there shall be no change. If the balance is at least \$2,000,000 but less than \$2,500,000, the rate shall be decreased by one percent. If the balance is at least \$2,500,000, the rate shall be decreased by two percent.

Such sums as are paid to the commissioner of the department of labor and industry pursuant to the provisions hereof, shall be by it deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by chapter 176. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the workmen's compensation division and the workmen's compensation commission in cases before it shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit under order of the workmen's compensation division or the workmen's compensation commission. There is appropriated to the persons entitled to such refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department of labor and industry for the accounting and legal procedures necessary for administration of the programs financed by the special compensation fund shall (COME FROM THE FUND DURING EACH BIENNium COMMENCING JULY 1, 1971 WITH THE SPECIAL COMPENSATION FUND BEING REIMBURSED FROM GEN-

ERAL FUND IN THE NEXT REGULAR SESSION OF THE LEGISLATURE) *be paid from the moneys biennially appropriated to the department and not from the special compensation fund.*

Sec. 22. Minnesota Statutes, 1973 Supplement, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. Upon a warrant prepared by the commissioner of the department of labor and industry and approved by the commissioner of finance, and in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of the department of labor and industry shall certify to the state treasurer and to the legislature at the end of each biennium the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a (**INCLUDING THE NECESSARY EXPENSES AND SALARY WHICH THE ATTORNEY GENERAL INCURS INVESTIGATING, DEFENDING AND IN MAINTAINING ANY CAUSE OF ACTION AGAINST ANY EMPLOYER**). The state treasurer shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section, and the funds required for the purpose of making such reimbursement are hereby annually appropriated.

Sec. 23. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-1975 the sum of \$136,000 for administration of programs financed by the special compensation fund.

Sec. 24. There is appropriated to the commissioner of personnel for the job clarification program from the general fund for fiscal year 1974-1975, the sum of \$75,439 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 1, and the sum of \$7,500 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 2.

The complement of the department of personnel is increased in fiscal year 1974-1975 from 64 to 71.

Sec. 25. There is appropriated to the board of investment from the general fund the sum of \$21,000 for fiscal year 1973-1974 and the sum of \$140,000 for fiscal year 1974-1975. These are to be added to the appropriations made in Laws 1973, Chapter 720, Section 21, Subdivision 1.

The complement of the investment board is increased to 20 for fiscal year 1974 and 22 for fiscal year 1975.

Sec. 26. There is appropriated to the governor the sum \$40,000 from the general fund for the biennium ending June 30, 1975, for the purpose of hosting the 1974 Midwest governor's conference.

Sec. 27. Laws 1973, Chapter 595, Section 1, is amended to read:

Section 1. [DOVER, EYOTA AND ST. CHARLES AREA SANITARY DISTRICT; ADVANCE OF STATE FUNDS.] At any time after the organization of the sanitary sewer board of the Dover, Eyota and St. Charles area sanitary district as may be provided for by law, the (STATE AUDITOR) *commissioner of finance*, at the request of the board, shall advance to the board for its use in accordance with the purposes specified in section 2, the sum of \$100,000 from moneys on hand in the general fund of the state and not needed for use on or before January 1, (1975) 1976, and such amount is appropriated for this purpose.

Sec. 28. Laws 1973, Chapter 595, Section 2, is amended to read:

Sec. 2. [USE OF FUNDS; REPAYMENT.] The money so advanced shall be used by the sanitary sewer board to carry out its powers and duties in the Dover, Eyota and St. Charles area sanitary sewer district. The board shall include all expenditures made or to be made from the moneys advanced under section 1 in its 1973 and 1974 budget. All moneys so advanced shall be repaid by the board to the (STATE AUDITOR) *commissioner of finance* on or before January 1, (1975) 1976, with interest from the date of the advance to the date of repayment at the rate of six percent per annum, for deposit in the general fund.

Sec. 29. Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7, is amended to read:

Subd. 7. [APPROPRIATION.] There is annually appropriated to the (COMMISSIONER OF ADMINISTRATION) *personnel board* from the general fund \$10,000 per fiscal year to carry out the functions of the (COMPENSATION REVIEW) *personnel board* (UNDER THE PROVISIONS OF SECTION 9). Funds not expended in the first year of a biennium shall not cancel but shall be available in the second year of the biennium. *This appropriation shall expire June 30, 1975.*

Sec. 30. Minnesota Statutes, 1973 Supplement, Section 176.601, is repealed.

Sec. 31. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.602] *The state treasurer shall only pay from the state compensation revolving fund the awards of compensation and the expenses of other benefits to an employee or his dependent.*

Sec. 32. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.603] *The annual cost to the commissioner of the department of labor and industry of administering this chapter in relation to state employees and the necessary expenses which the department of labor and industry or the attorney general incurs in investigating and defending a claim against the state for compensation shall be paid from the moneys biennially appropriated to the department and not from the state compensation revolving fund.*

Sec. 33. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-75 the sum of \$88,500 for administration of the program financed by the state compensation revolving fund. The complement of the department of labor and industry is increased by 17 positions.

Sec. 34. [3.98] Subdivision 1. [FISCAL NOTES.] The head or chief administrative officer of each department or agency of the state government shall prepare a fiscal note as prescribed in this section covering each bill introduced in the legislature or either branch thereof which if passed will affect the operation of the department or agency.

Subd. 2. A bill having an effect on the revenues, expenditures, or fiscal liability of the state or on a specific department or agency thereof including a bill carrying a dollar amount or a pension bill requires the fiscal note specified in subdivision 1.

Subd. 3. The fiscal note, where possible, shall: (1) cite the effect in dollar amounts; (2) cite the statutory provisions affected; (3) estimate the increase or decrease in revenues or expenditures; (4) include the costs which may be absorbed without additional funds; and (5) specify the long range implication if any. The fiscal note may comment on technical or mechanical defects in the bill but shall express no opinions concerning the merits of the proposal.

Subd. 4. A copy of the fiscal note, within ten days after the introduction of a bill, shall be delivered to the chairman of the committee of appropriations of the house of representatives, the chairman of the committee of finance of the senate, the chairman of the standing committee to which the bill has been referred, and to the commissioner of administration. Either chairman upon the request in writing of the department or agency may extend the time for delivery.

Subd. 5. The commissioner of administration shall prescribe a uniform procedure to govern the departments and agencies of the state in complying with the requirements of this section.

Sec. 35. Minnesota Statutes, 1973 Supplement, Section 15A.083, is amended by adding a subdivision to read:

Subd. 4. Tax court

Salaries of members of the tax court \$10,500

Sec. 36. Minnesota Statutes 1971, Section 271.01, Subdivision 4a, is amended to read:

Subd. 4a. Each member of the tax court shall receive (AS FULL) compensation for time spent in the performance of his duties (, THE SUM OF \$9,000 PER YEAR). He shall also receive his actual and necessary expenses paid or incurred in the performance of his duties *as provided in Minnesota Statutes, 1973 Supplement, Section 15A.211.*

Sec. 37. There is appropriated from the general fund to the tax court for the period beginning April 1, 1974 and ending June 30, 1975, the sum of \$5,625. This sum is to be added to the appropriation provided in Laws 1973, Chapter 720, Section 12, Subdivision 1.

Sec. 38. The appropriation made in Laws 1973, Chapter 620, Section 7 shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 39. The sum of \$440,000 is appropriated from the general fund to the department of administration for the purpose of preventive maintenance in the capitol complex. This appropriation shall be for the biennium ending June 30, 1975.

Sec. 40. The sum of \$110,000 is appropriated from the general fund to the department of administration for the purchase of fuel for the capitol complex. This appropriation shall be added to the appropriation for the period ending June 30, 1974 made in Laws 1973, Chapter 720, Section 20, Subdivision 1.

Sec. 41. The sum of \$200,000 is appropriated from the general fund to the department of finance for the fiscal year ending June 30, 1974 to complete the implementation of the statewide accounting system.

Sec. 42. Minnesota Statutes 1971, Section 16.07, is amended by adding a subdivision to read:

Subd. 15. In recognition of the state's current energy crisis, the commissioner of administration, until July 1, 1979, and with

the approval of the executive council, may establish by regulation categories of supplies, materials, equipment or services which may be purchased in the open market, provided that the commissioner shall first conduct investigations and certify to the executive council that he cannot obtain competitive bids therefor. Regulations promulgated pursuant to this act shall not be subject to the administrative procedure act. The executive council may withdraw its approval of any such category or commodity therein at any time and thereupon purchases thereof shall be made in the manner otherwise provided by law.

Sec. 43. Minnesota Statutes 1971, Chapter 4, is amended by adding a section to read:

[4.26] [REVIEW OF BUILDING REQUESTS.] *The governor or his designee shall examine and review all requests from state departments and state higher educational institutions including the university of Minnesota to the legislature concerning building construction. The governor's recommendation regarding each request shall accompany it unless the department notes that the governor has been advised of the request and has not commented.*

Sec. 44. Notwithstanding the provisions of Laws 1973, Chapter 718, Section 10 or any other law to the contrary, the commissioner of highways is authorized to acquire by gift, purchase or condemnation proceeding a building and land at Wells, Minnesota to be used for field maintenance. Moneys for the purchases shall come from the appropriation made in section 10 of the before mentioned laws.

Sec. 45. Notwithstanding any other law to the contrary, the commissioner of administration shall, effective July 1, 1974 or as soon thereafter as practicable, charge state employees for any parking facilities which are used by them and furnished for their use pursuant to any lease entered into between the state of Minnesota and the lessor of any privately owned property situated in the seven county metropolitan area.

Sec. 46. There is appropriated to the state planning agency from the general fund the sum of \$252,258 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 342, Section 9 for the operation of the environmental quality council.

Sec. 47. There is appropriated to the commissioner of agriculture from the general fund the sum of \$30,000 for the fiscal year ending June 30, 1974 and \$30,000 for the fiscal year ending June 30, 1975 for the purpose of paying rent. These amounts are to be added to the appropriations made in Laws 1973, Chapter 720, Section 33.

Sec. 48. There is appropriated to the traffic safety contingent account from the trunk highway fund the sum of \$250,000 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 720, Section 2, Subdivision 14.

Sec. 49. There is appropriated to the commissioner of highways from the trunk highway fund the sum of \$235,000. This amount is to be added to the appropriation made in Laws 1973, Chapter 718, Section 10, for buildings and improvements.

Sec. 50. There is appropriated to the criminal justice contingent account from the general fund the sum of \$133,068 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 720, Section 2.

Sec. 51. There is appropriated from the general fund to the university of Minnesota the sum of \$403,935 for maintenance and operations for the fiscal year ending June 30, 1974 and \$125,000 for general research for the fiscal year ending June 30, 1975. These appropriations are in addition to those made by Laws 1973, Chapter 768, Sections 4, Subdivision 1; and 11, Subdivision 6, respectively.

Sec. 52. All powers, duties, and responsibilities of the state auditor with respect to state bonds, except those conferred by the constitution, have been transferred to the commissioner of finance as successor to the state auditor by Laws 1973, Chapter 492. Whenever in any law adopted by the 68th legislature any such powers, duties, or responsibilities are stated to be conferred or imposed upon the state auditor, they shall be deemed to be conferred and imposed upon the commissioner of finance.

Sec. 53. Subdivision 1. [FINDINGS.] The legislature of the state of Minnesota finds that the present human services needs of the people of the state transcend the efforts of individual state agencies and that the present human services delivery system is fragmented and needs more effective coordination at the state level. The legislature also finds that local and regional efforts to integrate fragmented human services programs require more effective coordinating mechanisms at the state level. The legislature also finds that there is a need for planning to bring about the coordination and integration of the administration and supervision of human services at the state level.

Subd. 2. [DEFINITIONS.] For the purposes of this act, "human services" shall be defined as those services administered or delivered by the departments of health, welfare, corrections, employment services, and the division of vocational rehabilitation in the department of education. "Human services agencies" shall mean the departments and division enumerated in this section.

Subd. 3. [POWERS AND DUTIES OF THE STATE PLANNING AGENCY.] (1) The state planning agency in consultation with other appropriate executive agencies shall develop designs and plans for the integration and coordination of the state administration and supervision of human services in Minnesota. The state planning agency may initiate interdepartmental investigations into those matters that it determines are in need of study, including but not limited to gaps in services and programs provided, fragmentation and duplication of effort, relationships with local public and private deliverers or providers of human services, the appropriate role of each level of government administration and delivery of human services, and the organization of departmental and interdepartmental activities.

(2) The state planning agency may employ staff and consultants to assist in the preparation of the plans and designs required by this section. The state planning agency shall have the power to request and require staff support from the human services agencies as needed for the execution of the duties prescribed by this section.

(3) The state planning agency shall report periodically on the progress of the work required by this section to the appropriate executive agencies and interim legislative committees and shall make a final report in 1975 to the governor and the legislature.

Subd. 4. [APPROPRIATION.] There is hereby appropriated from the general fund in the state treasury to the state planning agency the sum of \$100,000 for the purposes of this section. Notwithstanding any law to the contrary this appropriation shall remain in effect until June 30, 1975.

Sec. 54. Notwithstanding any provision of law to the contrary, the commissioner of administration shall not approve any contract for services which will result in the layoff or termination of employees in the classified service.

Sec. 55. Subdivision 1. The director of the state planning agency shall conduct or cause to be conducted two studies of the transportation of grain: (1) from northwestern Minnesota to Duluth, Minnesota and (2) from Minneapolis to the gulf of Mexico region. The studies shall examine the feasibility and advantages or disadvantages of all possible methods of transportation including barge transportation on the Mississippi river of such grain. The director shall report to the legislature the results of his study no later than December 31, 1974.

Subd. 2. [APPROPRIATION.] The sum of \$25,000 is appropriated from the general fund to the state planning agency for the biennium ending June 30, 1975 for the purposes of this act.

Sec. 56. Minnesota Statutes 1971, Section 268.071, is amended by adding a subdivision to read:

Subd. 7. If the Federal-State Extended Unemployment Compensation Act of 1970 is amended so as to authorize this state to pay benefits for an extended benefit period in a manner other than that currently provided by this section, then, and in such case, all the terms and conditions contained in the amended provisions of such federal law shall become a part of this section to the extent necessary to authorize the payment of benefits to eligible individuals as permitted under such amended provision.

Sec. 57. In order to reimburse the city of Staples for the loss of gross earnings aids for the year 1973 as a result of the use of an inadequate valuation formula, the sum of \$12,730 is appropriated to the city of Staples from the general fund in the state treasury.

Sec. 58. Except as may be otherwise provided for herein, this act is in effect the day following its final enactment.

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

“A bill for an act relating to the organization, operation, and financing of state government; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the preparation of fiscal notes; the coordination and integration of human services; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 268.071, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapter 595, Sections 1 and 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.”

The motion prevailed and the amendment was adopted.

Hanson moved to amend S. F. No. 3580, as amended, as follows:

Page 20, line 10, at the end of the line, strike “two” and insert in lieu thereof “a”.

Page 20, line 11, at the beginning of the line, strike "studies" and insert in lieu thereof "*study*". Further in the line, after "grain" strike ": (1)".

Page 20, line 12, at the beginning of the line, strike "northwestern". Further in the line, after "to" strike "Duluth, Minnesota and (2) from" and insert in lieu thereof "*state and world markets.*".

Page 20, line 13, strike "Minneapolis to the gulf of Mexico region."

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

Berglin moved to amend S. F. No. 3580, as amended, as follows:

Page 21, after line 10, add a new section, as follows:

"Sec. 58. Minnesota Statutes 1971, Section 145.123, Subdivision 1, is amended to read:

145.123 [PUBLIC HEALTH AND HOME HEALTH SERVICES.] Subdivision 1. [CHARGING OF FEES.] The county board of any county providing public health and home health services under Minnesota Statutes, Sections 145.08 and 145.12, and the governing body of a nursing district formed under section 145.08, subdivision 3, may charge and collect fees for such health services furnished to (ILL OR DISABLED) persons within the county or the nursing district. Payment, in whole or in part, for such services may be accepted from any person. Payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief."

Renumber the subsequent section.

Further, amend the title, in line 10, after "subdivision;" insert "145.123, Subdivision 1;".

The motion prevailed and the amendment was adopted.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Norton moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3580 be

given its third reading and be placed upon its final passage. The motion prevailed.

Norton moved that the rules of the House be so far suspended that S. F. No. 3580 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	Schreiber
Adams, S.	Dirlam	Jopp	Miller, M.	Schulz
Andersen, R.	Eckstein	Jude	Moe	Searle
Anderson, D.	Eken	Kahn	Mueller	Sherwood
Anderson, G.	Enebo	Kelly	Munger	Sieben, H.
Anderson, I.	Erdahl	Kempe	Nelson	Sieben, M.
Becklin	Erickson	Klaus	Newcome	Skaar
Belisle	Esau	Knickerbocker	Niehaus	Smith
Bell	Faricy	Knoll	Norton	Spanish
Bennett	Ferderer	Kostohryz	Ohnstad	Stangeland
Berg	Fjoslien	Kvam	Ojala	Stanton
Berglin	Forsythe	Laidig	Parish	Swanson
Biersdorf	Fudro	Larson	Patton	Tomlinson
Braun	Fugina	LaVoy	Pavlak, R.	Ulland
Brinkman	Graba	Lemke	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	Lindstrom, E.	Peterson	Vento
Carlson, B.	Growe	Lindstrom, J.	Pieper	Voss
Carlson, D.	Hanson	Lombardi	Prahl	Weaver
Carlson, L.	Haugerud	Long	Quirin	Wenzel
Cassery	Heinitz	Mann	Resner	Wigley
Cleary	Hook	McArthur	Rice	Wohlwend
Clifford	Jacobs	McCarron	Ryan	Wolcott
Connors	Jaros	McCauley	St. Onge	Mr. Speaker
Cummiskey	Johnson, C.	McEachern	Samuelson	
Dahl	Johnson, D.	McFarlin	Sarna	
DeGroat	Johnson, J.	McMillan	Savelkoul	

Those who voted in the negative were:

Pehler

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

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. No. 1713: S. F. Nos. 3433, 2639, 2640, and 2641.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2120:

Moe, Sarna, and Cleary.

Wigley was excused for the remainder of today's session.

SPECIAL ORDERS

S. F. No. 734 was reported to the House.

Niehaus moved to amend S. F. No. 734, the unofficial printed engrossment made for the House, as follows:

Page 2, lines 7 and 8, strike "*promulgated by July 1, 1975, in the manner provided by chapter 15,*" and insert in lieu thereof "*submit to the legislature by January 1, 1975, proposed*".

Page 2, line 36, strike "*Fees*".

Page 3, strike lines 1 to 3.

The motion prevailed and the amendment was adopted.

Niehaus and McFarlin moved to amend S. F. No. 734 the unofficial printed engrossment made for the House, as amended, as follows:

Page 1, before line 1, insert:

"Section 1. [105.403] [WATER AND RELATED LAND
RESOURCES PLANS.] Subdivision 1. [STATE WATER

AND RELATED LAND RESOURCES PLAN.] The commissioner of natural resources, in cooperation with other state and federal agencies, regional development commissions, the metropolitan council, local governmental units, and citizens, shall prepare a statewide framework and assessment water and related land resources plan for presentation to the legislature by November 15, 1975, for its review and approval or disapproval. This plan shall relate each of the programs of the department of natural resources for specific aspects of water management to the others. The statewide plan shall include but not be limited to provisions for the following:

(a) Regulation of improvements and land development by abutting landowners of the beds, banks, and shores of lakes, streams, watercourses, and marshes by permit or otherwise in order to preserve them for beneficial use;

(b) regulation of construction of improvements on and prevention of encroachments in the flood plains of the rivers, streams, lakes, and marshes of the state;

(c) reclamation or filling of wet and overflowed lands;

(d) repair, improvement, relocation, modification or consolidation in whole or in part of previously established public drainage systems within the state;

(e) preservation of wetland areas;

(f) management of game and fish resources as related to water resources;

(g) control of water weeds;

(h) control or alleviation of damages by flood waters;

(i) alteration of stream channels for conveyance of surface waters, navigation, and any other public purposes;

(j) diversion or changing of watercourses in whole or in part;

(k) regulation of the flow of streams and conservation of the waters thereof;

(l) regulation of lake water levels;

(m) maintenance of water supply for municipal, domestic, industrial, recreational, agricultural, aesthetic, wildlife, fishery, or other public use;

(n) sanitation and public health and regulation of uses of streams, ditches, or watercourses for the purpose of disposing of waste and maintaining water quality;

(o) preventive or remedial measures to control or alleviate land and soil erosion and siltation of watercourses or bodies of water affected thereby;

(p) regulation of uses of water surfaces.

Subd. 2. [REGIONAL WATER AND RELATED LAND RESOURCES PLANS.] Water and related land resources plans, including but not limited to provisions for the subjects listed in subdivision 1, shall be prepared for each development region of the state as designated pursuant to section 462.385 by its regional development commission if one exists, and for the Twin Cities metropolitan area by the metropolitan council. If no water and related land resources plan has been adopted for a development region or for the metropolitan area within one year after the state plan has been adopted by law, or if the commissioner of natural resources at any time more than one year after the state plan has been adopted by law, after notice and hearing as provided in section 105.44, finds that a development region or the metropolitan area has adopted a water and related land resources plan that is inconsistent with the state plan, the commissioner shall develop and adopt a regional water and related land resources plan for that development region or the metropolitan area. The commissioner shall hold at least one public hearing on the proposed plan in the manner provided in section 394.26, after giving notice as provided in section 394.26. This plan is effective for the development region or the metropolitan area on the date and in accordance with such regulations relating to compliance as the commissioner shall prescribe.

Subd. 3. [LOCAL WATER AND RELATED LAND RESOURCES PLANS.] Local water and related land resources plans, including but not limited to provisions for the subjects listed in subdivision 1, shall be adopted by each county and municipality in the state containing or bordering upon public waters. If a county or municipality fails to adopt a local water and related land resources plan within one year after adoption of the regional plan for its region, or if the commissioner of natural resources at any time more than one year after adoption of the regional plan for a region, after notice and hearing is provided in section 105.44, finds that a county or municipality has adopted a local water and related land resources plan that is inconsistent with the state or applicable regional plan, the commissioner shall develop and adopt the local water and related land resources plan for that county or municipality. The commissioner shall hold at least one public hearing on the proposed plan in the manner provided in section 394.26 or 462.357, as applicable, after giving notice as provided in section 394.26 or 462.357, as applicable. This plan is effective for the county or municipality on the date and in accordance with such regulations relating to

compliance as the commissioner shall prescribe. The plan shall be enforced as provided in section 394.37 or 462.362, as applicable. The penalties provided in section 394.37 or 462.362, as applicable, apply to violations of the plan so adopted by the commissioner.

Subd. 4. [IMPLEMENTATION OF PLANS.] The regional development commission, where one exists, or the metropolitan council, shall be the coordinating agency for the implementation of the regional water and related land resources plan and it may designate and request any local unit of government, including but not limited to counties, cities, soil and water conservation districts, watershed districts, sanitary districts, and lake conservation districts to initiate, implement and carry out any phase, project or improvement provided for in the regional water and related land resources plan. A regional development commission, or the metropolitan council, may engage in public education programs. Where the regional water and related land resources plan for a region or the Twin Cities metropolitan area has been adopted by the commissioner, the commissioner may at his discretion undertake the above described functions of coordination, implementation and public education concerning the plan.

Subd. 5. [COORDINATION OF ACTIONS.] Each regional development commission and the metropolitan council shall develop and coordinate an efficient system whereby the political subdivisions, commissions, departments, agencies, local units of government, and other authorities within its region having the necessary powers may carry out in an efficient and coordinated manner all activities reasonable and necessary to prepare and approve the regional water and related land resources plan and thereafter to foster and promote its implementation by the various federal, state, and local units of government thereby affected.

Subd. 6. [COOPERATION.] Each local and regional governmental unit, its officers and employees, and each regional development commission, its officers and employees, and the metropolitan council and its officers and employees shall cooperate with the commissioner in accomplishing his duties as established by this section.

Subd. 7. [STATE ASSISTANCE.] The commissioner shall assist municipalities and counties in the preparation and adoption of local water and related land resources plans within the limits of available appropriations and personnel.”.

Page 4, after line 10, insert:

“Sec. 6. Minnesota Statutes 1971, Section 105.485, is amended by adding a subdivision to read:

Subd. 3a. County planning and land use controls for land other than shoreland in the vicinity of shoreland shall be, to the

maximum extent practical, compatible with planning and land use controls for shoreland adopted pursuant to subdivisions 3 and 4."

Renumber the sections accordingly.

Further, amend the title as follows:

Line 1, after "water" and before "resources" insert "and related land".

Line 2, after "municipalities;" insert "providing for the development of state, regional, and local water and related land resources plans;"

Line 4, after "subdivision;" and before "and" insert "105.485, by adding a subdivision;"

A roll call was requested and properly seconded.

POINT OF ORDER

Pursuant to Rule 45c, Carlson, D., raised a point of order that the proposed amendment was out of order. The Speaker ruled the point of order not well taken.

Schreiber moved to amend the Niehaus and McFarlin amendment as follows:

Page 2, strike lines 14 through 30.

Strike pages 3 and 4 in their entirety.

Page 5, strike lines 1 through 5.

Further, in the title amendment, strike lines 13 and 14.

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

Eken moved that S. F. No. 734 be re-referred to the Committee on Agriculture.

DeGroat moved to amend the Eken motion by striking "Agriculture" and insert in lieu thereof "Local Government". The motion did not prevail.

The question recurred on the Eken motion. The motion did not prevail.

The question recurred on the Niehaus and McFarlin amendment, as amended, and the roll being called, there were yeas 89, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Grove	Laidig	Pavlak, R.
Adams, S.	Connors	Hanson	Larson	Pavlak, R. L.
Andersen, R.	Culhane	Heinitz	Lindstrom, E.	Pehler
Anderson, D.	Dahl	Hook	Lombardi	Pieper
Becklin	DeGroat	Jacobs	Long	Ryan
Belisle	Dirlam	Johnson, D.	McArthur	Savelkoul
Bell	Enebo	Johnson, J.	McCarron	Schreiber
Bennett	Erdahl	Johnson, R.	McCaughey	Searle
Berg	Erickson	Jopp	McFarlin	Sherwood
Berglin	Esau	Jude	Menke	Sieben, H.
Biersdorf	Farcy	Kahn	Mueller	Sieben, M.
Braun	Ferderer	Kelly	Munger	Skaar
Carlson, A.	Fjoslien	Kempe	Nelson	Stangeland
Carlson, B.	Forsythe	Klaus	Newcome	Ulland
Carlson, D.	Fudro	Knickerbocker	Niehaus	Wohlwend
Carlson, L.	Fugina	Knoll	Ohnstad	Wolcott
Casserly	Graba	Kostohryz	Parish	Mr. Speaker
Cleary	Graw	Kvam	Patton	

Those who voted in the negative were:

Anderson, G.	Johnson, C.	Miller, M.	Samuelson	Stanton
Anderson, I.	Lemke	Peterson	Sarna	Tomlinson
Eckstein	Lindstrom, J.	Prahl	Schulz	Wenzel
Eken	McEachern	Quirin	Smith	

The motion prevailed and the amendment, as amended, was adopted.

Haugerud moved to amend S. F. No. 734, the unofficial printed engrossment made for the House, as amended, as follows:

Page 4, after line 31, add a new section as follows:

"Sec. 7. Minnesota Statutes, Sections 394.21 to 394.37 shall control zoning in Mower county. Existing zoning regulations, planning commission members, officers, and staff shall remain, subject to change under the provisions of sections 394.21 to 394.37. The county board shall retain authority to regulate domestic water supply and the size of lots on which private sewage disposal systems are installed.

This section is effective upon approval by the governing body of Mower county and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the remaining section.

Page 4, line 33, after "repealed." add a new sentence as follows: "Laws 1959, Chapter 101, as amended by Extra Session

Laws 1959, Chapter 63, as amended by Laws 1965, Chapter 349, is repealed.”.

Further, amend the title, line 4, after “waters;” and before “amending” insert “changing the controlling statute for planning and development in Mower county;”. Line 6 of the title, after “113.06” and before the period, insert “and Laws 1959, Chapter 101, as amended”.

The motion prevailed and the amendment was adopted.

Carlson, D., moved to amend S. F. No. 734, the unofficial printed engrossment made for the House, as amended, as follows:

Page 3, lines 11 and 12, delete “*promulgate by July 1, 1975, in the manner provided by chapter 15, regulations*” and insert in lieu thereof “*recommend by January 15, 1975, to the legislature a comprehensive law*”.

The motion prevailed and the amendment was adopted.

Carlson, D., moved to amend S. F. No. 734, the unofficial printed engrossment made for the House, as amended, as follows:

Page 2, line 11, after “*supply.*”, add the following: “*Agricultural irrigation, involving consumption in excess of 10,000 gallons per day.*”.

Page 2, lines 16 and 17, strike all the language in the lines.

Page 2, line 18, strike “*Fifth*” and insert in lieu thereof “*Fourth*”.

Page 2, line 20, strike “*Sixth*” and insert in lieu thereof “*Fifth*”.

The motion prevailed and the amendment was adopted.

S. F. No. 734 was read for the third time.

UNANIMOUS CONSENT

Niehaus requested unanimous consent to offer an amendment. The request was granted.

Niehaus moved to amend S. F. No. 734, the unofficial printed engrossment made for the House, as amended, as follows:

Page 2, line 7, after “1975,” and before “*proposed*” insert “*for its approval,*”.

The motion prevailed and the amendment was adopted.

S. F. No. 734, A bill for an act relating to water resources; imposing certain duties in relation thereto on the commissioner of natural resources, counties, and municipalities; providing standards for permits for appropriation and use of public waters, and for changing the course, current, or cross-section of public waters; amending Minnesota Statutes 1971, Sections 105.41, Subdivision 1; 105.42; 105.44, by adding a subdivision; and 105.49; repealing Minnesota Statutes 1971, Sections 113.01 to 113.06.

The bill, as amended, was placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 94, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Jaros	McCarron	Quirin
Adams, S.	Cummiskey	Johnson, D.	McCauley	Resner
Andersen, R.	Dahl	Johnson, J.	McEachern	Rice
Becklin	DeGroat	Johnson, R.	McFarlin	Ryan
Belisle	Dieterich	Jopp	Menke	Savelkoul
Bell	Dirlam	Jude	Moe	Schreiber
Bennett	Enebo	Kahn	Mueller	Schulz
Berg	Esau	Kelly	Munger	Sherwood
Berglin	Faricy	Kempe	Nelson	Sieben, H.
Biersdorf	Ferderer	Klaus	Newcome	Sieben, M.
Braun	Fjoslien	Knickerbocker	Niehaus	Smith
Carlson, A.	Forsythe	Knoll	Norton	Spanish
Carlson, B.	Graba	Kostohryz	Ohnstad	Stangeland
Carlson, D.	Graw	Kvam	Ojala	Swanson
Carlson, L.	Growe	Laidig	Patton	Ulland
Casserly	Hanson	Larson	Pavlak, R.	Vento
Cleary	Heinitz	Lindstrom, E.	Pavlak, R. L.	Wohlwend
Clifford	Hook	Lombardi	Pehler	Mr. Speaker
Connors	Jacobs	McArthur	Pieper	

Those who voted in the negative were:

Anderson, D.	Erickson	Long	St. Onge	Stanton
Anderson, G.	Fugina	Mann	Samuelson	Tomlinson
Anderson, I.	Johnson, C.	Miller, M.	Sarna	Wenzel
Eckstein	Lemke	Peterson	Searle	
Eken	Lindstrom, J.	Prahl	Skaar	

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

S. F. No. 2505 was reported to the House.

Newcome moved to amend S. F. No. 2505 as follows:

Page 1, line 14, after "one" strike "referee" and insert in lieu thereof "or more referees".

The motion prevailed and the amendment was adopted.

S. F. No. 2505, A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes, 1973 Supplement, Section 525.10; Minnesota Statutes 1971, Section 526.18; repealing Minnesota Statutes 1971, Section 526.19.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	McEachern	Samuelson
Adams, S.	DeGroat	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, M.	Savelkoul
Anderson, D.	Eckstein	Jopp	Moe	Schreiber
Anderson, G.	Eken	Jude	Mueller	Schulz
Anderson, I.	Enebo	Kahn	Nelson	Searle
Becklin	Erdahl	Kelly	Newcome	Sherwood
Belisle	Erickson	Kempe	Niehaus	Sieben, H.
Bell	Esau	Klaus	Norton	Sieben, M.
Bennett	Faricy	Knickerbocker	Ohnstad	Skaar
Berg	Ferderer	Knoll	Ojala	Smith
Berglin	Forsythe	Kostohryz	Parish	Spanish
Biersdorf	Fudro	Kvam	Patton	Stangeland
Braun	Fugina	Laidig	Pavlak, R.	Stanton
Carlson, A.	Graba	Larson	Pavlak, R. L.	Swanson
Carlson, B.	Graw	LaVoy	Pehler	Tomlinson
Carlson, D.	Grove	Lindstrom, E.	Peterson	Ulland
Carlson, L.	Hanson	Lindstrom, J.	Pieper	Vanasek
Casserly	Haugerud	Lombardi	Prahl	Vento
Cleary	Heinitz	Long	Quirin	Wenzel
Clifford	Hook	Mann	Resner	Wohlwend
Connors	Jacobs	McArthur	Rice	Mr. Speaker
Culhane	Jaros	McCarron	Ryan	
Cummiskey	Johnson, C.	McCauley	St. Onge	

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

S. F. No. 3338 was reported to the House.

There being no objection, S. F. No. 3338 was continued on Special Orders for one day.

Berg was excused for the remainder of today's session.

Anderson, I., moved that the remaining bills on Special Orders for today be continued in sequence on Special Orders for Friday, March 22, 1974, immediately following the Consent Calendar. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. No. 2641: S. F. Nos. 3088, 2885, 2703, and 3301.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3029, A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Samuelson moved that the House concur in the Senate amendments to H. F. No. 3029 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3029, A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; defining county of financial responsibility in medical assistance; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Cassery	Dirlam	Ferderer
Andersen, R.	Berglin	Cleary	Eckstein	Fjoslien
Anderson, D.	Biersdorf	Clifford	Eken	Forsythe
Anderson, G.	Braun	Connors	Enebo	Fudro
Anderson, I.	Carlson, A.	Culhane	Erdahl	Fugina
Becklin	Carlson, B.	Cummiskey	Erickson	Graba
Belisle	Carlson, D.	Dahl	Esau	Graw
Bell	Carlson, L.	Dieterich	Faricy	Growe

Hanson	Knickerbocker	Menke	Prahl	Smith
Haugerud	Knoll	Miller, M.	Quirin	Spanish
Heinitz	Kostohryz	Moe	Resner	Stangeland
Hook	Kvam	Nelson	Rice	Stanton
Jacobs	Laidig	Newcome	Ryan	Swanson
Jaros	LaVoy	Niehaus	St. Onge	Tomlinson
Johnson, C.	Lindstrom, E.	Norton	Salchert	Ulland
Johnson, D.	Lindstrom, J.	Ohnstad	Samuelson	Vanasek
Johnson, J.	Lombardi	Ojala	Sarna	Vento
Johnson, R.	Long	Parish	Savelkoul	Wenzel
Jopp	Mann	Patton	Schreiber	Wohlwend
Jude	McArthur	Pavlak, R.	Schulz	Wolcott
Kahn	McCarron	Pavlak, R. L.	Searle	Mr. Speaker
Kelly	McCauley	Pehler	Sieben, H.	
Kempe	McEachern	Peterson	Sieben, M.	
Klaus	McFarlin	Pieper	Skaar	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency ; revising limitations upon agency bonds and notes ; providing for rehabilitation loans and grants ; appropriating money ; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision ; 462A.03, by adding a subdivision ; 462A.04, Subdivision 1 ; 462A.05, by adding subdivisions ; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions ; 462A.20, by adding a subdivision ; 462A.21, Subdivisions 1 and 5, and by adding a subdivision ; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11 ; 462A.06, Subdivision 11 ; 462A.08, Subdivision 1 ; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision ; and 462A.22, Subdivision 1.

The Senate has appointed as such committee Messrs. Humphrey ; Keefe, J. ; and Borden.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate refuses to concur in the House amendments to :

S. F. No. 1728, A bill for an act relating to garnishment, state employees ; amending Minnesota Statutes 1971, Section 571.46.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Davies, Lord and Knutson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Farcy moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1728. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3473, A bill for an act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Munger moved that the House concur in the Senate amendments to H. F. No. 3473 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3473, A bill for an act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Menke	Sarna
Adams, S.	Eckstein	Jopp	Miller, M.	Savelkoul
Andersen, R.	Eken	Jude	Moe	Schreiber
Anderson, D.	Enebo	Kahn	Munger	Schulz
Anderson, G.	Erdahl	Kelly	Nelson	Searle
Anderson, I.	Erickson	Kempe	Newcome	Sieben, H.
Becklin	Esau	Klaus	Niehaus	Sieben, M.
Belisle	Faricy	Knickerbocker	Norton	Skaar
Bell	Ferderer	Knoll	Ohnstad	Smith
Bennett	Fjoslien	Kostohryz	Ojala	Spanish
Berglin	Forsythe	Kvam	Parish	Stangeland
Biersdorf	Fudro	Laidig	Patton	Stanton
Braun	Fugina	Larson	Pavlak, R.	Swanson
Brinkman	Graba	LaVoy	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lemke	Pehler	Ulland
Carlson, B.	Growe	Lindstrom, E.	Peterson	Vanasek
Carlson, D.	Hanson	Lindstrom, J.	Pieper	Vento
Carlson, L.	Haugerud	Lombardi	Prahl	Wenzel
Casserly	Heinitz	Long	Quirin	Wohlwend
Cleary	Hook	Mann	Resner	Wolcott
Clifford	Jacobs	McArthur	Rice	Mr. Speaker
Connors	Jaros	McCarron	Ryan	
Culhane	Johnson, C.	McCauley	St. Onge	
Cummiskey	Johnson, D.	McEachern	Salchert	
Dahl	Johnson, J.	McFarlin	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. O'Neill, Coleman, McCutcheon, North and Chenoweth have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pavlak, R. L., moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2367. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Moe; McCutcheon; Kirchner; Olson, J. L.; and Perpich, G., have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Samuelson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2964. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligations bonds for remodeling and new construction costs at the St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. O'Neill, McCutcheon and Hughes have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed

by the Senate on the disagreeing votes of the two Houses on S. F. No. 3350. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Anderson, Chmielewski and Larson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, D., moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3246. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2367:

Pavlak, R. L.; Norton; Dieterich; Vento; and Tomlinson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2964:

Samuelson, Hanson, Rice, McCauley, and Forsythe.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1728:

Faricy, Ojala, and Johnson, R.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3246:

Carlson, D.; Carlson, B.; and Peterson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3350:

Norton, Faricy, and Bell.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, March 22, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, March 22, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-ELEVENTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 22, 1974

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Savelkoul
Anderson, D.	Eckstein	Jopp	Miller, M.	Schreiber
Anderson, G.	Eken	Jude	Moe	Schulz
Anderson, I.	Enebo	Kahn	Mueller	Searle
Becklin	Erdahl	Kelly	Munger	Sherwood
Belisle	Erickson	Kempe	Myrah	Sieben, H.
Bell	Esau	Klaus	Nelson	Sieben, M.
Bennett	Faricy	Knickerbocker	Newcome	Skaar
Berg	Ferderer	Knoll	Niehaus	Smith
Berglin	Fjoslien	Kostohryz	Norton	Spanish
Biersdorf	Forsythe	Kvam	Ohnstad	Stangeland
Braun	Fudro	Laidig	Ojala	Stanton
Brinkman	Fugina	Larson	Parish	Swanson
Carlson, A.	Graba	LaVoy	Patton	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R.	Ufland
Carlson, D.	Grove	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hagedorn	Lombardi	Peterson	Vento
Casserly	Hanson	Long	Pieper	Voss
Cleary	Haugerud	Mann	Prahl	Weaver
Clifford	Heinitz	McArthur	Quirin	Wenzel
Connors	Hook	McCarron	Resner	Wigley
Culhane	Jacobs	McCauley	Rice	Wohlwend
Cummiskey	Jaros	McEachern	Ryan	Wolcott
Dahl	Johnson, C.	McFarlin	St. Onge	Mr. Speaker

A quorum was present.

Lindstrom, E., was excused until 5:45 p.m. Pavlak, R. L., was excused until 3:00 p.m. Pleasant was excused until 12:45 p.m. Salchert was excused until 12:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2785, 3182, 2928, 3337, and 3382 and S. F. Nos. 3323, 3580 and 2683 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 21, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 3041, An act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 21, 1974

The Honorable Martin O. Sabo
Speaker of the House
276 State Office Building
St. Paul, Minnesota

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 House Files:

H. F. No. 892, An act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

H. F. No. 1795, An act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

H. F. No. 1952, An act relating to the construction, maintenance and repair of any county ditches in Ramsey county; repealing Laws 1957, Chapter 682.

H. F. No. 1966, An act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

H. F. No. 1967, An act relating to the library board of the city of Minneapolis; authorizing compensation for members.

H. F. No. 1986, An act relating to the city of Virginia; firemen's service, disability, and survivors pensions; repealing Laws 1953, Chapter 399, Sections 18, 20 and 23, as amended.

H. F. No. 2043, An act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of administration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

H. F. No. 2144, An act relating to wild animals; affording protection to the wolverine; providing a penalty; amending Minnesota Statutes 1971, Section 97.55, Subdivision 8; and 100.27, Subdivision 1.

H. F. No. 2553, An act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

H. F. No. 2595, An act relating to the Minnehaha 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.

H. F. No. 2829, An act relating to the firemen's relief association of the city of Goodview; providing that years of service with Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

H. F. No. 2833, An act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

H. F. No. 2926, An act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

H. F. No. 2936, An act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

H. F. No. 3009, An act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

H. F. No. 3055, An act authorizing the issuance of certain refunding bonds by independent school district No. 748.

H. F. No. 3086, An act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

H. F. No. 3121, An act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.

H. F. No. 3142, An act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

H. F. No. 3233, An act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids and inheritance tax distributions; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

H. F. No. 3264, An act relating to taxes on and measured by net income; credits against tax; amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

H. F. No. 3322, An act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

H. F. No. 3331, An act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

H. F. No. 3384, An act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

H. F. No. 3394, An act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

Sincerely,

WENDELL R. ANDERSON
Governor

UNANIMOUS CONSENT

Kvam requested unanimous consent to offer a motion. The request was granted.

Kvam moved that H. F. No. 3143 be recalled from the Senate for further consideration by the House. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 3575, A bill for an act providing additional bond issuing authority to provide compensation to those members of the armed forces who served during the Vietnam conflict; and appropriating the proceeds thereof.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 560, A bill for an act relating to taxes on and measured by net income; rent credit entitlement; amending Minnesota Statutes 1971, Sections 290.982 and 290.983, Subdivision 1.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3724, 3575, and 560 were read for the second time.

INTRODUCTION OF BILLS

Kvam, Eckstein, Larson, Stangeland, and Ryan introduced:

H. F. No. 3725, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 1; providing that the legislature meet in regular session only in odd numbered years.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson, R.; Graw; and Adams, S., introduced:

H. F. No. 3726, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 1; prescribing the times for meetings of the legislature.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson, R.; Graw; and Adams, S., introduced:

H. F. No. 3727, A bill for an act relating to the legislature; regulating the sessions and interim activities of the legislature; amending Minnesota Statutes, 1973 Supplement, Section 3.011; repealing Minnesota Statutes, 1973 Supplement, Section 3.012.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 389, A bill for an act relating to public safety; fines and forfeited bail money from persons apprehended by the highway patrol; providing for the distribution and use of such money; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

H. F. No. 485, A bill for an act relating to the state junior college board; appropriating money for a special assessment.

H. F. No. 545, A bill for an act relating to the Willmar state junior college; appropriating money to the city of Willmar for costs incurred on behalf of the college.

H. F. No. 3239, A bill for an act relating to aeronautics; appropriating and transferring certain funds.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House Files, herewith returned :

H. F. No. 2799, A bill for an act relating to charitable organizations; exempting firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on the behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

H. F. No. 2930, A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

H. F. No. 3027, A bill for an act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 11; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 1951, A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues.

The Senate has appointed as such committee Messrs. Humphrey; Keefe, J.; and Stokowski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 2120, A bill for an act relating to workmen's compensation ; supplementary benefits ; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3 ; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

The Senate has appointed as such committee Messrs. Milton, Bang, and Hansen, Baldy.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 3712, A bill for an act relating to claims against the state ; appropriating moneys for the payment thereof ; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

The Senate has appointed as such committee Messrs. Purfeerst, Blatz, and Thorup.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on :

S. F. No. 1060, A bill for an act relating to highway traffic regulations ; bicycle regulations ; pedestrian rules ; prohibiting certain soliciting ; requiring certain precautions when opening certain vehicle doors ; amending Minnesota Statutes 1971, Sections 169.01, Subdivision 51 ; 169.21, Subdivisions 3 and 5 ; 169.22 ;

169.221, Subdivisions 1 and 6; and Chapter 169, by adding a section.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1060

March 20, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1060, 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. 1060 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 169.01, Subdivision 51, is amended to read:

Subd. 51. [BICYCLE.] "Bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over (20) 14 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Sec. 2. Minnesota Statutes 1971, Section 169.21, Subdivision 5, is amended to read:

Subd. 5. [WALK ON LEFT SIDE OF ROADWAY.] Pedestrians when walking along a roadway shall, *when practicable*, walk (NEAR) *on* the left side of the roadway *or its shoulder* giving way to oncoming traffic. Where sidewalks are provided and usable it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

Sec. 3. Minnesota Statutes 1971, Section 169.22, is amended to read:

169.22 [HITCHHIKING; SOLICITATION OF BUSINESS.]
Subdivision 1. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

Subd. 2. No person shall stand on a roadway for the purpose of soliciting employment, business, or contributions from the occupant of any vehicle.

Sec. 4. Minnesota Statutes 1971, Section 169.221, Subdivision 1, is amended to read:

169.221 [BICYCLES.] Subdivision 1. [TRAFFIC LAWS APPLY.] Every person riding a bicycle upon a roadway or upon any path set aside for the exclusive use of bicycles shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application.

Sec. 5. Minnesota Statutes 1971, Section 169.221, Subdivision 2, is amended to read:

Subd. 2. [MANNER AND NUMBER RIDING.] (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped, *except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the child securely in the seat and that protection is provided against the child's feet hitting the spokes of the wheel or in a seat attached to the bicycle operator.*

Sec. 6. Minnesota Statutes 1971, Section 169.221, Subdivision 6, is amended to read:

Subd. 6. [LIGHTING AND BRAKE EQUIPMENT.]

(a) Every bicycle when in use at nighttime shall be equipped with, or its operator shall carry, a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the department of public safety which is visible from all distances from (50) 100 feet to (300) 600 feet to the rear when directly in front of lawful (UPPER) lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. *No person may after January 1, 1976 at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead operate a bicycle unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of head lamps on a motor vehicle.*

The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front

or the rear and with a minimum of 20 square inches on each side of the bicycle or its operator, of white reflective material. All reflective materials used in compliance with this subdivision shall meet the requirements as prescribed by the commissioner of public safety.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.”.

Further strike the title and insert in lieu thereof:

“A bill for an act relating to highway traffic regulations; bicycle regulations; pedestrian rules; prohibiting certain soliciting; amending Minnesota Statutes 1971, Sections 169.01, Subdivision 51; 169.21, Subdivision 5; 169.22; and 169.221, Subdivisions 1, 2 and 6.”.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: CLARENCE PURFEERST, C. R. BALDY HANSEN, and J. A. JOSEPHSON.

House Conferees: JOAN R. GROWE, M. J. MCCAULEY, and GORDON O. VOSS.

Grove moved that the report of the Conference Committee on S. F. No. 1060 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1060, A bill for an act relating to highway traffic regulations; bicycle regulations; pedestrian rules; prohibiting certain soliciting; requiring certain precautions when opening certain vehicle doors; amending Minnesota Statutes 1971, Sections 169.01, Subdivision 51; 169.21, Subdivisions 3 and 5; 169.22; 169.221, Subdivisions 1 and 6; and Chapter 169, by adding a section.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 94, and nays 24, as follows:

Those who voted in the affirmative were:

Adams, J.	Berg	Carlson, D.	Cummiskey	Faricy
Andersen, R.	Berglin	Carlson, L.	Dahl	Forsythe
Anderson, I.	Biersdorf	Cassery	Dieterich	Fudro
Becklin	Brinkman	Clifford	Eckstein	Fugina
Bell	Carlson, A.	Connors	Enebo	Gaba
Bennett	Carlson, B.	Culhane	Erickson	Graw

Grove	Kelly	McFarlin	Pavlak, R.	Sieben, M.
Hanson	Kempe	McMillan	Pehler	Smith
Haugerud	Knickerbocker	Menke	Peterson	Stanton
Heinitz	Knoll	Moe	Quirin	Swanson
Hook	Kvam	Munger	Resner	Ulland
Jacobs	Laidig	Myrah	Rice	Vento
Jaros	LaVoy	Nelson	Ryan	Voss
Johnson, C.	Lemke	Newcome	St. Onge	Weaver
Johnson, D.	Lombardi	Norton	Sarna	Wenzel
Johnson, J.	McArthur	Ohnstad	Schreiber	Wigley
Jopp	McCarron	Ojala	Sherwood	Wolcott
Jude	McCauley	Parish	Sherwood	Mr. Speaker
Kahn	McEachern	Patton	Sieben, H.	

Those who voted in the negative were:

Anderson, D.	Dirlam	Hagedorn	Mueller	Skaar
Anderson, G.	Eken	Larson	Niehaus	Stangeland
Braun	Erdahl	Long	Pieper	Vanasek
Cleary	Esau	Mann	Savelkoul	Wohlwend
DeGroat	Fjoslien	Miller, M.	Searle	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1530, A bill for an act relating to education; authorizing and prohibiting fees for public educations.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1530

March 19, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1530, 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. 1530 be further amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. This act may be cited as “The Minnesota Public School Fee Law.”

Sec. 2. [GENERAL POLICY.] It is the policy of the state of Minnesota that public school education shall be free and no pupil shall be denied an education because of economic inability to furnish educational books and supplies necessary to complete educational requirements necessary for graduation. Any practice leading to suspension, coercion, exclusion, withholding of grades or diplomas, or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to accept voluntary contributions and to make certain charges and to establish fees in areas considered extra curricular, non-curricular or supplementary to the requirements for the successful completion of a class or educational program. No public school board may require, except as authorized by sections 3 and 5, the payment of fees.

Sec. 3. [AUTHORIZED FEES.] Subdivision 1. A school board is authorized to require payment of fees in the following areas:

(a) In any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil;

(b) Admission fees or charges for extra curricular activities, where attendance is optional;

(c) A security deposit for the return of materials, supplies, or equipment;

(d) Personal physical education and athletic equipment and apparel, although any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the school board;

(e) Items of personal use or products which a student may purchase at his own option such as student publications, class rings, annuals, and graduation announcements;

(f) Fees specifically permitted by any other statute;

(g) Field trips considered supplementary to a district educational program;

(h) Any authorized voluntary student health and accident benefit plan;

(i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost for each instrument.

Subd. 2. Students may be required to furnish personal or consumable items including pencils, paper, pens, erasers and notebooks.

Subd. 3. This act shall not preclude the operation of a school store wherein pupils may purchase school supplies and materials.

Subd. 4. A school board may waive any such deposit or fee if any pupil or his parent or guardian is unable to pay it.

Sec. 4. [PROHIBITED FEES.] Subdivision 1. A school board is not authorized to charge fees in the following areas:

(a) Textbooks, work books, art materials, laboratory supplies, towels;

(b) Supplies necessary for participation in any instructional course except as authorized in sections 3 and 5;

(c) Field trips which are required as a part of a basic education program or course;

(d) Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas;

(e) Instructional costs for necessary school personnel employed in any course or educational program required for graduation;

(f) Library books required to be utilized for any educational course or program;

(g) Admission fees, dues, or fees for any activity the pupil is required to attend;

(h) Any admission or examination cost for any required educational course or program;

(i) Locker rentals.

Subd. 2. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for non-payment of fees; but this provision shall not prohibit a school district from maintaining any action provided by law for the collection of such fees authorized by sections 3 and 5.

Sec. 5. Subdivision 1. Prior to the initiation of any fee not authorized or prohibited by sections 3 and 4, the local school board shall hold a public hearing within the district upon three weeks published notice in the district's official newspaper. The local school board shall notify the state board of any fee it proposes to initiate under this section. If within 45 days of this notification, the state board does not disapprove the proposed fee, the local school board may initiate the proposed fee.

Subd. 2. The state board pursuant to the administrative procedures act, Minnesota Statutes, Sections 15.04 to 15.0426, and consistent with the general policy of section 2 shall have the power to specify further authorized and prohibited fees and to adopt rules and regulations for the purposes of this act.

Sec. 6. This act 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.

Sec. 7. [EFFECTIVE DATE.] This act shall be effective on July 1, 1975."

Further delete the title in its entirety and insert in lieu thereof:

"A bill for an act relating to education, authorizing and prohibiting certain pupil fees."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: RALPH DOTY, GERALD WILLET, and ROBERT DUNN.

House Conferees: MIKE JAROS, CARL JOHNSON, and GERALD KNICKERBOCKER.

Johnson, C., moved that the report of the Conference Committee on S. F. No. 1530 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1530, A bill for an act relating to education; authorizing and prohibiting fees for public educations.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 81, and nays 48, as follows:

Those who voted in the affirmative were:

Adams, J.	Faricy	Klaus	Norton	Sieben, H.
Andersen, R.	Ferderer	Knickerbocker	Ohnstad	Sieben, M.
Anderson, I.	Fudro	Knoll	Ojala	Smith
Bell	Fugina	Kostohryz	Parish	Spanish
Bennett	Graba	LaVoy	Patton	Stanton
Berg	Graw	Lemke	Pehler	Tomlinson
Berglin	Growe	Mann	Prahl	Ulland
Brinkman	Hanson	McArthur	Quirin	Vanasek
Carlson, A.	Haugerud	McCarron	Resner	Vento
Carlson, B.	Jacobs	McEachern	Rice	Voss
Carlson, L.	Jaros	McMillan	Ryan	Wenzel
Casserly	Johnson, C.	Menke	St. Onge	Wolcott
Cummiskey	Johnson, D.	Miller, D.	Samuelson	Mr. Speaker
Dahl	Johnson, J.	Miller, M.	Sarna	
Dieterich	Jude	Moe	Savelkoul	
Eken	Kahn	Munger	Schulz	
Enebo	Kelly	Nelson	Sherwood	

Those who voted in the negative were:

Anderson, D.	Culhane	Heinitz	Long	Schreiber
Anderson, G.	DeGroat	Hook	McCauley	Searle
Becklin	Diriam	Johnson, R.	McFarlin	Skaar
Belisle	Eckstein	Jopp	Mueller	Stangeland
Biersdorf	Erdahl	Kempe	Myrah	Swanson
Braun	Erickson	Kvam	Newcome	Weaver
Carlson, D.	Esau	Laidig	Niehaus	Wigley
Cleary	Fjoslien	Larson	Pavlak, R.	Wohlwend
Clifford	Forsythe	Lindstrom, J.	Peterson	
Connors	Hagedorn	Lombardi	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 96, A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for mandatory arbitration of certain claims; providing for the partial abrogation of tort liability; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 96

March 21, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 96, 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. 96 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [CITATION.] Sections 1 to 35 may be cited as the "Minnesota no-fault automobile insurance act".

Sec. 2. [PURPOSE.] The detrimental impact of automobile accidents on uncompensated injured persons, upon the orderly and efficient administration of justice in this state, and in various other ways requires that this act be adopted to effect the following purposes:

(1) To relieve the severe economic distress of uncompensated victims of automobile accidents within this state by requiring automobile insurers to offer and automobile owners to maintain automobile insurance policies or other pledges of indemnity which will provide prompt payment of specified basic economic loss benefits to victims of automobile accidents without regard to whose fault caused the accident;

(2) To prevent the overcompensation of those automobile accident victims suffering minor injuries by restricting the right to recover general damages to cases of serious injury;

(3) To encourage appropriate medical and rehabilitation treatment of the automobile accident victim by assuring prompt payment for such treatment;

(4) To speed the administration of justice, to ease the burden of litigation on the courts of this state, and to create a system of small claims arbitration to decrease the expense of and to simplify litigation, and to create a system of mandatory inter-company arbitration to assure a prompt and proper allocation of the costs of insurance benefits between motor vehicle insurers;

(5) To correct imbalances and abuses in the operation of the automobile accident tort liability system, to provide offsets to avoid duplicate recovery, to require medical examination and disclosure, and to govern the effect of advance payments prior to final settlement of liability.

Sec. 3. [DEFINITIONS.] Subdivision 1. The following words and phrases, shall, for the purpose of this act, have the meanings ascribed to them, except where the context clearly indicates a different meaning.

Subd. 2. "Motor vehicle" means every vehicle, other than a motorcycle or other vehicle with fewer than four wheels, which (a) is required to be registered pursuant to Minnesota Statutes, Chapter 168, (b) is designed to be self-propelled by an engine or motor for use primarily upon public roads, highways or streets in the transportation of persons or property, or (c) is a trailer, when connected to or being towed by a motor vehicle.

Subd. 3. "Maintenance or use of a motor vehicle" means maintenance or use of a motor vehicle as a vehicle, including, incident to its maintenance or use as a vehicle, occupying, entering into, and alighting from it. Maintenance or use of a motor vehicle does not include (1) conduct within the course of a business of repairing, servicing, or otherwise maintaining motor vehicles unless the conduct occurs off the business premises, or (2) conduct in the course of loading and unloading the vehicle unless the conduct occurs while occupying, entering into or alighting from it.

Subd. 4. "Owner" means a person who holds legal title to a motor vehicle, or in the event that a motor vehicle is the subject of a security agreement or lease with option to purchase and the debtor or lessee is entitled to the immediate use or possession of the vehicle, then the debtor or lessee shall be deemed the owner for the purposes of this act.

Subd. 5. "Insured" means an insured under a plan of reparation security as provided by this act, including the named insured and the following persons not identified by name as an insured while (a) residing in the same household with the named insured and (b) not identified by name in any other contract for a plan of reparation security complying with this act as an insured:

- (1) a spouse,
- (2) other relative of a named insured or
- (3) a minor in the custody of a named insured or of a relative residing in the same household with a named insured.

A person resides in the same household with the named insured if that person usually makes his home in the same family unit, even though he temporarily lives elsewhere.

Subd. 6. "Income" means salary, wages, tips, commissions, professional fees, and other earnings from work or tangible things of economic value produced through work in individually owned businesses, farms, ranches or other work.

Subd. 7. "Loss" means economic detriment resulting from the accident causing the injury, consisting only of medical expense, disability and income loss, replacement services loss and, if the injury causes death, funeral expense, survivor's economic loss and survivor's replacement services loss. Noneconomic detriment is not loss; however, economic detriment is loss although caused by pain and suffering or physical or mental impairment.

Subd. 8. "Noneconomic detriment" means all dignitary losses suffered by any person as a result of injury arising out of the ownership, maintenance, or use of a motor vehicle including pain and suffering, loss of consortium, and inconvenience.

Subd. 9. "Reparation obligor" means an insurer or self-insurer obligated to provide the benefits required by this act, including natural persons, firms, partnerships, associations, corporations, governmental units, trusts and syndicates.

Subd. 10. "Basic economic loss benefits" means benefits as described in section 4.

Subd. 11. "Injury" means bodily harm to a person and death resulting from such harm.

Subd. 12. "Commercial vehicle" means:

- (a) any motor vehicle used as a common carrier,
- (b) any motor vehicle, other than a passenger vehicle or a station wagon, as those terms are defined in Minnesota Statutes, Section 168.011, Subdivisions 7 and 23, which has a curb weight of 5500 pounds apart from cargo capacity, or
- (c) any motor vehicle while used in the for-hire transportation of property.

Subd. 13. "Motorcycle" means a self-propelled vehicle designed to travel on fewer than four wheels which has an engine rated at greater than five horsepower.

Subd. 14. Except where otherwise indicated, "commissioner" means the commissioner of insurance of the state of Minnesota.

Sec. 4. [BASIC ECONOMIC LOSS BENEFITS.] Subdivision 1. Basic economic loss benefits shall provide reimbursement for all loss suffered through injury arising out of the maintenance or use of a motor vehicle, subject to any applicable deductibles, exclusions, disqualifications, and other conditions, and shall provide a maximum of \$30,000 for loss arising out of the injury of any one person, consisting of:

(a) \$20,000 for medical expense loss arising out of injury to any one person; and

(b) A total of \$10,000 for disability and income loss, replacement services loss, funeral expense loss, survivor's economic loss, and survivor's replacement services loss arising out of the injury to any one person.

Subd. 2. [MEDICAL EXPENSE BENEFITS.] Medical expense benefits shall reimburse all reasonable expenses for necessary medical, surgical, x-ray, optical, dental, chiropractic, and rehabilitative services, including prosthetic devices, prescription drugs, necessary ambulance, hospital, extended care and nursing services. "Extended care facility" means a place where skilled nursing care and related services are provided for patients who require post-hospitalization, in-patient medical, nursing, or therapy services. Hospital room and board benefits may be limited, except for intensive care facilities, to the regular daily semi-private room rates customarily charged by the institution in which the recipient of benefits is confined. Such benefits shall also include necessary remedial treatment and services recognized and permitted under the laws of this state for an injured person who relies upon spiritual means through prayer alone for healing in accordance with his religious beliefs. Medical expense loss includes medical expenses accrued prior to the death of a person notwithstanding the fact that benefits are paid or payable to the decedent's survivors. Medical expense benefits for rehabilitative services shall be subject to the provisions of section 5.

Subd. 3. [DISABILITY AND INCOME LOSS BENEFITS.] Disability and income loss benefits shall reimburse eighty-five percent of the injured person's loss of present and future gross income from inability to work proximately caused by the non-fatal injury subject to a maximum of \$200 per week. Compensation for loss of income from work shall be reduced by any income from substitute work actually performed by the injured person or by income the injured person would have earned in available appropriate substitute work which he was capable of performing but unreasonably failed to undertake.

For the purposes of this section "inability to work" shall mean disability which continuously prevents the injured person from engaging in any substantial gainful occupation or employment, for wage or profit, for which he is or may by training become reasonably qualified.

Subd. 4. [FUNERAL AND BURIAL EXPENSES.] Funeral and burial benefits shall be reasonable expenses not in excess of \$1,250, including expenses for cremation or delivery under the Uniform Anatomical Gift Act, Minnesota Statutes, Sections 525.921 to 525.93.

Subd. 5. [REPLACEMENT SERVICE AND LOSS.] Replacement service loss benefits shall reimburse all expenses reasonably incurred by or on behalf of the nonfatally injured person in obtaining usual and necessary substitute services in lieu of those that, had he not been injured, the injured person would have performed not for income but for the direct benefit of himself or his household; if the nonfatally injured person normally, as a full time responsibility, provides care and maintenance of a home with or without children, the benefit to be provided under this clause shall be the reasonable value of such care and maintenance or the reasonable expenses incurred in obtaining usual and necessary substitute care and maintenance of the home, whichever is greater. These benefits shall be subject to a maximum of \$15 per day. All replacement services loss sustained on the date of injury and the first seven days thereafter is excluded in calculating replacement services loss.

Subd. 6. [SURVIVORS ECONOMIC LOSS BENEFITS.] Survivors economic loss benefits, in the event of death occurring within one year of the date of the accident, caused by and arising out of injuries received in the accident, shall reimburse loss after decedent's death of contributions of money or tangible things of economic value, not including services, subject to a maximum of \$200 per week that his surviving dependents would have received for their support during their dependency from the decedent had he not suffered the injury causing death.

For the purposes of definition under this act, the following described persons shall be presumed to be dependents of a deceased person: (a) a wife is dependent on a husband with whom she lives at the time of his death; (b) a husband is dependent on a wife with whom he lives at the time of her death; (c) any child while under the age of 18 years, or while over that age but physically or mentally incapacitated from earning, is dependent on the parent with whom he is living or from whom he is receiving support regularly at the time of the death of such parent. In all other cases, questions of the existence and extent of dependency shall be determined in accordance with the facts at the time of the death.

Payments to the surviving spouse shall be terminated in the event such surviving spouse remarries or dies. Payments to a dependent child who is not physically or mentally incapacitated from earning shall be terminated in the event he attains majority, marries or becomes otherwise emancipated, or dies.

Subd. 7. [SURVIVOR'S REPLACEMENT SERVICES LOSS.] Survivors replacement services loss benefits shall re-

imburse expenses reasonably incurred by surviving dependents after the date of the decedent's death in obtaining ordinary and necessary services in lieu of those the deceased would have performed for their benefit had he not suffered the injury causing death, minus expenses of the survivors avoided by reason of the decedent's death. These benefits shall be subject to a maximum of \$200 per week.

Subd. 8. "Basic economic loss benefits" do not include benefits for physical damage done to property or motor vehicles, including their contents.

Sec. 5. [REHABILITATION TREATMENT AND OCCUPATIONAL TRAINING.] Subdivision 1. A reparation obligor is responsible for the cost of a procedure or treatment for rehabilitation or a course of rehabilitative occupational training if the procedure, treatment, or training is reasonable and appropriate for the particular case, its cost is reasonable in relation to its probable rehabilitative effects, and it is likely to contribute substantially to medical or occupational rehabilitation.

Subd. 2. An injured person who has undertaken a procedure or treatment for rehabilitation or a course of rehabilitative occupational training, other than medical rehabilitation procedure or treatment, shall notify the reparation obligor that he has undertaken the procedure, treatment, or training within 60 days after a rehabilitation expense exceeding \$1,000 has been incurred for the procedure, treatment, or training, unless the reparation obligor knows or has reason to know of the undertaking. If the injured person does not give the required notice within the prescribed time, the reparation obligor is responsible only for \$1,000 or the expense incurred after the notice is given and within the 60 days before the notice, whichever is greater, unless failure to give timely notice is the result of excusable neglect.

Subd. 3. If the injured person notifies the reparation obligor of a proposed specified procedure or treatment for rehabilitation, or a proposed specified course of rehabilitative occupational training, and the reparation obligor does not promptly thereafter accept responsibility for its cost, the injured person may make a motion in an action to adjudicate his claim, or, if no action is pending, bring an action in the district court, for a determination that the reparation obligor is responsible for its costs. A reparation obligor may make a motion in an action to adjudicate the injured person's claim, or, if no action is pending, bring an action in the district court, for a determination that it is not responsible for the cost of a procedure, treatment, or course of training which the injured person has undertaken or proposes to undertake. A determination by the court that the reparation obligor is not responsible for the cost of a procedure, treatment, or course of training is not res judicata as to the propriety of any other proposal or the injured person's right to other benefits. This subdivision does not preclude an action by the reparation obligor or the injured person for declaratory relief under any

other law of this state, nor an action by the injured person to recover basic economic loss benefits.

Subd. 4. If an injured person unreasonably refuses to accept a rehabilitative procedure, treatment, or course of occupational training, a reparation obligor may make a motion in an action to adjudicate the injured person's claim, or if no action is pending, may bring an action in the district court, for a determination that future benefits will be reduced or terminated to limit recovery of benefits to an amount equal to benefits that in reasonable probability would be due if the injured person had submitted to the procedure, treatment, or training, and for other reasonable orders. In determining whether an injured person has reasonable ground for refusal to undertake the procedure, treatment, or training, the court shall consider all relevant factors, including the risks to the injured person, the extent of the probable benefit, the place where the procedure, treatment, or training is offered, the extent to which the procedure, treatment, or training is recognized as standard and customary, and whether the imposition of sanctions because of the person's refusal would abridge his right to the free exercise of his religion.

Sec. 6. [RIGHT TO BENEFITS.] Subdivision 1. If the accident causing injury occurs in this state, every person suffering loss from injury arising out of maintenance or use of a motor vehicle has a right to basic economic loss benefits.

Subd. 2. If the accident causing injury occurs outside this state, the following persons and their surviving dependents suffering loss from injury arising out of maintenance or use of a motor vehicle have a right to basic economic loss benefits:

(1) Insureds, and

(2) the driver and other occupants of a secured vehicle, other than (a) a vehicle which is regularly used in the course of the business of transporting persons or property and which is one of five or more vehicles under common ownership, or (b) a vehicle owned by a government other than this state, its political subdivisions, municipal corporations, or public agencies.

Subd. 3. For the purposes of this act, injuries suffered by a person while on, mounting or alighting from a motorcycle do not arise out of the maintenance or use of a motor vehicle although a motor vehicle is involved in the accident causing the injury.

Sec. 7. [PRIORITY OF APPLICABILITY OF SECURITY FOR PAYMENT OF BASIC ECONOMIC LOSS BENEFITS.] Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle, if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic economic

loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Subd. 2. In case of injury to an employee, or to his spouse or other relative residing in the same household, if the accident causing the injury occurs while the injured person is driving or occupying a motor vehicle furnished by the employer, the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Subd. 3. In the case of any other person whose injury arises from the maintenance or use of a motor vehicle described in subdivision 1 or 2 who is not a driver or occupant of another involved motor vehicle, the security for the payment of basic economic loss benefits is the security covering the vehicle, or if none, the security under which the injured person is an insured.

Subd. 4. In all other cases, the following priorities apply:

(a) The security for payment of basic economic loss benefits applicable to injury to an insured is the security under which the injured person is an insured.

(b) The security for payment of basic economic loss benefits applicable to injury to the driver or other occupant of an involved motor vehicle who is not an insured is the security covering that vehicle.

(c) The security for payment of basic economic loss benefits applicable to injury to a person not otherwise covered who is not the driver or other occupant of an involved motor vehicle is the security covering any involved motor vehicle. An unoccupied parked vehicle is not an involved motor vehicle unless it was parked so as to cause unreasonable risk of injury.

Subd. 5. If two or more obligations to pay basic economic loss benefits are applicable to an injury under the priorities set out in this section, benefits are payable only once and the reparation obligor against whom a claim is asserted shall process and pay the claim as if wholly responsible, but he is thereafter entitled to recover contribution pro rata for the basic economic loss benefits paid and the costs of processing the claim. Where contribution is sought among reparation obligors responsible under clause (c) of subdivision 4, proration shall be based on the number of involved motor vehicles.

Subd. 6. Where a reparation obligor pays basic economic loss benefits which another reparation obligor is obligated to pay under the priority provided in this section, the reparation obligor that pays is subrogated to all rights of the person to whom benefits are paid.

Sec. 8. [REPARATION SECURITY COMPULSORY.] Subdivision 1. Every owner of a motor vehicle of a type which is required to be registered or licensed or is principally garaged in this state shall provide and maintain a plan of reparation security under provisions approved by the commissioner, insuring against loss resulting from liability imposed by law for injury and property damage sustained by any person arising out of the ownership, maintenance, operation or use of an automobile. Such coverage shall provide for basic economic loss benefits and residual liability coverage in amounts not less than those specified in section 9, subdivision 3, clauses (1) and (2). The non-resident owner of a motor vehicle which is not required to be registered or licensed, or which is not principally garaged in this state, shall maintain such security in effect continuously throughout the period of the operation, maintenance or use of such motor vehicle within this state with respect to accidents occurring in this state.

Subd. 2. The security required by this act may be provided by a policy of insurance complying with this act which is issued by or on behalf of an insurer authorized to transact business in this state or, if the vehicle is registered in another state, by a policy of insurance issued by or on behalf of an insurer authorized to transact business in either this state or the state in which the vehicle is registered or by qualifying as a self-insurer.

Subd. 3. Self-insurance, subject to approval of the commissioner, is effected by filing with the commissioner in satisfactory form:

(1) a continuing undertaking by the owner or other appropriate person to pay tort liabilities or basic economic loss benefits, or both, and to perform all other obligations imposed by this act;

(2) evidence that appropriate provision exists for prompt administration of all claims, benefits, and obligations provided by this act; and

(3) evidence that reliable financial arrangements, deposits, or commitments exist providing assurance, substantially equivalent to that afforded by a policy of insurance complying with this act, for payment of tort liabilities, basic economic loss benefits, and all other obligations imposed by this act.

Subd. 4. The state of Minnesota or any agency thereof and any political subdivision of the state or agency thereof shall provide security by lawfully obligating itself to pay benefits in accordance with this act, either as a self-insurer pursuant to subdivision 3, or through purchase of a plan of reparation security.

Subd. 5. Every owner of a motorcycle registered or required to be registered in this state or operated in this state by him or with his permission shall provide and maintain security for the

payment of tort liabilities arising out of the maintenance or use of the motorcycle in this state. Security may be provided by a contract of liability insurance complying with section 9, subdivision 3, or by qualifying as a self insurer in the manner provided in subdivision 3 of this section.

Subd. 6. A person providing security pursuant to subdivision 3 is a "self-insurer."

Subd. 7. "Security covering the vehicle" is the insurance or other security so provided. The vehicle for which the security is so provided is the "secured vehicle."

Subd. 8. "Plan of reparation security" includes a contract, self-insurance, or other legal means under which there is an obligation to pay the benefits described in section 9.

Sec. 9. [INSURERS.] Subdivision 1. [MANDATORY OFFER OF INSURANCE BENEFITS.] On and after the effective date of this act, no insurance policy providing benefits for injuries arising out of the maintenance or use of a motor vehicle shall be issued, renewed, continued, delivered, issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, under provisions approved by the commissioner, requiring the insurer to pay, regardless of the fault of the insured, basic economic loss benefits.

A plan of reparation security shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged, the term and limits of liability, and shall contain an agreement or endorsement that insurance is provided thereunder in accordance with and subject to the provisions of this act.

Subd. 2. [BASIC ECONOMIC LOSS.] Each plan of reparation security shall provide for payment of basic economic loss benefits.

Subd. 3. [RESIDUAL LIABILITY INSURANCE.] (1) Each plan of reparation security shall also contain stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is thereby granted, of not less than \$25,000 because of bodily injury to one person in any one accident and, subject to said limit for one person, of not less than \$50,000 because of injury to two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, of not less than \$10,000 because of such injury to or destruction of property of others in any one accident.

(2) Under residual liability insurance the reparation obligor shall be liable to pay, on behalf of the insured, sums which the

insured is legally obligated to pay as damages because of bodily injury and property damage arising out of the ownership, maintenance or use of a motor vehicle if the injury or damage occurs within this state, the United States of America, its territories or possessions, or Canada. A reparation obligor shall also be liable to pay sums which another reparation obligor is entitled to recover under the indemnity provisions of section 13, subdivision 1.

(3) Every plan of reparation security shall be subject to the following provisions which need not be contained therein:

(a) The liability of the reparation obligor with respect to the residual liability coverage required by this clause shall become absolute whenever injury or damage occurs; such liability may not be cancelled or annulled by any agreement between the reparation obligor and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy.

(b) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the reparation obligor to make payment on account of such injury or damage.

(c) The reparation obligor shall have the right to settle any claim covered by the residual liability insurance policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability for the accident out of which such claim arose.

Subd. 4. [UNINSURED OR HIT-AND-RUN MOTOR VEHICLE COVERAGE.] (1) On and after the effective date of this act, no plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in the amounts of \$25,000 because of injury to or the death of one person in any accident, and subject to the said limit for one person, \$50,000 because of bodily injury to or the death of two or more persons in any one accident, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of injury.

(2) Every owner of a motor vehicle registered or principally garaged in this state shall maintain uninsured motor vehicle coverage as provided in this subdivision.

(3) "Uninsured motor vehicle" means any motor vehicle for which a plan of reparation security meeting the requirements of this act is not in effect.

(4) No recovery shall be permitted under the uninsured motor vehicle provisions of this section for basic economic loss benefits paid or payable, or which would be payable but for any applicable deductible.

Subd. 5. [MANDATORY OFFER; DEDUCTIBLES.] At appropriately reduced premium rates reparation obligors shall offer the following deductibles, applicable only to claims arising out of injury to basic economic loss insureds:

(a) A deductible in the amount of \$100 to all medical expense benefits otherwise payable, except that if two or more insureds to whom the deductible is applicable are injured in the same accident, the aggregate amount of the deductible applicable to all of them shall not exceed the specified deductible, which amount, where necessary shall be allocated equally among them, and

(b) A deductible in the amount of \$200 to all disability and income loss benefits otherwise payable as a result of an injury to any one insured in one accident.

Subd. 6. [MANDATORY OFFER; ADDED COVERAGE.] Reparation obligors shall offer the following optional coverages in addition to compulsory coverages:

(a) Medical expense benefits subject to a maximum payment of \$10,000;

(b) Medical expense benefits subject to a maximum payment of \$20,000;

(c) Residual liability coverage of not less than \$25,000 for damages for injury to one person in any one accident arising out of the maintenance or use of a motor vehicle, subject to a limitation of \$50,000 for damages arising out of any one accident;

(d) Basic economic loss benefits to all persons purchasing liability coverage for injuries arising out of the maintenance or use of a motorcycle; and

(e) Underinsured motorist coverage whereby subject to the terms and conditions of such coverage the reparation obligor agrees to pay its insureds for such uncompensated damages as they are legally entitled to recover on account of a motor vehicle accident because the total damages they are legally entitled to recover exceed the residual liability limit of the owner of the other vehicle, to the extent of the residual liability limits on the motor vehicle of the person legally entitled to recover or such smaller limits as he may select less the amount paid by reparation obligor of the person against whom he is entitled to recover. His reparation obligor shall be subrogated to any amounts it pays and upon payment shall have an assignment of the judgment if any against the other person to the extent of the money it pays.

Subd. 7. Nothing in this act shall be construed as preventing the insurer from offering other benefits or coverages in addition to those required to be offered under this section.

Subd. 8. Any coverage issued by a participating member of the Minnesota automobile insurance plan shall comply with the provisions of this section, any provisions of law or of the contract notwithstanding.

Sec. 10. [INSURERS' CERTIFICATION OF BASIC COVERAGE.] Subdivision 1. Every insurer licensed to write motor vehicle accident reparation and liability insurance in this state shall, on or before the effective date of this act or as a condition to such licensing, file with the commissioner and thereafter maintain a written certification that it will afford at least the minimum security provided by section 9 to all policyholders, except that in the case of non-resident policyholders it need only certify that security is provided with respect to accidents occurring in this state.

Subd. 2. Notwithstanding any contrary provision in it, every contract of liability insurance for injury, wherever issued, covering obligations arising from ownership, maintenance, or use of a motor vehicle, except a contract which provides coverage only for liability in excess of required minimum tort liability coverages, includes basic economic loss benefit coverages and residual liability coverages required by this act, while the vehicle is in this state, and qualifies as security covering the vehicle.

Sec. 11. [DEDUCTION OF COLLATERAL BENEFITS FROM TORT RECOVERY; LIMITATION ON RIGHT TO RECOVER DAMAGES.] Subdivision 1. [DEDUCTION OF BASIC ECONOMIC LOSS BENEFITS.] With respect to a cause of action in negligence accruing as a result of injury arising out of the operation, ownership, maintenance or use of a motor vehicle with respect to which security has been provided as required by this act, there shall be deducted from any recovery the value of basic or optional economic loss benefits paid or payable or which would be payable but for any applicable deductible. This subdivision shall not bar subrogation and indemnity recoveries under section 13, subdivisions 1 and 2, if the injury had the consequences described in subdivision 3 and a civil action has been commenced in the manner prescribed in applicable laws or rules of civil procedure to recover damages for noneconomic detriment.

Subd. 2. [RIGHT TO RECOVER ECONOMIC LOSS NOT INCLUDED IN FIRST PARTY BENEFITS.] A person may bring a negligence action for economic loss not paid or payable by an economic loss obligor because of daily or weekly dollar limitations of section 4, the seven-day services exclusion of section 4, the limitations of benefits contained in section 4, subdivision 1, or an exclusion from coverage by sections 18 to 20.

Subd. 3. [LIMITATIONS OF DAMAGES FOR NON-ECONOMIC DETRIMENT.] In an action described in subdivision 1, no person shall recover damages for non-economic detriment unless:

(a) The sum of the following exceeds \$2,000:

(1) Reasonable medical expense benefits paid, payable or payable but for any applicable deductible, plus

(2) The value of free medical or surgical care or ordinary and necessary nursing services performed by a relative of the injured person or a member of his household, plus

(3) The amount by which the value of reimbursable medical services or products exceeds the amount of benefit paid, payable, or payable but for an applicable deductible for those services or products if the injured person was charged less than the average reasonable amount charged in this state for similar services or products, minus

(4) The amount of medical expense benefits paid, payable, or payable but for an applicable deductible for diagnostic X-rays and for a procedure or treatment for rehabilitation and not for remedial purposes or a course of rehabilitative occupational training; or

(b) The injury results in:

(1) permanent disfigurement;

(2) permanent injury;

(3) death, or

(4) disability for 60 days or more,

(c) For the purposes of clause (a) evidence of the reasonable value of medical services and products shall be admissible in any action brought in this state.

(d) For the purposes of clause (b) disability means the inability to engage in substantially all of the injured person's usual and customary daily activities.

Subd. 4. Nothing in this section shall impair or limit the liability of a person in the business of manufacturing, distributing, retailing, repairing, servicing or maintaining motor vehicles arising from a defect in a motor vehicle caused or not corrected by an act or omission in manufacture, inspection, repair, servicing or maintenance of a vehicle in the course of his business.

Subd. 5. Nothing in this section shall impair or limit tort liability or limit the damages recoverable from any person for negligent acts or omissions other than those committed in the operation, ownership, maintenance, or use of a motor vehicle.

Sec. 12. [MANDATORY ARBITRATION OF CERTAIN CLAIMS; SUPREME COURT TO PROMULGATE RULES OF PROCEDURE.] Subdivision 1. The supreme court and the several courts of general trial jurisdiction of this state may, on or before the effective date of this act, by rules of court or other constitutionally permissible device, provide for the submission to arbitration, upon mutual consent of all parties to the action, of all cases at issue where a claim in an amount of \$5,000 or less is made by a motor vehicle accident victim, whether in an action to recover economic loss or non-economic detriment for the allegedly negligent operation, maintenance, or use of a motor vehicle within this state, or against any reparation obligor for benefits as provided in this act.

Subd. 2. The rules of court may provide that cases which are not at issue, whether or not suit has been filed, may be referred to arbitration by agreement of reference signed by counsel for both sides, or by the parties themselves. Such agreement of reference shall define the issues to be arbitrated and, shall also contain any stipulations with respect to facts submitted or agreed or defenses waived. In such cases, the agreement of reference shall take the place of the pleadings in the case and be filed of record.

Sec. 13. [INDEMNITY: ARBITRATION BETWEEN OBLIGORS: SUBROGATION.] Subdivision 1. A reparation obligor paying or obligated to pay basic or optional economic loss benefits shall be entitled to indemnity subject to the limits of the applicable residual liability coverage from a reparation obligor providing such coverage to a person whose negligence was the direct and proximate cause of the injury for which the basic economic loss benefits were paid or payable to the extent that the insured would have been liable for damages but for the deduction provisions of section 11, subdivision 1, and only if a commercial vehicle was involved in the accident causing the injury.

Subd. 2. To the extent permitted by section 11, subdivision 1, a reparation obligor paying or obligated to pay basic or optional economic loss benefits shall be subrogated to the extent of benefits paid or payable to any cause of action to recover damages for economic loss which the person to whom the basic or optional economic loss benefits were paid or payable has brought under the terms of section 11, subdivision 3 of this act against another person whose negligence was the direct and proximate cause of the injury for which the basic economic loss benefits were paid or payable.

Subd. 3. The right of indemnity provided in subdivision 1 shall be enforceable only through mandatory good-faith and

binding arbitration procedures to be established by rule of the commissioner of insurance. These procedures shall utilize determinations of comparative negligence. No evidence nor the decision in such an arbitration proceeding shall be admissible in any action by any party.

Subd. 4. Nothing in this act shall limit or abridge the subrogation rights of a reparation obligor providing collision coverage to a policyholder, but any obligor required to submit a claim described in subdivision 1 to arbitration shall join any claim it has against the other party to that proceeding as a result of automotive property damage to its insured arising out of the same accident as the primary claim.

Subd. 5. No reparation obligor shall include in its contract any provision which would require a person to commence a negligence action as a condition precedent to the payment of basic economic loss benefits or which permits the reparation obligor to determine whether such an action will be commenced. No reparation obligor shall contract for a right of reimbursement or subrogation greater than or in addition to those permitted by this act.

Subd. 6. Arbitration proceedings need not await final payment of benefits, and the award, if any, shall include provision for reimbursement of subsequent benefits, but no question of fact decided by a prior award shall be reconsidered in any such subsequent arbitration hearing.

Sec. 14. [REPARATION OBLIGOR'S DUTY TO RESPOND TO CLAIMS.] Subdivision 1. Basic economic loss benefits are payable monthly as loss accrues. Loss accrues not when injury occurs, but as income loss, replacement services loss, survivor's economic loss, survivor's replacement services loss, or medical or funeral expense is incurred. Benefits are overdue if not paid within 30 days after the reparation obligor receives reasonable proof of the fact and amount of loss realized, unless the reparation obligor elects to accumulate claims for periods not exceeding 31 days and pays them within 15 days after the period of accumulation. If reasonable proof is supplied as to only part of a claim, and the part totals \$100 or more, the part is overdue if not paid within the time provided by this section. Medical or funeral expense benefits may be paid by the reparation obligor directly to persons supplying products, services, or accommodations to the claimant.

Subd. 2. Overdue payments shall bear simple interest at the rate of ten percent per annum.

Subd. 3. A claim for basic economic loss benefits shall be paid without deduction for the benefits which are to be subtracted pursuant to section 21, if these benefits have not been paid to the claimant before the reparation benefits are overdue or the

claim is paid. The obligor is entitled to reimbursement from the person obligated to make the payments or from the claimant who actually receives the payments.

Subd. 4. A reparation obligor may bring an action to recover benefits which are not payable, but are in fact paid, because of an intentional misrepresentation of a material fact, upon which the reparation obligor relies, by the claimant or by a person providing products or services for which basic economic loss benefits are payable. The action may be brought only against the person providing the products or services, unless the claimant has intentionally misrepresented the facts or knew of the misrepresentation. A reparation obligor may offset amounts he is entitled to recover from the claimant under this subdivision against any basic economic loss benefits otherwise due him.

Subd. 5. A reparation obligor who rejects a claim for benefits shall give to the claimant prompt written notice of the rejection, specifying the reason. If a claim is rejected for a reason other than that the person is not entitled to the basic economic loss benefits claimed, the written notice shall inform the claimant that he may file his claim with the assigned claims bureau and shall give the name and address of the bureau.

Sec. 15. [APPLICATION FOR BENEFITS UNDER PLAN OF SECURITY.] Subdivision 1. A plan of reparation security may prescribe a period of not less than six months after the date of accident within which an insured or any other person entitled to claim basic economic loss benefits, or anyone acting on their behalf, must notify the reparation obligor or its agent, of the accident and the responsibility of a claim for economic loss benefits in order to be eligible for such benefits. Such notice may be given in any reasonable fashion.

Subd. 2. A plan of reparation security may provide that in any instance where a lapse occurs in the period of disability or in the medical treatment of a person with respect to whose injury basic economic loss benefits have been paid and a person subsequently claims additional benefits based upon an alleged recurrence of the injury for which the original claim for benefits was made, the obligor may require reasonable medical proof of such alleged recurrence; provided, that in no event shall the aggregate benefits payable to any person exceed the maximum limits specified in the plan of security, and provided further that such coverages may contain a provision terminating eligibility for benefits after a prescribed period of lapse of disability and medical treatment, which period shall not be less than one year.

Sec. 16. [COOPERATION OF PERSON CLAIMING BENEFITS.] Subdivision 1. [MEDICAL EXAMINATIONS AND DISCOVERY OF CONDITION OF CLAIMANT.] Any person with respect to whose injury benefits are claimed under a plan of reparation security shall, upon request of the reparation obligor from whom recovery is sought, submit to a physical

examination by a physician or physicians selected by the obligor as may reasonably be required.

The costs of any examinations requested by the obligor shall be borne entirely by the requesting obligor. Such examinations shall be conducted within the city, town, or statutory city of residence of the injured person. If there is no qualified physician to conduct the examination within the city, town, or statutory city of residence of the injured person, then such examination shall be conducted at another place of the closest proximity to the injured person's residence. Obligors are authorized to include reasonable provisions in policies for mental and physical examination of those injured persons.

If requested by the person examined, a party causing an examination to be made shall deliver to him a copy of every written report concerning the examination rendered by an examining physician, at least one of which reports must set out in detail the findings and conclusions of such examining physician.

An injured person shall also do all things reasonably necessary to enable the obligor to obtain medical reports and other needed information to assist in determining the nature and extent of the injured person's injuries and loss, and the medical treatment received by him. If the claimant refuses to cooperate in responding to requests for examination and information as authorized by this section, evidence of such noncooperation shall be admissible in any suit or arbitration filed for damages for such personal injuries or for the benefits provided by this act.

Subd. 2. [CLAIMANT'S PARTICIPATION IN ARBITRATION BETWEEN OBLIGORS.] Any person receiving benefits under this act shall participate and cooperate, as reasonably required under the coverage, or in any and all arbitration proceedings as provided in section 13 by or on behalf of the obligor paying the benefits, and the obligor may require in the furnishing of proof of loss the claimant's statement that he shall so participate and cooperate as consideration for the payment of such benefits. However, no claimant may be required by any obligor which has paid or is obligated to pay benefits as herein provided to personally attend an arbitration proceeding which shall take place more than 50 miles from the usual residence of the claimant; and provided that in no event shall the claimant have to attend such an arbitration proceeding if, at the time scheduled for that meeting, travel thereto by the claimant is not recommended by a physician treating the claimant for his injuries. Any claimant required to personally attend an arbitration proceeding shall be compensated by the reparation obligor requiring his attendance for actual income loss and expenses reasonably incurred.

Sec. 17. [ECONOMIC LOSS BENEFITS; EXEMPTIONS FROM LEGAL ATTACHMENT.] All economic loss benefits

provided by this act, whether paid or payable to any claimant shall not be subject to garnishment, sequestration, attachment or execution, or any other legal process which would deny their receipt and use by that person; provided, however, that this section shall not apply to any person who has provided treatment or services, as described in section 4, subdivision 2, to the victim of a motor vehicle accident.

Sec. 18. [CONVERTED MOTOR VEHICLES.] A person who converts a motor vehicle is disqualified from basic or optional economic loss benefits, including benefits otherwise due him as a survivor, from any source other than an insurance contract under which the converter is an insured, for injuries arising from maintenance or use of the converted vehicle. If the converter dies from the injuries, his survivors are not entitled to basic or optional economic loss benefits from any source other than an insurance contract under which the converter is a basic economic loss insured. For the purpose of this section, a person is not a converter if he uses the motor vehicle in the good faith belief that he is legally entitled to do so.

Sec. 19. [RACES.] A person who is injured in the course of an officiated racing or speed contest, or in practice or preparation therefor is disqualified from basic or optional economic loss benefits. His survivors are not entitled to basic or optional economic loss benefits for loss arising from his death.

Sec. 20. [INTENTIONAL INJURIES.] A person intentionally causing or attempting to cause injury to himself or another person is disqualified from basic or optional economic loss benefits for injury arising from his acts, including benefits otherwise due him as a survivor. If a person dies as a result of intentionally causing or attempting to cause injury to himself, his survivors are not entitled to basic or optional economic loss benefits for loss arising from his death. A person intentionally causes or attempts to cause injury if he acts or fails to act for the purpose of causing injury or with knowledge that injury is substantially certain to follow. A person does not intentionally cause or attempt to cause injury (1) merely because his act or failure to act is intentional or done with his realization that it creates a grave risk of causing injury or (2) if the act or omission causing the injury is for the purpose of averting bodily harm to himself or another person.

Sec. 21. [BENEFITS PRIMARY; SUBTRACTIONS; COORDINATION.] Subdivision 1. Basic economic loss benefits shall be primary with respect to benefits, except for those paid or payable under a workmen's compensation law, which any person receives or is entitled to receive from any other source as a result of injury arising out of the maintenance or use of a motor vehicle.

Subd. 2. Benefits paid or payable under a workmen's compensation law because of the injury or death shall be subtracted

in computing basic economic loss benefits, but only to the extent that they exceed any deductible applicable to the basic economic loss benefits.

Subd. 3. Any legally constituted entity, other than a reparation obligor obligated to pay benefits under a plan of reparation security or an insurer or employer obligated to pay benefits under a workmen's compensation law, may coordinate any benefits it is obligated to pay for loss incurred as a result of injury arising out of the maintenance or use of a motor vehicle with basic economic loss benefits.

Subd. 4. Notwithstanding subdivision 3, no entity may coordinate benefits unless it provides those persons who purchase benefits from it with an equitable reduction or savings in the direct or indirect cost of the purchased benefits. If the benefits to be coordinated are provided to an individual through a group, program, contract or other arrangement for which another person pays in whole or in part, the entity coordinating benefits shall return to the individual or use for his benefit any reduction or savings in the direct or indirect cost of the benefits.

Sec. 22. [DUPLICATE CLAIMS; OBLIGOR SUBROGATED.] A reparation obligor paying or obligated to pay basic economic loss benefits is subrogated to any claim based on an intentional tort or on strict or statutory liability against any person whose act or omission caused the injury. This right of subrogation shall exist only to the extent that basic economic loss benefits are paid and only to the extent that recovery on the claim would produce a duplication of benefits or reimbursement of the same loss.

Sec. 23. [ASSIGNED CLAIMS PLAN.] Subdivision 1. Reparation obligors providing basic economic loss insurance in this state may organize and maintain, subject to approval and regulation by the commissioner, an assigned claims bureau and an assigned claims plan, and adopt rules for their operation and for the assessment of costs on a fair and equitable basis consistent with this act. If such obligors do not organize and continuously maintain an assigned claims bureau and an assigned claims plan in a manner considered by the commissioner of insurance to be consistent with this act, he shall organize and maintain an assigned claims bureau and an assigned claims plan. Each reparation obligor providing basic economic loss insurance in this state shall participate in the assigned claims bureau and the assigned claims plan. Costs incurred shall be allocated fairly and equitably among the reparation obligors.

Subd. 2. The assigned claims bureau shall promptly assign each claim and notify the claimant of the identity and address of the assignee-obligor of the claim. Claims shall be assigned so as to minimize inconvenience to claimants. The assignee thereafter has rights and obligations as if he had issued a policy of

basic economic loss insurance complying with this act applicable to the injury or, in case of financial inability of a reparation obligor to perform its obligations, as if the assignee had written the applicable reparation insurance, undertaken the self-insurance, or lawfully obligated itself to pay basic economic loss benefits.

Sec. 24. [PERSONS ENTITLED TO PARTICIPATE IN ASSIGNED CLAIMS PLAN.] Subdivision 1. A person entitled to basic economic loss benefits because of injury covered by this act may obtain basic economic loss benefits through the assigned claims plan or bureau established pursuant to section 23 and in accordance with the provisions for making assigned claims provided in this act, if:

(a) Basic economic loss benefits are not applicable to the injury for some reason other than those specified in sections 18, 19, or 20;

(b) The plan of reparation security applicable to the injury cannot be identified; or

(c) A claim for basic economic loss benefits is rejected by a reparation obligor on some ground other than the person is not entitled to basic economic loss benefits under this act.

Subd. 2. If a claim qualifies for assignment under subdivision 1 of this section, the assigned claims bureau or any reparation obligor to whom the claim is assigned shall be, as provided in section 13, subrogated to all of the rights of the claimant against any person, including another obligor, who is legally obligated to provide economic loss benefits to the claimant, for economic loss benefits provided by the obligor to whom the claim was assigned.

Subd. 3. A person shall not be entitled to basic economic loss benefits through the assigned claims plan with respect to injury which was sustained if at the time of such injury the injured person was the owner of a private passenger motor vehicle for which security is required under this act and he failed to have such security in effect. Persons claiming benefits as a result of injury to members of the owner's household shall also be disqualified from benefits if those members knew or reasonably should have known that security covering the vehicle was not provided as required by this act.

Sec. 25. [NOTIFICATION TO ASSIGNED CLAIMS BUREAU.] A person authorized to obtain basic economic loss benefits through the assigned claims plan shall notify the bureau of his claim within one year of the date on which he receives written authorization to participate in such plan. If timely action for basic economic loss benefits is commenced against a reparation obligor who is unable to fulfill his obligations under this act,

a claim through the assigned claims plan may be made within a reasonable time after discovery of such inability.

Sec. 26. [CLAIMS AGAINST WRONG INSURER.] If timely action for economic loss benefits is commenced against a reparation obligor and benefits are denied because of a determination that the obligor's coverage is not applicable to the claimant under the provisions of section 7 on the priority of applicability of security a claim against a proper obligor or assigned claims plan may be made not later than 90 days after such determination becomes final or the last date on which the action could otherwise have been commenced, whichever is later.

Sec. 27. [PENALTIES FOR FAILURE TO PROVIDE SECURITY FOR BASIC REPARATION BENEFITS.] Subdivision 1. Every owner of a motor vehicle for which security has not been provided as required by section 8, shall be liable in tort without limitation.

Subd. 2. Any owner of a motor vehicle with respect to which security is required under this act who operates such motor vehicle or permits it to be operated upon a public highway, street or road in this state without having in full force and effect security complying with the terms of section 8, is guilty of a misdemeanor.

Subd. 3. Any other person who operates such motor vehicle upon a public highway, street or road in this state with knowledge that the owner does not have such security in full force and effect is guilty of a misdemeanor.

Subd. 4. Any operator of a motor vehicle who is convicted of a misdemeanor under the terms of this section shall have his operator's license revoked for not less than six months or more than 12 months. If such operator is also an owner of the motor vehicle, his motor vehicle registration shall also be revoked for not less than six months or more than 12 months.

Subd. 5. When a nonresident's operating privilege is suspended pursuant to this section, the commissioner of public safety or his designee shall transmit a copy of the record of such action to the official in charge of the issuance of licenses in the state in which the nonresident resides.

Subd. 6. Upon receipt of such notification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to provide security covering a vehicle if required by the laws of that state, the commissioner of public safety shall suspend the license of the resident until he furnishes evidence

of compliance with the laws of this state and if applicable the laws of the other state.

Sec. 28. [RULES OF COMMISSIONER OF PUBLIC SAFETY.] Subdivision 1. The commissioner of public safety shall have the power and perform the duties imposed upon him by this act and may adopt rules to implement and provide effective administration of the provisions requiring security and governing termination of security.

Subd. 2. The commissioner of public safety may by rule provide that motor vehicles owned by certain persons may not be registered in this state unless satisfactory evidence is furnished that security has been provided as required by section 8 of this act. If a person who is required to furnish evidence ceases to maintain security, he shall immediately surrender the registration certificate and license plates for the vehicle. These requirements may be imposed if:

(1) The registrant has not previously registered a motor vehicle in this state; or

(2) An owner or operator of the vehicle has previously failed to comply with the security requirements of this act or of prior law; or

(3) The driving record of an owner or operator of the vehicle evidences his continuing disregard of the laws of this state enacted to protect the public safety; or

(4) Other circumstances indicate that such action is necessary to effectuate the purposes of this act.

Sec. 29. [OBLIGOR'S NOTIFICATION OF LAPSE, CANCELLATION, OR FAILURE TO RENEW POLICY OF COVERAGE.] (1) If the required plan of reparation security of an owner or named insured is cancelled, and notification of such fact is given to the insured as required by Minnesota Statutes, Section 65B.19, a copy of such notice shall within 30 days after coverage has expired be sent to the commissioner of public safety. If, on or before the end of that 30 day period, the insured owner of a motor vehicle has not presented the commissioner of public safety or his authorized agent with evidence of required security which shall have taken effect upon the expiration of the previous coverage, or if the insured owner or registrant has not instituted an objection to his obligor's cancellation under Minnesota Statutes, Section 65B.21, within the time limitations therein specified, he shall immediately surrender the registration certificate and motor vehicle license plates to the commissioner of public safety and may not operate or permit operation of the vehicle in this state until security is again provided and proof of security furnished as required by this act.

Sec. 30. [AUTOMOBILE INSURANCE RATES.] Subdivision 1. [PREMIUM REDUCTION.] The policy premiums charged by each insurer in connection with the compulsory plan of reparation security required by this act for private passenger motor vehicles shall be at least 30 percent below such insurer's policy premiums in effect on December 31, 1973 for liability insurance with limits of \$25,000 per person and \$50,000 per accident, plus \$1,000 medical payments insurance, plus uninsured motorists coverage of \$25,000 per person and \$50,000 per accident. Actuarially commensurate adjustments shall be required in the case of other combinations of coverage.

Subd. 2. [APPLICABILITY OF CHAPTER 70A.] The rates charged for motor vehicle insurance other than the compulsory plan of reparation security required by this act shall be governed by Minnesota Statutes, Chapter 70A, commencing with the effective date of this act.

Subd. 3. [PENALTIES; ENFORCEMENT.] Any person convicted of violating this section shall be guilty of a misdemeanor. Every day that a violation continues shall be deemed a separate offense. Further, any person convicted of violating any provision of this section shall thereafter be prohibited from engaging in any business as an insurer in this state for a period of five years. The attorney general shall, at the request of the commissioner, initiate in the name of the state appropriate action in a court of law to enforce the provisions of this section.

Subd. 4. [COMMISSIONER MAY MAKE EXCEPTION.] Notwithstanding the provisions of subdivision 1 of this section, if the commissioner finds that the mandated reduction in premium rates would jeopardize the financial soundness or solidity of any insurer, or require it to suffer an underwriting loss on that line of business in this state he shall permit such an insurer to charge such rates as are necessary to avoid such condition. The commissioner may hold a public hearing prior to making a determination pursuant to this subdivision.

Subd. 5. [EXCESSIVE RATES.] The commissioner shall review all automobile coverage rates on an annual basis. If the commissioner finds that the rates of any insurer, for coverages required or permitted by this act, are excessive, applying the standards of Minnesota Statutes, Chapter 70A, he shall issue such order as he deems appropriate to establish a reasonable competitive rate, and such order may include provisions for an appropriate premium adjustment or rebate on outstanding policies.

Subd. 6. The provisions of subdivisions 1, 3 and 4 shall expire on January 1, 1976.

Sec. 31. Minnesota Statutes 1971, Section 65B.14, Subdivision 1, as amended by Laws 1974, Chapter 56, Section 1, Subdivision 1, is amended to read:

65B.14 [CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICIES; DEFINITIONS.] Subdivision 1. "Policy of automobile insurance" means a (POLICY) *plan of reparation security as defined in section 8* delivered or issued for delivery in this state(, INSURING A NATURAL PERSON AS NAMED INSURED, AND ANY RELATIVE OR RELATIVES OF THE NAMED INSURED WHO IS A RESIDENT OF THE SAME HOUSEHOLD COVERING AUTOMOBILES OWNED BY THE INSURED OF (A) THE PRIVATE PASSENGER TYPE, INCLUDING A PRIVATE PASSENGER, STATION WAGON OR JEEP TYPE AUTOMOBILE NOT USED AS A PUBLIC OR LIVERY CONVEYANCE FOR PASSENGERS, NOR RENTED TO OTHERS, OR (B) THE UTILITY AUTOMOBILE TYPE WHICH SHALL MEAN ANY OTHER FOUR-WHEEL VEHICLE WHETHER HAVING A PICK-UP, SEDAN DELIVERY, OR PANEL TRUCK TYPE BODY NOT USED PRIMARILY IN THE OCCUPATION, PROFESSION OR BUSINESS OF THE INSURED OTHER THAN FARMING OR RANCHING; PROVIDED, HOWEVER, THAT SECTIONS 65B.14 TO 65B.21 SHALL NOT APPLY TO ANY POLICY OF AUTOMOBILE INSURANCE: (1) ISSUED UNDER THE MINNESOTA AUTOMOBILE INSURANCE PLAN; (2) INSURING MORE THAN FOUR AUTOMOBILES; OR (3) COVERING GARAGE, AUTOMOBILES SALES AGENCY, REPAIR SHOP, SERVICE STATION OR PUBLIC PARKING PLACE OPERATION HAZARDS).

Sec. 32. [SUPERCESSION BY THIS ACT; INSTRUCTIONS TO REVISOR OF STATUTES.] Subdivision 1. The definition of "qualified applicant" under Minnesota Statutes, Section 65B.02, Subdivision 2, Clause (2) shall, upon the repeal of chapter 170 and the enactment of this act, include a person required to prove automobile insurance coverage as required by this act.

Subd. 2. The actions permitted a metropolitan airport commission corporation under Minnesota Statutes 1971, Section 360.106, Subdivision 6 shall, upon the repeal of chapter 170 and the enactment of this act, include acts necessary to bring the corporation, its commissioners and agents within the provisions of this act.

Subd. 3. The actions permitted a county board under Minnesota Statutes, Section 375.32, Subdivision 2 shall, upon the repeal of chapter 170 and the enactment of this act, include acts necessary to bring the county, its officers and employees within the provisions of this act.

Subd. 4. In the next and subsequent editions of Minnesota Statutes, wherever Minnesota Statutes, Chapter 170 or the "financial responsibility" act has been referred to in a section, the revisor of statutes shall replace such references with references to this act.

Subd. 5. In the next and subsequent editions of Minnesota Statutes, wherever Minnesota Statutes, Section 65B.22 has been referred to in a section, the revisor of statutes shall replace such references with references to section 23 of this act.

Sec. 33. [REPEALS.] Minnesota Statutes 1971, Sections 65B.22, as amended by Laws 1973, Chapter 35, Section 21; 65B.23; 65B.24; 65B.25; 65B.26; 65B.27; 170.21; 170.22; 170.25; 170.26; 170.27; 170.28; 170.29; 170.30; 170.31; 170.32; 170.33; 170.34; 170.35; 170.36; 170.37; 170.38; 170.39; 170.40; 170.41; 170.42; 170.43; 170.44; 170.45; 170.46; 170.47; 170.48; 170.49; 170.50; 170.51; 170.52; 170.53; 170.56; 170.57; 170.58 are repealed.

Sec. 34. [SEVERABILITY.] If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this act which can be given effect without the invalid application or provision, and to this end the provisions of this act are expressly declared to be severable.

Sec. 35. This act shall take effect January 1, 1975. Accidents occurring before that date are not covered by or subject to this act."

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

"A bill for an act relating to the compensation of victims of motor vehicle accidents; requiring security by motor vehicle owners; providing for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of personal injury; providing for a limitation of general damages; expanding uninsured motorists coverage, providing small claims arbitration and penalties for failure to show proof of security; providing for certain deductibles; providing for subrogation, inter-company arbitration, and offset of benefits paid against judgments; providing an assigned claims plan; providing penalties; amending Minnesota Statutes 1971, Section 65B.14, Subdivision 1, as amended; repealing Minnesota Statutes 1971, Sections 65B.22, as amended; 65B.23 to 65B.27; 170.21; 170.22; 170.25 to 170.53 and 170.56 to 170.58."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JACK DAVIES, HOWARD A. KNUTSON, and ALEC G. OLSON.

House Conferees: BERNARD J. BRINKMAN, BRUCE F. VENTO, and THOMAS W. NEWCOME.

Brinkman moved that the report of the Conference Committee on S. F. No. 96 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 96, A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for mandatory arbitration of certain claims; providing for the partial abrogation of tort liability; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	Savelkoul
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Schreiber
Andersen, R.	Eckstein	Jopp	Miller, M.	Schulz
Anderson, D.	Eken	Jude	Mueller	Searle
Anderson, G.	Enebo	Kahn	Munger	Sherwood
Anderson, I.	Erdahl	Kelly	Myrah	Sieben, H.
Becklin	Erickson	Kempe	Nelson	Sieben, M.
Belisle	Esau	Klaus	Newcome	Skaar
Bell	Faricy	Knickerbocker	Niehaus	Smith
Bennett	Ferderer	Knoll	Norton	Spanish
Berg	Fjoslien	Kostohryz	Ohnstad	Stangeland
Berglin	Forsythe	Kvam	Ojala	Stanton
Biersdorf	Fudro	Laidig	Parish	Swanson
Braun	Fugina	Larson	Patton	Tomlinson
Brinkman	Graba	LaVoy	Pavlak, R.	Ulland
Carlson, A.	Graw	Lemke	Pehler	Vanasek
Carlson, B.	Grove	Lindstrom, J.	Peterson	Vento
Carlson, D.	Hagedorn	Lombardi	Pieper	Voss
Carlson, L.	Hanson	Long	Prahl	Weaver
Casserly	Haugerud	Mann	Quirin	Wenzel
Clifford	Heinitz	McArthur	Resner	Wigley
Connors	Hook	McCarron	Rice	Wohlwend
Culhane	Jacobs	McCauley	Ryan	Wolcott
Cummiskey	Jaros	McEachern	St. Onge	Mr. Speaker
Dahl	Johnson, C.	McFarlin	Samuelson	
DeGroat	Johnson, D.	McMillan	Sarna	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2913, 3280, and 3575.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 2707.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2913, A bill for an act relating to education; creating an advisory commission to study declining school enrollment and giving certain powers to the state board of education to implement its recommendations; appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 3280, A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Wigley moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3280 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Wigley moved that the rules of the House be so far suspended that S. F. No. 3280 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3280 was read for the second time.

S. F. No. 3280, A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, M.	Schulz
Adams, S.	Dirlam	Jopp	Moe	Searle
Andersen, R.	Eckstein	Jude	Munger	Sherwood
Anderson, D.	Eken	Kahn	Myrah	Sieben, H.
Anderson, G.	Enebo	Kelly	Nelson	Sieben, M.
Anderson, I.	Erdahl	Klaus	Newcome	Skaar
Becklin	Erickson	Knickerbocker	Niehaus	Smith
Belisle	Esau	Knoll	Norton	Spanish
Bell	Faricy	Kostohryz	Ohnstad	Stangeland
Bennett	Ferderer	Kvam	Ojala	Stanton
Berg	Fjoslien	Laidig	Parish	Swanson
Berglin	Fudro	Larson	Patton	Tomlinson
Biersdorf	Fugina	LaVoy	Paviak, R.	Ulland
Braun	Graba	Lemke	Pehler	Vanasek
Brinkman	Graw	Lindstrom, J.	Peterson	Vento
Carlson, A.	Grove	Lombardi	Pieper	Voss
Carlson, B.	Hagedorn	Long	Prahl	Weaver
Carlson, D.	Hanson	Mann	Quirin	Wenzel
Carlson, L.	Haugerud	McArthur	Resner	Wigley
Casserly	Heinitz	McCarron	Rice	Wohlwend
Cleary	Hook	McCauley	Ryan	Wolcott
Clifford	Jacobs	McEachern	St. Onge	Mr. Speaker
Connors	Jaros	McFarlin	Samuelson	
Culhane	Johnson, C.	McMillan	Sarna	
Cummiskey	Johnson, D.	Menke	Savelkoul	
Dahl	Johnson, J.	Miller, D.	Schreiber	

Those who voted in the negative were:

Kempe

The bill was passed and its title agreed to.

LaVoy was excused between the hour of 12:15 p.m. and 1:00 p.m.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 3575, A bill for an act relating to the city of Worthington; appropriating funds for special assessments levied by the city against Worthington community college for street improvements on streets abutting its property.

The bill was read for the first time and referred to the Committee on Appropriations.

S. F. No. 2707, A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 978

March 21, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 978, 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. 978 be further amended as follows:

Delete everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 466.12, Subdivision 4, is amended to read:

Subd. 4. This section is in effect on January 1, 1964, but all of its provisions shall expire on July 1, 1974, (.) *except that as to towns not exercising municipal powers pursuant to section 368.01, the provisions of this section shall expire on July 1, 1975. Prior to that date, the affected towns may take action individually, or jointly, or collectively through the Minnesota Association of Township Officers, to procure insurance against the liability imposed by this chapter to the extent of the limits of section 466.04.*

The town board of an affected town may call a special town meeting at any time prior to October 1, 1974, for the purpose of voting a tax to pay the cost of procuring the insurance required by this section. The special meeting may be called by filing with the town clerk a written statement setting forth the reasons and necessity for the meeting. The provisions of law applicable to the conduct of special town meetings generally shall apply to a special town meeting held pursuant to the authority granted in this section."

Further amend the title by deleting it in its entirety and insert in lieu thereof:

"A bill for an act relating to tort liability of towns; extending governmental immunity from tort liability for certain towns; authorizing certain towns to purchase insurance and authorizing a levy of taxes therefor; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: HARRY PETERSON, ROBERT CULHANE, and RICHARD WIGLEY.

Senate Conferees: MYRTON O. WEGENER, HUBERT HUMPHREY III, and JOHN KEEFE.

Peterson moved that the report of the Conference Committee on H. F. No. 978 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 978, A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 86, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, S.	Dirlam	Johnson, C.	McMillan	Searle
Anderson, D.	Eckstein	Johnson, D.	Miller, D.	Sherwood
Anderson, G.	Eken	Johnson, J.	Miller, M.	Skaar
Anderson, I.	Enebo	Jopp	Mueller	Smith
Becklin	Erdahl	Jude	Munger	Stangeland
Belisle	Erickson	Kelly	Myrah	Stanton
Biersdorf	Esau	Klaus	Niehaus	Swanson
Braun	Ferderer	Kvam	Ohnstad	Vanasek
Brinkman	Fjoslien	Laidig	Patton	Voss
Carlson, B.	Fugina	Larson	Pavlak, R.	Wenzel
Carlson, D.	Graba	Lemke	Pehler	Wigley
Carlson, L.	Graw	Lombardi	Peterson	Wohlwend
Clifford	Growe	Long	Pieper	Wolcott
Connors	Hagedorn	Mann	Ryan	Mr. Speaker
Culhane	Hanson	McArthur	St. Onge	
Cummiskey	Haugerud	McCauley	Samuelson	
Dahl	Heinitz	McEachern	Savelkoul	
DeGroat	Jacobs	McFarlin	Schulz	

Those who voted in the negative were:

Adams, J.	Fudro	Kostohryz	Quirin	Spanish
Andersen, R.	Hook	Menke	Resner	Ulland
Bell	Jaros	Nelson	Rice	Vento
Berg	Johnson, R.	Newcome	Sarna	Weaver
Berglin	Kahn	Norton	Schreiber	
Carlson, A.	Kempe	Ojala	Sieben, H.	
Fariy	Knickerbocker	Prahl	Sieben, M.	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1835

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1835, 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. 1835 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [LEGISLATIVE FINDING.] It is hereby declared to be in the public interest that public utilities be regulated as hereinafter provided in order to provide the retail consumers of natural gas and electric service in this state with adequate and reliable services at reasonable rates, consistent with the financial and economic requirements of public utilities and their need to construct facilities to provide such services or to otherwise obtain energy supplies, to avoid unnecessary duplication of facilities which increase the cost of service to the consumer and to minimize disputes between public utilities which may result in inconvenience or diminish efficiency in service to the consumers. Because municipal utilities are presently effectively regulated by the residents of the municipalities which own and operate them, it is deemed unnecessary to subject such utilities to regulation under this act except as specifically provided herein.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. "Corporation" means a private corporation, a public corporation, a municipality, an association, a cooperative whether incorporated or not, a joint stock association, a business trust, or any political subdivision or agency.

Subd. 3. "Person" means a natural person, a partnership, or two or more persons having a joint or common interest, and a corporation as hereinbefore defined.

Subd. 4. "Public utility" means persons, corporations or other legal entities, their lessees, trustees, and receivers, now or hereafter operating, maintaining, or controlling in this state

equipment or facilities for furnishing at retail natural, manufactured or mixed gas or electric service to or for the public or its members, or engaged in the production and retail sale thereof but does not include a municipality producing or furnishing natural, manufactured or mixed gas or electric service. Except as otherwise provided, the provisions of this act shall not be applicable to any sale of natural gas or electricity by a public utility to another public utility for resale. No person shall be deemed to be a public utility if it presently furnishes its services only to tenants in buildings owned, leased or operated by such person. No person shall be deemed to be a public utility if it presently furnishes service to occupants of a mobile home or trailer park owned, leased, or operated by such person. No person shall be deemed to be a public utility if it presently produces or furnishes service to less than 25 persons.

Subd. 5. "Rate" means every compensation, charge, fare, toll, tariff, rental and classification, or any of them, demanded, observed, charged, or collected by any public utility for any service and any rules, regulations, practices, or contracts affecting any such compensation, charge, fare, toll, rental, tariff, or classification.

Subd. 6. "Service" means natural, manufactured or mixed gas and electricity; the installation, removal, or repair of equipment or facilities for delivering or measuring such gas and electricity.

Subd. 7. "Commission" means the public service commission of the department of public service.

Subd. 8. "Department" means the department of public service of the state of Minnesota.

Subd. 9. "Municipality" means any city however organized.

Sec. 3. [REASONABLE RATE.] Every rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable. Rates shall not be unreasonably preferential, unreasonably prejudicial or discriminatory, but shall be sufficient, equitable and consistent in application to a class of consumers. Any doubt as to reasonableness should be resolved in favor of the consumer. For rate making purposes a public utility may treat two or more municipalities served by it as a single class wherever the populations are comparable in size or the conditions of service are similar.

Sec. 4. [STANDARD OF SERVICE.] Every public utility shall furnish safe, adequate, efficient, and reasonable service; provided that service shall be deemed adequate if made so within 90 days after a person requests service. Upon application by a

public utility, and for good cause shown, the commission may extend the period for not to exceed another 90 days.

Sec. 5. [PUBLISH SCHEDULES; REGULATIONS; FILES; JOINT RATES.] Subdivision 1. Every public utility shall file with the commission schedules showing all rates, tolls, tariffs and charges which it has established and which are in force at the time for any service performed by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.

Subd. 2. Every public utility shall file with and as a part of the schedule all rules and regulations that, in the judgment of the commission, in any manner affect the service or product, or the rates charged or to be charged for any service or product, as well as any contracts, agreements or arrangements relating to the service or product or the rates to be charged for any service or product to which the schedule is applicable as the commission may by general or special order direct.

Subd. 3. Every public utility shall keep copies of the schedules open to public inspection under rules and regulations as the commission may prescribe.

Sec. 6. [RECEIVING DIFFERENT COMPENSATION.] No public utility shall directly or indirectly, by any device whatsoever, or in any manner, charge, demand, collect, or receive from any person a greater or less compensation for any service rendered or to be rendered by the utility than that prescribed in the schedules of rates of the public utility applicable thereto when filed in the manner provided in this act, nor shall any person knowingly receive or accept any service from a public utility for a compensation greater or less than that prescribed in the schedules, provided that all rates being charged and collected by a public utility upon the effective date of this act may be continued until schedules are filed. Nothing in this act shall prevent a cooperative association from returning to its patrons the whole, or any part of, the net earnings resulting from its operations in proportion to their purchases from or through the association.

Sec. 7. [RATE PREFERENCE PROHIBITED.] No public utility shall, as to rates or service, make or grant any unreasonable preference or advantage to any person or subject any person to any unreasonable prejudice or disadvantage.

Sec. 8. [DUTIES OF COMMISSION.] The commission is hereby vested with the powers, rights, functions, and jurisdiction to regulate in accordance with the provisions of this act every public utility as defined herein. The exercise of such powers, rights, functions, and jurisdiction is prescribed as a duty of the commission. The commission is authorized to make rules and regulations in furtherance of the purposes of this act.

Sec. 9. [STANDARDS; CLASSIFICATIONS; REGULATIONS; PRACTICES.] The commission, after hearing upon reasonable notice had upon its own motion or upon complaint, may ascertain and fix just and reasonable standards, classifications, regulations, or practices to be observed and followed by any or all public utilities with respect to the service to be furnished; ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of the service; prescribe reasonable regulations for the examination and testing of the service and for the measurement thereof; establish or approve reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters, instruments and equipment used for the measurement of any service of any public utility. Any standards, classifications, regulations, or practices now or hereafter observed or followed by any public utility may be filed by it with the commission, and the same shall continue in force until amended by the public utility or until changed by the commission as herein provided.

The commission may require the filing of all rates, including rates charged to and by public utilities. The commission is empowered to appear before the Federal Power Commission to offer evidence and to seek appropriate relief in any case in which the rates charged consumers within the state of Minnesota may be affected.

Sec. 10. [ACCOUNTING SYSTEM.] Subdivision 1. The commission shall establish a system of accounts to be kept by public utilities subject to its jurisdiction. A public utility which maintains its accounts in accordance with the system of accounts prescribed by a federal agency or authority shall be deemed to be in compliance with the system of accounts prescribed by the commission. Where optional accounting is prescribed by a federal agency or authority, the commission may prescribe which option is to be followed.

Subd. 2. Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of natural gas or electric service shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all the other business, in which case all the provisions of this act shall apply to the books, accounts, papers and records of the other business.

Subd. 3. Every public utility is required to keep and render its books, accounts, papers and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to these books, accounts, papers and records.

Subd. 4. The commission may require any public utility to file annual reports in the form and content, having regard for

the provisions of this section, as the commission may require, and special reports concerning any matter about which the commission is authorized to inquire or to keep itself informed. The commission may require the reports to be verified. The basic financial statements in the annual report of a public utility may, at the direction of the public service commission, be examined by an independent certified public accountant and his opinion thereof included in the annual report filed with the commission.

Subd. 5. [AUDIT AND INSPECTION.] The commission may require the examination and audit of all accounts, and all items shall be allocated to the accounts in the manner prescribed by the commission.

Subd. 6. The term public utility as used in this section includes a municipal utility.

Sec. 11. [DEPRECIATION RATES AND PRACTICES.] The commission shall fix proper and adequate rates and methods of depreciation, amortization, or depletion in respect of utility property, including utility property owned by a municipally owned gas or electric utility, and every public and every municipally owned gas and electric utility shall conform its depreciation, amortization or depletion accounts to the rates and methods fixed by the commission.

Sec. 12. [RIGHT OF ENTRANCE; INSPECTION.] Subdivision 1. The commissioners and the duly authorized officers and employees of the department, during business hours, may enter upon any premises occupied by any public utility for the purpose of making examinations and tests and to inspect the accounts, books, papers, and documents of any public utility for the purpose of exercising any power provided for in this act, and may set up and use on the premises any apparatus and appliance necessary therefor. Such public utility shall have the right to be represented at the making of the examinations, tests, and inspections. The public utility, its officers and employees, shall facilitate the examinations, tests, and inspections by giving every reasonable aid to the commissioners and any person or persons designated by the department for the duties aforesaid.

Subd. 2. The term public utility as used in this section includes a municipal utility.

Sec. 13. [PRODUCTION OF RECORDS.] Subdivision 1. The commission may require, by order served on any public utility in the manner provided herein for the service of orders, the production within this state at a reasonable time and place as the commission may designate, of any books, accounts, papers, or records of the public utility relating to its business or affairs within the state, pertinent to any lawful inquiry and kept by said public utility in any office or place within or without this

state, or, at its option, verified or photostatic copies in lieu thereof, so that an examination thereof may be made by the commission or under its direction.

Subd. 2. The term public utility as used in this section includes a municipal utility.

Sec. 14. [INVESTIGATION.] The commission upon complaint or upon its own initiative and whenever it may deem it necessary in the performance of its duties may investigate and examine the condition and operation of any public utility or any part thereof. In conducting the investigations the commission may proceed either with or without a hearing as it may deem best, but it shall make no order without affording the affected parties a hearing.

Sec. 15. [HEARINGS; EXAMINER.] The commission may, in addition to the hearings specifically provided for by this act, conduct any other hearings as may reasonably be required in the administration of the powers and duties conferred upon it by this act. The commission may designate one of its members to act as an examiner for the purpose of holding any hearing which the commission has the power or authority to hold or in the event parties to the hearing so stipulate the commission may designate a qualified commission employee as the examiner. Reasonable notice of all hearings shall be given the persons interested therein as determined by the commission.

Sec. 16. [RATE CHANGES; PROCEDURES; HEARING.]
Subdivision 1. Unless the commission otherwise orders, no public utility shall change any rate which has been duly established under this act, except after 30 days notice to the commission, which notice shall include statements of facts, expert opinions, substantiating documents, and exhibits, supporting the change requested, and further shall state the change proposed to be made in the rates then in force, and the time when the modified rates will go into effect. The commission shall give written notice of the proposed change to the governing body of each municipality and county in the area affected. All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon schedules on file and in force at the time.

Subd. 2. Whenever there is filed with the commission any schedule modifying or resulting in a change in any rates then in force, together with the filed statements of facts, expert opinions, substantiating documents, and exhibits, supporting the changes requested, the commission shall upon complaint or may upon its own motion, upon reasonable notice to the governing bodies of municipalities affected, conduct a hearing to determine whether the rates are unjust or unreasonable; and pending the hearing and the decision thereon, the commission, upon filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons therefor at any time before

they become effective, may suspend the operation of the schedule but not for a longer period than 90 days beyond the time when the schedule of rates would otherwise go into effect unless the commission shall find that a longer time will be required, in which case the commission may further extend the period for not to exceed a total of nine months. If the commission does not make a final determination concerning any schedule of rates within a period of nine months beyond the time when the schedule of rates would otherwise go into effect, under subdivision 1, the schedule shall be deemed to have been approved by the commission.

Subd. 3. Notwithstanding any order of suspension of a proposed increase in rates, the public utility may put the suspended schedule into effect on the date when it would have become effective if not suspended, or any date subsequent thereto within the suspension period, by filing with the commission a bond in an amount approved by the commission with sureties approved by the commission, conditioned upon the refund, in a manner to be prescribed by order of the commission, of the excess in increased rates, including interest thereon which shall be at the current rate of interest as determined by the commission, collected during the period of the suspension if the schedule so put into effect is finally disallowed by the commission. There may be substituted for the bond other arrangements satisfactory to the commission for the protection of persons affected. If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and is authorized to recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. However, no public utility shall put a suspended rate schedule into effect as provided by this subdivision until at least 90 days after the commission has made a determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2.

Subd. 4. The burden of proof to show that the rate change is just and reasonable shall be upon the public utility seeking the change.

Subd. 5. If, after the hearing, the commission finds the rates to be unjust or unreasonable or discriminatory, the commission shall determine the level of rates to be charged or applied by the utility for the service in question and shall fix the same by order to be served upon the utility; and the rates are thereafter to be observed until changed, as provided by this act. In no event shall the rates exceed the level of rates requested by the public utility,

except that individual rates may be adjusted upward or downward.

Subd. 6. The commission, in the exercise of its powers under this act to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each, to construction work in progress, to offsets in the nature of capital provided by sources other than the investors, and any other factors or evidence material and relevant thereto. To the extent that construction work in progress is included in the rate base, the income used in determining the actual return on the public utility property shall include an allowance for funds used during construction.

Subd. 7. Notwithstanding any other provision of this act, the commission may permit a public utility to file rate schedules containing provisions for the automatic adjustment of charges for public utility service in direct relation to changes in federally regulated wholesale rates for energy delivered through interstate facilities or fuel used in generation of electricity or the manufacture of gas.

Sec. 17. [COMPLAINTS.] Subdivision 1. On its own motion or upon a complaint made against any public utility, by the governing body of any political subdivision, by another public utility, or by any 50 consumers of the particular utility that any of the rates, tolls, tariffs, charges, or schedules or any joint rate or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of natural gas or electricity or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with notice, to make such investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Subd. 2. The commission shall, prior to any formal hearing, notify the public utility complained of that a complaint has been made, and ten days after the notice has been given the commission may proceed to set a time and place for a hearing and an investigation as provided in this section.

Subd. 3. The commission shall give the public utility and the complainant, ten days notice of the time and place when and where the hearing will be held and such matters to be considered and determined. Both the public utility and complainant shall be entitled to be heard and be represented by counsel.

Subd. 4. Notice shall also be given to the governing bodies of affected municipalities and counties, and to any other persons the commission shall deem necessary.

Subd. 5. The notice provided for in subdivisions 2 and 3 may be combined but if combined the notice shall not be less than ten days.

Subd. 6. The commission shall have the power to hear, determine and adjust complaints made against any municipally owned gas or electric utility with respect to rates and services upon petition of ten percent of the non-resident consumers of the municipally owned utility or 25 such non-resident consumers whichever is less. The hearing of the complaints shall be governed by subdivisions 1 through 5 of this section.

Subd. 7. Minnesota Statutes, Section 15.0419, shall be applicable to all contested cases before the commission.

Sec. 18. [SERVICE OF NOTICE.] Service of notice of all hearings, investigations and proceedings pending before the commission and of complaints, reports, orders and other documents shall be made personally or by mail as the commission may direct.

Sec. 19. [JOINT HEARINGS AND INVESTIGATIONS.] In the discharge of its duties under this act, the commission may cooperate with similar commissions of other states and any federal agency and may hold joint hearings and make joint investigations with other commissions.

Sec. 20. [SEPARATE RATE HEARINGS.] The commission may, in its discretion, when complaint is made of more than one rate or charge, order separate hearings thereon, and may consider and determine the several matters complained of separately and at times it may prescribe.

Sec. 21. [SUMMARY INVESTIGATIONS.] Subdivision 1. Whenever the commission has reason to believe that any rate or charge may be unreasonable or unjustly discriminatory or that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any public utility should for any reason be made, it may on its own motion summarily investigate the same with or without notice.

Subd. 2. If, after making the summary investigation, the commission becomes satisfied that sufficient grounds exist to

warrant a formal hearing being ordered as to the matters investigated, it shall set a time and place for a hearing.

Subd. 3. Notice of the time and place for the hearing shall be made as provided in sections 17 and 18 of this act.

Sec. 22. Any municipality that regulates and controls the exercise of a public utility franchise by reason of its home rule charter on the effective date of this act is authorized to assist the public service commission as amicus curiae in any proceeding brought before the commission with respect to the rates, fares, prices, regulation or control of any utility operating therein.

Sec. 23. [LAWFUL RATES; REASONABLE SERVICE.] Subdivision 1. Whenever upon an investigation made under the provisions of this act, the commission shall find rates, tolls, charges, schedules or joint rates to be unjust, unreasonable, insufficient or unjustly discriminatory or preferential or otherwise unreasonable or unlawful, the commission shall determine and by order fix reasonable rates, tolls, charges, schedules or joint rates to be imposed, observed and followed in the future in lieu of those found to be unreasonable or unlawful.

Subd. 2. Whenever the commission shall find any regulations, measurements, practices, acts or service to be unjust, unreasonable, insufficient, preferential, unjustly discriminatory or otherwise unreasonable or unlawful, or shall find that any service which can be reasonably demanded cannot be obtained, the commission shall determine and by order fix reasonable measurements, regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of those found to be unreasonable, inadequate or otherwise unlawful, and shall make any other order respecting the measurement, regulation, act, practice or service as shall be just and reasonable.

Subd. 3. A copy of the order shall be served upon the person against whom it runs or his attorney, and notice thereof shall be given to the other parties to the proceedings or their attorneys.

Sec. 24. [CONSTRUCTION OF FACILITIES; COMMISSION APPROVAL.] Subdivision 1. The words "major utility facility" means: (1) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of 50 megawatts or more; (2) an electric transmission line and associated facilities of a design capacity of 125 kilovolts or more; and (3) a gas transmission line and associated facilities designed for, or capable of, transporting gas at pressures in excess of 125 pounds per square inch; provided, however, that the words "major utility facility" shall not include electric or gas distribution lines and gas gathering lines and associated facilities as defined by the commission.

Subd. 2. Under rules and regulations as the commission may prescribe, every public utility shall file with the commission, within the time and in the form as the commission may designate, plans showing any contemplated construction of major utility facilities.

Subd. 3. The provisions of this section shall apply to the construction of major utility facilities by a municipally owned gas or electric utility.

Sec. 25. [CHANGE; AMENDMENT; RECISION OF ORDERS.] The commission may at any time, on its own motion or upon motion of an interested party, and upon notice to the public utility and after opportunity to be heard, rescind, alter or amend any order fixing rates, tolls, charges or schedules, or any other order made by the commission, and may reopen any case following the issuance of an order therein, for the taking of further evidence or for any other reason. Any order rescinding, altering, amending or reopening a prior order shall have the same effect as an original order.

Sec. 26. [ORDERS; EFFECTIVE DATE.] Every decision made by the commission constituting an order or determination shall be in force and effective 20 days after it has been filed and has been served by personal delivery or by mailing a copy thereof to all parties to the proceeding in which the decision was made or to their attorneys, unless the commission shall specify a different date upon which the order shall be effective.

Sec. 27. [REHEARINGS BEFORE COMMISSION; CONDITION PRECEDENT TO JUDICIAL REVIEW.] Subdivision 1. Within 20 days after the service by the commission of any decision constituting an order or determination, any party to the proceeding and any other person, aggrieved by the decision and directly affected thereby, may apply to the commission for a rehearing in respect to any matters determined in the decision. The commission may grant and hold a rehearing on the matters, or upon any of them as it may specify in the order granting the rehearing, if in its judgment sufficient reason therefor exists.

Subd. 2. The application for a rehearing shall set forth specifically the grounds on which the applicant contends the decision is unlawful or unreasonable. No cause of action arising out of any decision constituting an order or determination of the commission or any proceeding for the judicial review thereof shall accrue in any court to any person or corporation unless the plaintiff or petitioner in the action or proceeding within 20 days after the service of the decision, shall have made application to the commission for a rehearing in the proceeding in which the decision was made. No person or corporation shall in any court urge or rely on any ground not so set forth in the application for rehearing.

Subd. 3. Applications for rehearing shall be governed by general rules which the commission may establish. In case a rehearing is granted the proceedings shall conform as nearly as may be to the proceedings in an original hearing, except as the commission may otherwise direct. If in the commission's judgment, after the rehearing, it shall appear that the original decision, order or determination is in any respect unlawful or unreasonable, the commission may reverse, change, modify or suspend the original action accordingly. Any decision, order or determination made after the rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination. Only one rehearing shall be granted by the commission; but this shall not be construed to prevent any party from filing a new application or complaint. No order of the commission shall become effective while an application for a rehearing or a rehearing is pending and until ten days after the application for a rehearing is either denied, expressly or by implication, or the commission has announced its final determination on rehearing.

Subd. 4. Any application for a rehearing not granted within 20 days from the date of filing thereof, shall be deemed denied.

Subd. 5. It is hereby declared that the legislative powers of the state, in so far as they are involved in the issuance of orders and decisions by the commission, have not been completely exercised until the commission has acted upon an application for rehearing, as provided for by this section and by the rules of the commission, or until the application for rehearing has been denied by implication, as above provided for.

Sec. 28. [SUBPOENA; WITNESSES; FEES; AND MILEAGE.] The commission and each commissioner, or the secretary of the commission may issue subpoenas and all necessary processes in proceedings pending before it; and each process shall extend to all parts of the state and may be served by any person authorized to serve processes of courts of record. Each witness who shall appear before the commission, or at a hearing before one of the individuals designated by it as provided in section 15 of this act, or whose deposition is taken, shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record.

Sec. 29. [OATHS; CONTEMPT; EXAMINER'S POWERS.] The commission and each of the commissioners or authorized examiner, for the purpose mentioned in this act, may administer oaths and examine witnesses. In case of failure on the part of any person to comply with any subpoena, or in the case of the refusal of any witness to testify concerning any matter on which he may be interrogated lawfully, any court of record of general jurisdiction or a judge thereof, on application of the commission, may compel obedience by proceedings for contempt as in the case

of disobedience of the requirements of a subpoena issued from the court or a refusal to testify therein.

Sec. 30. [DEPOSITIONS.] The commission or any party to the proceedings may, in any investigation or hearing before the commission, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Sec. 31. [TESTIMONY AND PRODUCTION OF RECORDS; PERJURY.] No person shall be excused from testifying or from producing any book, document, paper, or account in any investigation, or inquiry by, or hearing before, the commission or any commissioner, or person designated by it to conduct hearings, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to any forfeiture or penalty for or on account of any act, transaction, matter, or thing concerning which he shall have been compelled under oath to testify or produce documentary evidence; provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

Sec. 32. [COPIES OF DOCUMENTS AS EVIDENCE.] Copies of official documents and orders filed or deposited according to law in the office of the commission, certified by a commissioner or by the secretary under the official seal of the commission to be true copies of the original shall be evidence in like manner as the originals, in all matters before the commission and in the courts of this state.

Sec. 33. [ORDERS AND FINDINGS IN WRITING.] Every order, finding, authorization, or certificate issued or approved by the commission under any provisions of this act shall be in writing and filed in the office of the secretary of the commission. A certificate under the seal of the commission that any order, finding, authorization, or certificate has not been modified, stayed, suspended, or revoked, shall be received as evidence in any proceedings as to the facts therein stated.

Sec. 34. [PUBLIC RECORDS.] All decisions, transcripts, and orders of the commission shall be public records.

Sec. 35. [TRANSCRIBED RECORD TO BE KEPT.] A full and complete record shall be kept of all proceedings at any formal hearing had before the commission or any commissioner or hearing examiner and all testimony shall be taken down by a reporter appointed by the commission. A copy of the transcript shall be furnished on demand to any party to the proceedings upon payment of reasonable costs of reproduction.

Sec. 36. [FRANCHISES CONTINUED.] Any public utility furnishing the utility services enumerated in this act or occupying streets, highways, or other public property within a municipality may be required to obtain a license, permit, right or franchise in accordance with the terms, conditions, and limitations of regulatory acts of the municipality, including the placing of distribution lines and facilities underground, and under the license, permit, right, or franchise, the utility may be obligated by any municipality to pay to the municipality fees to raise revenue or defray increased municipal costs accruing as a result of utility operations, or both, including but not limited to a sum of money based upon gross operating revenues or gross earnings from its operations in the municipality so long as the public utility shall continue to operate in the municipality, unless upon request of the public utility it is expressly released from the obligation at any time by such municipality. All existing licenses, permits, franchises and other rights acquired by any public utility or municipality prior to the passage of this act including the payment of existing franchise fees, shall not be impaired or affected in any respect by the passage of this act, except with respect to matters of rate and service regulation and service area assignments that have been vested to the jurisdiction of the commission by this act. However, in the event that a court of competent jurisdiction determines, or the parties by mutual agreement determine, that an existing license, permit, franchise or other right has been abrogated or impaired by this act, or its execution, the municipality affected shall impose and the public utility shall collect an excise tax on the utility charges which from year to year yields an amount which is reasonably equivalent to that amount of revenue which then would be due as a fee, charges or other thing or service of value to the municipality under the franchise, license or permit. The authorization shall be over and above taxing limitations including, but not limited to those of section 477A.01, subdivision 18. Franchises granted pursuant to this section shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80C.

Sec. 37. [ASSIGNED SERVICE AREAS; ELECTRIC UTILITIES.] Subdivision 1. [LEGISLATIVE POLICY.] It is hereby declared to be in the public interest that, in order to encourage the development of coordinated statewide electric service at retail, to eliminate or avoid unnecessary duplication of electric utility facilities, and to promote economical, efficient, and adequate electric service to the public, the state of Minnesota shall be divided into geographic service areas within which a specified electric utility shall provide electric service to customers on an exclusive basis.

Sec. 38. [DEFINITIONS.] For the purpose of sections 37 through 44 only, the following definitions shall apply:

Subdivision 1. "Person" means a natural person, a partnership, private corporation, a public corporation, a municipality,

an association, a cooperative whether incorporated or not, a joint stock association, a business trust, any political subdivision or agency, or two or more persons having joint or common interest.

Subd. 2. "Customer" means a person contracting for or purchasing electric service at retail from an electric utility.

Subd. 3. "Electric service" means electric service furnished to a customer at retail for ultimate consumption, but does not include wholesale electric energy furnished by an electric utility to another electric utility for resale.

Subd. 4. "Electric line" means lines for conducting electric energy at a design voltage of 25,000 volts phase to phase or less used for distributing electric energy directly to customers at retail.

Subd. 5. "Electric utility" means persons, their lessees, trustees, and receivers, separately or jointly, now or hereafter operating, maintaining or controlling in Minnesota equipment or facilities for providing electric service at retail and which fall within the definition of "public utility" in section 2, subdivision 4, and includes facilities owned by a municipality.

Subd. 6. "Assigned service area" means the geographical area in which the boundaries are established as provided in section 39 of this act.

Subd. 7. "Municipality" means any city, however organized.

Sec. 39. [ASSIGNED SERVICE AREAS.] Subdivision 1. On or before six months from the effective date of this section, or, when requested in writing by an electric utility and for good cause shown, and at a further time as the commission may fix by order, each electric utility shall file with the commission a map or maps showing all its electric lines outside of incorporated municipalities as they existed on the effective date of this section. Each electric utility shall also submit in writing a list of all municipalities in which it provides electric service on the effective date of this act. Where two or more electric utilities serve a single municipality, the commission may require each utility to file with the commission a map showing its electric lines within the municipality.

Subd. 2. On or before 12 months from the effective date of this section, the commission shall after notice and hearing establish the assigned service area or areas of each electric utility and shall prepare or cause to be prepared a map or maps to accurately and clearly show the boundaries of the assigned service area of each electric utility.

Subd. 3. To the extent that it is not inconsistent with the legislative policy stated in subdivision 1 of section 37, the bound-

aries of each assigned service area, outside of incorporated municipalities, shall be a line equidistant between the electric lines of adjacent electric utilities as they exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, highways, waterways, railways, major bluffs, and ravines and shall be modified to take account of the contracts provided for in subdivision 4; and provided further that at any time after the effective date of the section, the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing as provided for in sections 17 and 18.

Subd. 4. Contracts between electric utilities, which are executed on or before 12 months from the effective date of this section, designating service areas and customers to be served by the electric utilities when approved by the commission shall be valid and enforceable and shall be incorporated into the appropriate assigned service areas. The commission shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected and will promote the efficient and economical use and development of the electric systems of the contracting electric utilities.

Subd. 5. Where a single electric utility provides electric service within a municipality on the effective date of this section, that entire municipality shall constitute a part of the assigned service area of the electric utility in question. Where two or more electric utilities provide electric service in a municipality on the effective date of this section, the boundaries of the assigned service areas shall conform to those contained in municipal franchises with the electric utilities on the effective date of this section. In the absence of a franchise, the boundaries of the assigned service areas within an incorporated municipality shall be a line equidistant between the electric lines of the electric utilities as they exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, major streets or highways, waterways, railways, major bluffs and ravines and shall be modified to take account of the contracts provided for in subdivision 4.

Subd. 6. In those areas where, on the effective date of this section, the existing electric lines of two or more electric utilities are so intertwined that subdivisions 2 through 5 cannot reasonably be applied, the commission shall determine the boundaries of the assigned service areas for the electric utilities involved as will promote the legislative policy in section 37, subdivision 1.

Sec. 40. [EXCLUSIVE SERVICE RIGHTS.] Except as provided in section 42, each electric utility shall have the exclusive right to provide electric service at retail to each and every

present and future customer in its assigned service area and no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing; provided that any electric utility may extend its facilities through the assigned service area of another electric utility if the extension is necessary to facilitate the electric utility connecting its facilities or customers within its own assigned service area.

Sec. 41. [EFFECT OF INCORPORATION, ANNEXATION, OR CONSOLIDATION.] After the effective date of this section, the inclusion by incorporation, consolidation, or annexation of any part of the assigned service area of an electric utility within the boundaries of any municipality shall not in any respect impair or affect the rights of the electric utility to continue and extend electric service at retail throughout any part of its assigned service area unless a municipality which owns and operates an electric utility elects to purchase the facilities and property of the electric utility as provided in section 44 of this act.

Sec. 42. [SERVICE EXTENSIONS IN CERTAIN SITUATIONS.] Subdivision 1. Notwithstanding the establishment of assigned service areas for electric utilities provided for in section 39, customers located outside municipalities and who require electric service with a connected load of 2,000 kilowatts or more shall not be obligated to take electric service from the electric utility having the assigned service area where the customer is located if, after notice and hearing, the commission so determines after consideration of following factors:

- (a) the electric service requirements of the load to be served;
- (b) the availability of an adequate power supply;
- (c) the development or improvement of the electric system of the utility seeking to provide the electric service, including the economic factors relating thereto;
- (d) the proximity of adequate facilities from which electric service of the type required may be delivered;
- (e) the preference of the customer;
- (f) any and all pertinent factors affecting the ability of the utility to furnish adequate electric service to fulfill customers' requirements.

Subd. 2. Notwithstanding the provisions in section 39, any electric utility may extend electric lines for electric service to its own utility property and facilities.

Sec. 43. [HEARINGS; COMPLAINTS.] Upon the filing of an application under section 42 or upon complaint by an affected utility that the provisions of sections 39 through 42 have

been violated, the commission shall hold a hearing, upon notice, within 15 days after the filing of the application of complaint, and shall render its decision within 30 days after said hearing.

Sec. 44. [SERVICE EXTENSIONS IN ANNEXED AREAS; MUNICIPAL PURCHASE.] Notwithstanding the provisions of sections 38 through 42 of this act, whenever a municipality which owns and operates an electric utility extends its corporate boundaries through annexation or consolidation, the municipality shall thereafter furnish electric service to the annexed area unless the area is already receiving electric service from an electric utility, in which event, the annexing municipality may purchase the facilities of the electric utility serving the annexed area. The municipality acquiring the facilities shall pay to the utility formerly serving the annexed area the appropriate value of its properties within the area which payment may be by exchange of other electric utility property outside the municipality on an appropriate basis giving due consideration to revenue from and value of the respective properties. In the event the municipality and the electric utility involved are unable to agree as to the terms of the payment or exchange, the municipality or the electric utility may file an application with the commission requesting that the commission determine the appropriate terms for the exchange or sale. After notice and hearing, the commission shall determine appropriate terms for an exchange, or in the event no appropriate properties can be exchanged, the commission shall fix and determine the appropriate value of the property within the annexed area, and the transfer shall be made as directed by the commission. In making that determination the commission shall consider the original cost of the property, less depreciation, loss of revenue to the utility formerly serving the area, expenses resulting from integration of facilities, and other appropriate factors. Until the determination by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the electric utility being displaced, serving the annexed area, shall not extend service to any additional points of delivery within the annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that the extension is not in the public interest.

When property of a public utility located within an area annexed to a municipality which owns and operates a public utility is proposed to be acquired by the municipality, ratification by the electors is not required.

Sec. 45. [MUNICIPAL PURCHASE OF PUBLIC UTILITY.] Any public utility operating in a municipality under a license, permit, right or franchise shall be deemed to have consented to the purchase by the municipality, for just compensation, of its property operated in the municipality under such license, permit, right or franchise. The municipality, subject to

the provisions of this act, may purchase the property upon notice to the public utility as herein provided. Whenever the commission is notified by the municipality or the public utility affected that the municipality has, pursuant to law, determined to purchase the property of the public utility, and that the parties to the purchase and sale have been unable to agree on the amount to be paid and received therefor, the commission shall set a time and place for a public hearing, after not less than 30 days notice to the parties, upon the matter of just compensation or the matter of the property to be purchased. Within a reasonable time the commission shall, by order, determine the just compensation for the property to be purchased by the municipality. In determining just compensation, the commission shall consider the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities and other appropriate factors. The order of the commission may be reviewed as provided in section 52 of this act. Commission expenses arising out of the exercise of its jurisdiction under this section shall be assessed to the municipality.

Sec. 46. [MUNICIPAL PROCEDURE; NOTICE; ELECTION.] Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 45 of this act may determine to do so by resolution of the governing body of the municipality taken after a public hearing of which at least 30 days published notice shall be given as determined by the governing body. The determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of the municipality.

Sec. 47. [ACQUISITION BY EMINENT DOMAIN.] Nothing in this act shall be construed to preclude a municipality from acquiring the property of a public utility by eminent domain proceedings; provided that damages to be paid in eminent domain proceedings shall include the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities, and other appropriate factors.

Sec. 48. [RELATIONS WITH AFFILIATED INTERESTS.]
Subdivision 1. "Affiliated interests" with a public utility means the following:

(a) Every corporation and person owning or holding directly or indirectly five percent or more of the voting securities of such public utility.

(b) Every corporation and person in any chain of successive ownership of five percent or more of voting securities.

(c) Every corporation five percent or more of whose voting securities is owned by any person or corporation owning five

percent or more of the voting securities of such public utility or by any person or corporation in any such chain of successive ownership of five percent or more of voting securities.

(d) Every person who is an officer or director of such public utility or of any corporation in any chain of successive ownership of five percent or more of voting securities.

(e) Every corporation operating a public utility or a servicing organization for furnishing supervisory, construction, engineering, accounting, legal and similar services to utilities, which has one or more officers or one or more directors in common with the public utility, and every other corporation which has directors in common with the public utility where the number of the directors is more than one-third of the total number of the utility's directors.

(f) Every corporation or person which the commission may determine as a matter of fact after investigation and hearing is actually exercising any substantial influence over the policies and actions of the public utility even though the influence is not based upon stockholding, stockholders, directors or officers to the extent specified in this section.

(g) Every person or corporation who or which the commission may determine as a matter of fact after investigation and hearing is actually exercising substantial influence over the policies and actions of the public utility in conjunction with one or more other corporations or persons with which or whom they are related by ownership or blood relationship or by action in concert that together they are affiliated with such public utility within the meaning of this section even though no one of them alone is so affiliated.

Subd. 2. The term "person" as used in subdivision 1 of this section shall not be construed to exclude trustees, lessees, holders of beneficial equitable interest, voluntary associations, receivers and partnerships.

Subd. 3. No contract or arrangement providing for the furnishing of management, supervisory, construction, engineering, accounting, legal, financial or similar services, and no contract or arrangement for the purchase, sale, lease or exchange of any property, right, or thing, or for the furnishing of any service, property, right, or thing, other than those above enumerated, made or entered into after the effective date of this act between a public utility and any affiliated interest as defined in this act, shall be valid or effective unless and until the contract or arrangement has received the written approval of the commission. It shall be the duty of every public utility to file with the commission a verified copy of the contract or arrangement, or a verified summary of the unwritten contract or arrangement, and also of all the contracts and arrangements, whether written or

unwritten, entered into prior to the effective date of this act and in force and effect at that time. The commission shall approve the contract or arrangement made or entered into after that date only if it shall clearly appear and be established upon investigation that it is reasonable and consistent with the public interest. No contract or arrangement shall receive the commission's approval unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the services or of furnishing the property or service described herein to each public utility. No proof shall be satisfactory within the meaning of the foregoing sentence unless it includes the original or verified copies of the relevant cost records and other relevant accounts of the affiliated interest, or an abstract or summary as the commission may deem adequate, properly identified and duly authenticated, provided, however, that the commission may, where reasonable, approve or disapprove the contracts or arrangements without the submission of cost records or accounts. The burden of proof to establish the reasonableness of the contract or arrangement shall be on the public utility.

Subd. 4. The provisions of this section requiring the written approval of the commission shall not apply to transactions with affiliated interests where the amount of consideration involved is not in excess of \$10,000 or five percent of the capital equity of the utility whichever is smaller; provided, however, that regularly recurring payments under a general or continuing arrangement which aggregate a greater annual amount shall not be broken down into a series of transactions to come within the aforesaid exemption. Such transactions shall be valid or effective without commission approval under this section. However, in any proceeding involving the rates or practices of the public utility, the commission may exclude from the accounts of such public utility any payment or compensation made pursuant to the transaction unless the public utility shall establish the reasonableness of the payment or compensation.

Subd. 5. In any proceeding, whether upon the commission's own motion or upon application or complaint, involving the rates or practices of any public utility, the commission may exclude from the accounts of the public utility any payment or compensation to an affiliated interest for any services rendered or property or service furnished, as above described, under existing contracts or arrangements with the affiliated interest unless the public utility shall establish the reasonableness of the payment or compensation.

Subd. 6. The commission shall have continuing supervisory control over the terms and conditions of the contracts and arrangements as are herein described so far as necessary to protect and promote the public interest. The commission shall have the same jurisdiction over the modifications or amendment of contracts or arrangements as are herein described as it has over such original contracts or arrangements. The fact that the commission shall have approved entry into such contracts or

arrangements as described herein shall not preclude disallowance or disapproval of payments made pursuant thereto, if upon actual experience under such contract or arrangement it appears that the payments provided for or made were or are unreasonable.

Subd. 7. The provisions of this section shall not apply to cooperative electric associations.

Franchises granted pursuant to this section shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80C.

Sec. 49. [SECURITIES.] Subdivision 1. For the purpose of this section, "security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; assumption of any obligation or liability as a guarantor, endorser, surety, or otherwise in the security of another person; certificate of interest or participation in any profit sharing agreement; collateral trust certificate; preorganization certificate or subscription; transferable shares; investment contract; voting trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas or mining right, title or lease or in payments out of production under an oil, gas, or mining right, title or lease; or, in general, any interest or instrument commonly known as a security, or any certificate for, receipt for guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing.

Subd. 2. For the purpose of this section, "capital structure" is the total capitalization of the public utility including, but not limited to, all outstanding common stock, preferred stock, and the permanent financing of said public utility represented by long term debt, and shall further include retained earnings and paid in surplus in excess of par values.

Subd. 3. It shall be unlawful for any public utility organized under the laws of this state to offer or sell any security or, if organized under the laws of any other state or foreign country, to subject property in this state to an encumbrance for the purpose of securing the payment of any indebtedness unless the capital structure of the public utility shall first be approved by the commission. Approval by the commission shall be by formal written order.

Subd. 4. Upon the application of a public utility for approval of its capital structure prior to the issuance of any security or the encumbrance of any property for the purpose of securing the payment of any indebtedness, the commission may make such inquiry or investigation, hold such hearings, and examine such witnesses, books, papers, documents, or contracts, as in its discretion it may deem necessary. Prior to approval the commission shall ascertain that the amount of securities of each class which any public utility may issue shall bear a reasonable proportion

to each other and to the value of the property, due consideration being given to the nature of the business of the public utility, its credit and prospects, the possibility that the value of the property may change from time to time, the effect which the issue shall have upon the management and operation of the public utility, and other considerations which the commission as a matter of fact shall find to be relevant. If the commission shall find that the proposed capital structure is reasonable and proper and in the public interest and will not be detrimental to the interests of the consumers and patrons affected thereby, the commission shall by written order grant its permission for the proposed public financing.

Subd. 5. The requirements of this section are in addition to any other requirements of law and, specifically, the requirements of Minnesota Statutes, 1973 Supplement, Chapter 80A, and the rules and regulations promulgated pursuant thereto.

Subd. 6. The provisions of this section shall not apply to cooperative electric associations.

Sec. 50. [ACQUIRING PROPERTY; MERGER.] Subdivision 1. No public utility shall sell, acquire, lease, or rent any plant as an operating unit or system in this state for a total consideration in excess of \$100,000, or merge or consolidate with another public utility operating in this state, without first being authorized so to do by the commission. Upon the filing of an application for the approval and consent of the commission thereto the commission shall investigate, with or without public hearing, and in case of a public hearing, upon such notice as the commission may require, and if it shall find that the proposed action is consistent with the public interest it shall give its consent and approval by order in writing. In reaching its determination the commission shall take into consideration the reasonable value of the property, plant, or securities to be acquired or disposed of, or merged and consolidated. The provisions of this section shall not be construed as applicable to the purchase of units of property for replacement or to the addition to the plant of the public utility by construction.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80B.

Sec. 51. [STOCK PURCHASE.] Subdivision 1. No public utility shall purchase voting stock in another public utility doing business in Minnesota without first having made application to and received the consent of the commission in writing or by order.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80B.

Sec. 52. [APPEALS.] Subdivision 1. Any party to a proceeding before the commission or any other person, aggrieved by a decision and order and directly affected thereby, shall be entitled to appeal from such decision and order of the commission. The proceedings shall be instituted by serving a notice of appeal personally or by registered mail upon the commission or one of its members or upon its secretary, and by filing the notice in the office of the clerk of the district court of the county of Ramsey or of the county in which the appellant resides or maintains his principal place of business, all within 30 days after the service of the order and decision of the commission or in cases where a rehearing is requested within 30 day after service of the order finally disposing of the application for the rehearing, or within 30 days after the final disposition by operation of law of the application for rehearing. The notice shall state the nature of the appellant's interest, the facts showing that the appellant is aggrieved and directly affected by the decision, and the grounds upon which the appellant contends that the decision should be reversed or modified. Copies of the notice shall be served, personally or by registered mail, not later than 30 days after the institution of the appeal, upon all parties who appeared before the commission in the proceeding in which the order sought to be reviewed was made. The commission and all parties to the proceeding before it, shall have the right to participate in the appeal. The court, in its discretion, may permit other interested parties to intervene.

Subd. 2. Every person served with a notice of appeal as provided in this section and who desires to participate in the appeal thereby instituted shall, within 20 days after the service of the notice, serve upon the appellant a notice of appearance stating his position with reference to the affirmance, vacation, or modification of the order or decision under appeal. The notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service, with the clerk of the reviewing court within ten days after service. Service of all subsequent papers or notices in the appeal need be made only upon the appellant and other persons who have served and filed the notice as herein provided or have been permitted to intervene in the proceeding, as parties, by order of the court.

Subd. 3. Within 30 days after service of the notice of appeal upon the commission, or within a further time as the court may allow, the commission shall transmit to the court the original or a certified copy of the entire record of the proceedings in which

the decision under appeal was made, including all pleadings, notices, testimony, exhibits, findings, decisions, orders, and exceptions; but by stipulation of all parties to the appeal the record may be shortened by eliminating any portion. The cost of preparing the transcript of the testimony, objections, rulings, and exceptions, shall be paid by the appellant to the official reporter of the commission. Any party, other than the commission, refusing to stipulate to limit the record may be taxed by the court for the additional costs.

Subd. 4. The appeal shall be conducted by the court without a jury and shall be confined to the record, arguments and brief, except that in cases of alleged irregularities in procedure before the commission testimony thereon may be taken in the court. The court may affirm the decision of the commission or may reverse or modify it.

Subd. 5. Any party, including the commission, may secure a review of the final judgment of the district court by appeal to the supreme court. The appeal shall be taken in the manner provided by law for appeals from the district court in other civil cases, except that the time for appeal shall be limited to 30 days from the notice of entry of the judgment.

Sec. 53. [SUSPENSION OF COMMISSION ORDERS.] The pendency of proceedings on appeal shall not of itself stay or suspend the operation of the order of the commission, but during the pendency of the proceedings the court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order on terms it deems just, and in accordance with the practice of courts exercising equity jurisdiction, but no stay shall be granted without notice to the parties and opportunity to be heard by the court. Any party shall have the right to secure from the court in which an appeal of an order of the commission is sought an order suspending or staying the operation of an order of the commission, pending an appeal of the order, but no commission order relating to rates or rules and regulations shall be stayed or suspended absent a finding that great or irreparable damage would otherwise result to the party seeking the stay or suspension, and any order staying or suspending a commission order shall specify the nature of the damage.

In case the order of the commission is stayed or suspended, the court shall require a bond with good and sufficient surety, conditioned that the public utility petitioning for review shall answer for all damages caused by the delay in enforcing the order of the commission, and for all compensation for whatever sums for transmission or service any person shall be compelled to pay pending review proceedings in excess of the sum the person or corporation would have been compelled to pay had the commission's order not been stayed or suspended. The court, may, in addition or in lieu of the bond require other further

security for the payment of such excess damages or charges it deems proper.

Sec. 54. [ACTIONS BY COMMISSION; ATTORNEY GENERAL TO INSTITUTE.] Whenever the commission shall be of the opinion that any person or public utility is failing or omitting or is about to fail or omit to do anything required of it by this act or by any order of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, contrary to or in violation of this act or of any order of the commission, it shall refer the matter to the attorney general who shall take appropriate legal action.

Sec. 55. [PRIORITY OF ACTION.] All actions and proceedings under this act, and all actions or proceedings to which the commission or the state of Minnesota may be parties, and in which any question arises under this act, or under or concerning any order or decision of the commission, shall be preferred over all other civil causes, except election causes, irrespective of position on the calendar.

Sec. 56. [BURDEN OF PROOF.] In all proceedings before the commission in which the modification or vacation of any order of the commission is sought, the burden of proof shall be on the person seeking such modification or vacation.

Sec. 57. [PENALTIES.] Any person who knowingly and intentionally violates any provision of this act, or who knowingly and intentionally fails, omits, or neglects to obey, observe, or comply with any lawful order, or any part or provision thereof, of the commission is subject to a penalty of not less than \$100 nor more than \$1,000 for each violation.

Sec. 58. [ACTS; OMISSION; FAILURE; CONSTRUCTION THEREOF.] In construing and enforcing the provision of this act relating to penalties, the act, omission, or failure of any officer, agent or employee of any person acting within the scope of his official duties of employment shall in every case be deemed to be also the act, omission, or failure of that person.

Sec. 59. [CONTINUING VIOLATIONS.] Every violation of the provisions of this act or of any lawful order of the commission, or any part or portion thereof by any person, is a separate and distinct offense, and in case of a continuing violation after a first conviction thereof each day's continuance thereof shall be deemed to be a separate and distinct offense.

Sec. 60. [PENALTIES CUMULATIVE.] All penalties accruing under this act shall be cumulative, and a suit for the recovery of one penalty shall not be a bar to or affect the recovery of any other penalty or forfeiture or be a bar to any criminal prosecution against any public utility or any officer, director, agent, or employee thereof or any person.

Sec. 61. [ACTIONS TO RECOVER PENALTIES.] Actions to recover penalties under this act shall be brought in the name of the state of Minnesota in the district court of Ramsey County.

Sec. 62. [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATIONS; OBJECTIONS.] Subdivision 1. Immediately after the passage and adoption of this act, the commission shall assess to all public utilities subject to the provisions of this act in proportion to their respective gross operating revenues, as hereinafter defined, during the preceding calendar year, the sum of \$300,000. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by registered mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof.

Subd. 2. Whenever the commission, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed by this act, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, the public utility shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The commission shall ascertain the expenses, and the department shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which any public utility shall become liable, by reason of costs incurred by the commission within that calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by the public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3 of this section, but shall be paid out of the general appropriation to the department. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining this limitation.

Subd. 3. The department shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures to the performance of its duties relating to public utilities under this act, and shall deduct therefrom all amounts chargeable to public utilities under subdivision 2 of this section. The remainder shall be assessed by the commission to the several public utilities in proportion to their respective gross operating reve-

nues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of the public utilities during such calendar year from retail sales of gas or electric service within the state.

Subd. 4. Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which the bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. All moneys deposited in the state treasury pursuant to the provisions of this act shall be credited to the general fund. There is appropriated, upon passage of the act to the department of public service, from the general fund for the biennium ending June 30, 1975, the sum of \$300,000 for the purposes of this act.

Sec. 63. [INTEREST ON ASSESSMENTS.] The amounts assessed against any public utility not paid after 30 days after the mailing of a notice advising the public utility of the amount assessed against it, shall draw interest at the rate of six percent per annum, and upon failure to pay the assessment the attorney general shall proceed by action in the name of the state against the public utility to collect the amount due, together with interest and the cost of the suit.

Sec. 64. [ATTORNEY GENERAL TO REPRESENT COMMISSION.] The attorney general of the state shall, upon request of the commission, represent and appear for the commission in all actions and proceedings involving any question under this act, and shall aid in any investigation or hearing had under the provisions of this act. The attorney general shall perform all duties and services in connection with this act and the enforcement thereof as the commission may require. He shall also bring all actions to collect penalties herein provided.

Sec. 65. Minnesota Statutes 1971, Section 216A.03, Subdivision 1, is amended to read:

216A.03 [COMMISSION.] Subdivision 1. [MEMBERS.] As of (MAY 26, 1967) *January 1, 1975* the public service commission shall consist of (THE THREE MEMBERS ELECTED TO THE MINNESOTA RAILROAD AND WAREHOUSE COMMISSION, AND EACH SHALL SERVE OUT THE TERM

FOR WHICH HE WAS ELECTED AS RAILROAD AND WAREHOUSE COMMISSIONER AND SHALL, IN ACCORDANCE WITH APPLICABLE STATUTES, BE ELIGIBLE FOR RE-ELECTION FOR ONE SIX-YEAR TERM.) *five members, three of whom shall be the members then serving, who shall continue to serve for the balance of their elective or appointive terms. There shall be two additional commissioners appointed by the governor with the advice and consent of the senate, one for a term expiring December 31, 1975, and one for a term expiring December 31, 1977.* Thereafter the terms of all subsequent members of the commission shall be (SIX) *five* years and until their successors have been appointed and qualified. Each commissioner shall be appointed by the governor by and with the advice and consent of the senate. Not more than (TWO) *three* commissioners shall belong to the same political party. The governor in his selection of commissioners shall give consideration to persons learned in the law or persons who have engaged in the profession of engineering, public accounting or property and utility valuation as well as being representative of the general public.

Sec. 66. Minnesota Statutes 1971, Chapter 216A is amended by adding a section to read:

[216A.035] [CONFLICT OF INTEREST.] *No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.*

No person who is an employee of the public service commission shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest.

Sec. 67. [DEPARTMENT TO EMPLOY NECESSARY STAFF.] The department may employ experts, engineers, statisticians, accountants, inspectors, clerks, hearing examiners who may be attorneys and employees it deems necessary to carry out the provisions of this act.

Sec. 68. [SEVERABILITY.] If any provision of this act, or any severable provision of a section of this act, or the application of any provision to any person or circumstances, shall be held invalid, the remainder of the act, or section, and the application of the provision to persons and circumstances other than those as to which it is held invalid, shall not be affected.

Sec. 69. [CONSTRUCTION.] This act is complete in itself and other Minnesota statutes are not to be construed as applicable to the supervision or regulation of public utilities by the

commission. All acts and parts of acts in conflict with this act are repealed insofar as they pertain to the regulation of public utilities as defined herein.

Sec. 70. [AUTHORITY PRIOR TO EFFECTIVE DATE OF ACT.] The commission is authorized, upon the passage and adoption of this act, and prior to its effective date, to promulgate rules and regulations as provided herein; to take the steps necessary for the setting up of proper records and forms and the department is authorized to make necessary staff and clerical appointments as provided by law, and to do all things required for the effective and orderly administration of the duties imposed upon the commission pursuant to this act.

Sec. 71. [TITLE.] This act may be cited as the Minnesota public utilities act.

Sec. 72. [EFFECTIVE DATE.] This act shall become effective on January 1, 1975, except that sections 36 through 44, sections 62 through 64, and section 69 shall become effective on the day following final enactment.”

Further, strike the title and insert in lieu thereof:

“A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; appropriating money; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and Chapter 216A, by adding a section.”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RICHARD J. PARISH, WILLIAM N. KELLY, and THOMAS W. NEWCOME.

Senate Conferees: ALEC G. OLSON, A. J. PERPICH, and ROBERT O. ASHBACH.

Parish moved that the report of the Conference Committee on H. F. No. 1835 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 6, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, M.	Sarna
Adams, S.	Dirlam	Jude	Moe	Savelkoul
Andersen, R.	Eckstein	Kahn	Mueller	Schreiber
Anderson, D.	Eken	Kelly	Munger	Schulz
Anderson, G.	Enebo	Kempe	Myrah	Searle
Anderson, I.	Erdahl	Klaus	Nelson	Sherwood
Becklin	Erickson	Knickerbocker	Newcome	Sieben, H.
Belisle	Esau	Knoll	Niehaus	Sieben, M.
Bell	Fjoslien	Kostohryz	Norton	Skaar
Berg	Forsythe	Kvam	Ohnstad	Smith
Berglin	Fudro	Laidig	Ojala	Spanish
Biersdorf	Fugina	Larson	Parish	Stangeland
Braun	Graba	Lemke	Patton	Stanton
Brinkman	Graw	Lindstrom, J.	Pavlak, R.	Swanson
Carlson, A.	Grove	Lombardi	Pehler	Ulland
Carlson, B.	Hagedorn	Long	Peterson	Vanasek
Carlson, D.	Haugerud	Mann	Pieper	Voss
Carlson, L.	Heinitz	McArthur	Prahl	Weaver
Casserly	Hook	McCauley	Quirin	Wenzel
Clifford	Jacobs	McEachern	Resner	Wigley
Connors	Jaros	McFarlin	Rice	Wohlwend
Culhane	Johnson, C.	McMillan	Ryan	Wolcott
Cummiskey	Johnson, D.	Menke	St. Onge	Mr. Speaker
Dahl	Johnson, R.	Miller, D.	Samuelson	

Those who voted in the negative were:

Bennett	Ferderer	Hanson	Johnson, J.	Vento
Farcy				

The bill was repassed, as amended by Conference, and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3182; S. F. No. 1800; and H. F. Nos. 3337, 2928, and 2785.

H. F. No. 3182, A bill for an act relating to energy conservation; appropriating money to the university of Minnesota for the purpose of research into developing an alcohol supplement that can be blended with gasoline.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 9, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	McFarlin	Salchert
Adams, S.	DeGroat	Johnson, R.	McMillan	Samuelson
Andersen, R.	Dirlam	Jopp	Menke	Sarna
Anderson, D.	Eckstein	Jude	Miller, D.	Savelkoul
Anderson, G.	Eken	Kelly	Miller, M.	Schreiber
Anderson, I.	Erdahl	Kempe	Moe	Sherwood
Becklin	Erickson	Klaus	Mueller	Sieben, H.
Belisle	Esau	Knickerbocker	Munger	Skaar
Bell	Faricy	Knoll	Myrah	Smith
Bennett	Ferderer	Kostohryz	Nelson	Spanish
Berg	Fjoslien	Kvam	Newcome	Stangeland
Berglin	Fudro	Laidig	Niehaus	Stanton
Biersdorf	Fugina	Larson	Norton	Swanson
Braun	Graba	LaVoy	Ohnstad	Ulland
Brinkman	Graw	Lemke	Parish	Vanasek
Carlson, A.	Grove	Lindstrom, J.	Pavlak, R.	Weaver
Carlson, B.	Hagedorn	Lombardi	Peterson	Wenzel
Carlson, D.	Hanson	Long	Pieper	Wigley
Carlson, L.	Heinitz	Mann	Prahl	Wohlwend
Clifford	Hook	McArthur	Quirin	Wolcott
Connors	Jacobs	McCarron	Rice	
Culhane	Johnson, C.	McCauley	Ryan	
Cummiskey	Johnson, D.	McEachern	St. Onge	

Those who voted in the negative were:

Enebo	Jaros	Ojala	Pehler	Voss
Haugerud	Kahn	Patton	Resner	

The bill was passed and its title agreed to.

S. F. No. 1800, A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, B.	Esau	Johnson, C.	Lemke
Adams, S.	Carlson, D.	Faricy	Johnson, D.	Lindstrom, J.
Andersen, R.	Carlson, L.	Ferderer	Johnson, J.	Lombardi
Anderson, D.	Casserly	Fjoslien	Johnson, R.	Long
Anderson, G.	Clifford	Forsythe	Jopp	Mann
Anderson, I.	Connors	Fudro	Jude	McArthur
Becklin	Culhane	Fugina	Kahn	McCarron
Belisle	Cummiskey	Graba	Kelly	McCauley
Bell	Dahl	Graw	Kempe	McEachern
Bennett	DeGroat	Hagedorn	Klaus	McFarlin
Berg	Dirlam	Hanson	Knickerbocker	McMillan
Berglin	Eckstein	Haugerud	Knoll	Miller, D.
Biersdorf	Eken	Heinitz	Kostohryz	Miller, M.
Braun	Enebo	Hook	Kvam	Mueller
Brinkman	Erdahl	Jacobs	Laidig	Munger
Carlson, A.	Erickson	Jaros	Larson	Myrah

Nelson	Pehler	Salchert	Skaar	Weaver
Newcome	Peterson	Samuelson	Smith	Wenzel
Niehaus	Pieper	Sarna	Spanish	Wigley
Norton	Prahl	Savelkoul	Stangeland	Wohlwend
Ohnstad	Quirin	Schulz	Stanton	Wolcott
Ojala	Resner	Searle	Swanson	Mr. Speaker
Parish	Rice	Sherwood	Ulland	
Patton	Ryan	Sieben, H.	Vanasek	
Pavlak, R.	St. Onge*	Sieben, M.	Voss	

The bill was passed and its title agreed to.

H. F. No. 3337 was reported to the House.

Wigley moved that H. F. No. 3337 be indefinitely postponed. The motion prevailed.

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Menke	Salchert
Adams, S.	Dirlam	Johnson, J.	Miller, D.	Samuelson
Andersen, R.	Eckstein	Johnson, R.	Miller, M.	Sarna
Anderson, D.	Eken	Jopp	Moe	Savelkoul
Anderson, G.	Enebo	Jude	Mueller	Schreiber
Anderson, I.	Erdahl	Kahn	Munger	Searle
Becklin	Erickson	Kelly	Myrah	Sherwood
Belisle	Esau	Kempe	Nelson	Sieben, H.
Bell	Faricy	Klaus	Newcome	Sieben, M.
Bennett	Ferderer	Knickerbocker	Niehaus	Skaar
Berg	Fjoslien	Knoll	Norton	Smith
Berglin	Forsythe	Kostohryz	Ohnstad	Spanish
Biersdorf	Fudro	Kvam	Ojala	Stangeland
Braun	Fugina	Laidig	Parish	Stanton
Brinkman	Graba	Larson	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Ulland
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hagedorn	Lombardi	Peterson	Voss
Carlson, L.	Hanson	Long	Pieper	Weaver
Casserly	Haugerud	Mann	Prahl	Wenzel
Clifford	Heinitz	McArthur	Quirin	Wolcott
Connors	Hook	McCarron	Resner	Mr. Speaker
Culhane	Jacobs	McCauley	Rice	
Cummiskey	Jaros	McEachern	Ryan	
Dahl	Johnson, C.	McMillan	St. Onge	

Those who voted in the negative were:

Schulz

The bill was passed and its title agreed to.

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 112, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Menke	Schreiber
Adams, S.	Eken	Jude	Miller, D.	Schulz
Andersen, R.	Enebo	Kahn	Moe	Searle
Anderson, D.	Erdahl	Kelly	Mueller	Sherwood
Anderson, G.	Erickson	Kempe	Munger	Sieben, H.
Anderson, I.	Esau	Klaus	Nelson	Sieben, M.
Belisle	Faricy	Knickerbocker	Newcome	Smith
Bell	Ferderer	Knoll	Norton	Stangeland
Bennett	Fjoslien	Kostohryz	Ojala	Stanton
Berg	Forsythe	Kvam	Parish	Swanson
Berglin	Fudro	Laidig	Pavlak, R.	Tomlinson
Biersdorf	Fugina	Larson	Pehler	Ulland
Braun	Graba	LaVoy	Peterson	Vanasek
Brinkman	Graw	Lemke	Pieper	Voss
Carlson, A.	Growe	Lindstrom, J.	Pleasant	Weaver
Carlson, B.	Hanson	Lombardi	Quirin	Wenzel
Carlson, L.	Haugerud	Mann	Resner	Wigley
Casserly	Hook	McArthur	Rice	Wohlwend
Connors	Jacobs	McCarron	Ryan	Wolcott
Culhane	Jaros	McCauley	St. Onge	Mr. Speaker
Cummiskey	Johnson, D.	McEachern	Salchert	
Dahl	Johnson, J.	McFarlin	Sarna	
DeGroat	Johnson, R.	McMillan	Savelkoul	

Those who voted in the negative were:

Becklin	Hagedorn	Miller, M.	Ohnstad	Skaar
Clifford	Heinitz	Myrah	Patton	Spanish
Eckstein	Long	Niehaus	Prahl	

The bill was passed and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3285, A bill for an act appropriating money and authorizing the issuance of Minnesota state building bonds for the acquisition and betterment of public land, buildings, and capital improvements needed to provide facilities for Gillette children's hospital in conjunction with the Ramsey county hospital.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

The Senate has appointed as such committee Messrs. Purfeerst, Brown, Davies, Doty and Dunn.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3002, A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1136, A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Hughes, Willet, Fitzsimons, Josefson and Davies have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3580. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of House File No. 3143 for further consideration:

H. F. No. 3143, A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

House File No. 3143 is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Kvam moved that the vote on March 21, 1974, whereby the House refused to concur in the Senate amendments to H. F. No. 3143 and requested a Conference Committee be appointed be now reconsidered. The motion prevailed.

CONCURRENCE AND REPASSAGE

Kvam moved that the House concur in the Senate amendments to H. F. No. 3143 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3143, A bill for an act relating to municipalities; authorizing the appropriation of money for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 109, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Jude	Moe	Samuelson
Anderson, D.	Erdahl	Kelly	Mueller	Sarna
Anderson, I.	Erickson	Klaus	Munger	Savelkoul
Becklin	Esau	Knickerbocker	Myrah	Schreiber
Belisle	Ferderer	Knoll	Nelson	Sherwood
Biersdorf	Fjoslien	Kostohryz	Newcome	Sieben, H.
Braun	Forsythe	Kvam	Norton	Sieben, M.
Brinkman	Fudro	Laidig	Ohnstad	Skaar
Carlson, B.	Fugina	Larson	Ojala	Spanish
Carlson, D.	Graba	LaVoy	Parish	Stangeland
Carlson, L.	Graw	Lemke	Patton	Stanton
Casserly	Growe	Lindstrom, J.	Pavlak, R.	Swanson
Cleary	Hagedorn	Lombardi	Pavlak, R. L.	Tomlinson
Clifford	Hanson	Long	Pehler	Ulland
Connors	Heinitz	Mann	Peterson	Vanasek
Culhane	Hook	McCarron	Pieper	Voss
Dahl	Jacobs	McEachern	Prahl	Weaver
DeGroat	Johnson, C.	McFarlin	Quirin	Wenzel
Dieterich	Johnson, D.	McMillan	Rice	Wigley
Dirlam	Johnson, J.	Menke	Ryan	Wohlwend
Eckstein	Johnson, R.	Miller, D.	St. Onge	Mr. Speaker
Eken	Jopp	Miller, M.	Salchert	

Those who voted in the negative were:

Adams, S.	Bell	Carlson, A.	Jaros	Schulz
Andersen, R.	Bennett	Farcy	Kahn	Vento
Anderson, G.	Berg	Haugerud	Kempe	

The bill was repassed, as amended by the Senate, and its title agreed to.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 636

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 636, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments, and the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"ARTICLE I

Section 1. [LEGISLATIVE PURPOSE.] In order to achieve the goal of orderly growth and economic development in the metropolitan area, it is essential to establish a framework to coordinate effectively those proposals, projects, improvements, programs, expenditures, and plans which directly and substantially affect the development of the metropolitan area. It is the purpose of this act to establish such a framework: by clarifying the role and authority of the metropolitan council, by requiring a consistent review process to be performed by the metropolitan council, by providing technical assistance for planning by local government units, and by reorganizing the other metropolitan agencies.

Sec. 2. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.011] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 15, the terms defined in this section*

shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Metropolitan area or area" means the area over which the metropolitan council has jurisdiction, including only the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Metropolitan commission or commission" means the metropolitan waste control commission, the metropolitan transit commission, and other such commissions as the legislature may hereafter designate.

Subd. 4. "Independent commission, board or agency" means governmental entities with jurisdictions lying in whole or in part within the metropolitan area but not including the metropolitan commissions referred to herein.

Subd. 5. "Local governmental unit" means any county, city, town, school district, special district or other political subdivisions or public corporation, other than a metropolitan commission, lying in whole or part within the metropolitan area.

Subd. 6. "Metropolitan significance" means a status determined by the metropolitan council pursuant to the regulations and procedures established by section 12, subdivisions 1 and 2 of this article.

Subd. 7. "State agency" means the state of Minnesota or any agency, board, commission, department or educational institution thereof.

Subd. 8. "Policy plan" means the long range comprehensive plans of each commission adopted pursuant to section 10 of this article.

Subd. 9. "Development program" means the detailed technical program of each commission adopted pursuant to section 13 of this article.

Sec. 3. Minnesota Statutes 1971, Section 473B.02, Subdivision 1, is amended to read:

473B.02 [METROPOLITAN COUNCIL.] Subdivision 1. [CREATION.] A metropolitan council with jurisdiction in the metropolitan area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, is created. It shall be under the supervision and control of (15) 17 members, all of whom shall be residents of the metropolitan area.

Sec. 4. Minnesota Statutes 1971, Section 473B.02, Subdivision 2, is amended to read:

Subd. 2. [TERMS.] (THE FIRST MEMBERS OF THE METROPOLITAN COUNCIL APPOINTED BY THE GOVERNOR SHALL BE APPOINTED AS FOLLOWS: THE CHAIRMAN AS PROVIDED IN SUBDIVISION 4; FOUR FOR TERMS ENDING THE FIRST MONDAY IN JANUARY 1969; FIVE FOR TERMS ENDING THE FIRST MONDAY IN JANUARY 1971; AND FIVE FOR TERMS ENDING THE FIRST MONDAY IN JANUARY 1973. THEREAFTER THE TERM OF EACH MEMBER SHALL BE FOR A TERM OF SIX YEARS AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.)

Commencing the first Monday in January, 1975, the council members shall be appointed by the governor from each of the districts described in subdivision 3. The terms of the members shall be as follows: members representing even numbered districts for terms ending the first Monday in January, 1977; members representing odd numbered districts for terms ending the first Monday in January, 1979. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified.

Members of the council serving as of the first Monday in January, 1975 shall continue to serve the district described in subdivision 3 in which they reside for the term herein prescribed for that district, provided that if more than one such member resides in the same district the governor shall designate one of them to serve as the council member from the district and the terms of the other members are thereupon terminated. The governor shall appoint as members of the council one resident of each district described in subdivision 3 in which no present member of the council resides to serve for the term herein defined. For the purpose of this subdivision the residence of present members of the council serving as of the first Monday in January, 1975 shall be their residence as of July 1, 1974.

Sec. 5. Minnesota Statutes 1971, Section 473B.01, Subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] (FOURTEEN) *Sixteen* members of the metropolitan council shall be appointed by the governor on a nonpartisan basis, after consulting with all members of the legislature from the area composing the council district for which the member is to be appointed, by and with the advice and consent of the senate. Each such council member shall reside in the council district which he represents. (COUNCIL DISTRICTS CONSIST OF COMBINATIONS OF LEGISLATIVE AND REPRESENTATIVE DISTRICTS ESTABLISHED BY EXTRA SESSION LAWS 1966, CHAPTER 1, AS PRESCRIBED HEREIN.) Each council district shall be represented by one member of the council. Council districts are hereby created as follows:

(1) The first council district consists of (LEGISLATIVE DISTRICT 12, THAT PART OF REPRESENTATIVE DISTRICT 6A WITHIN DAKOTA COUNTY, AND REPRESENTATIVE DISTRICT 14A, AND THAT PART OF REPRESENTATIVE DISTRICT 14B WITHIN SCOTT COUNTY) *that part of the city of St. Paul described as follows: commencing at the intersection of the center line of University avenue with the west city limits, extending easterly along the center line of University avenue to the center line of Rice street, extending southerly along the center line of Rice street to the center line of Interstate 94, extending easterly along the center line of Interstate 94 to the center line of Summit avenue extended, extending southwesterly along the center line of Summit avenue extended and Summit avenue to the center line of Kellogg boulevard, extending southeasterly along the center line of Kellogg boulevard to the center line of Eagle street, extending southeasterly along the center line of Eagle street to the main channel of the Mississippi river, extending southwestly, westerly, and northerly along the main channel of the Mississippi river to the west city limits, and extending northerly along the west city limits to the point of origin.*

(2) The second council district consists of (LEGISLATIVE DISTRICTS 8 AND 50) *that part of the county of Ramsey consisting of the villages of Lauderdale, Falcon Heights, and Roseville; and that part of the city of St. Paul described as follows: commencing at the intersection of the center line of University avenue with the west city limits, extending easterly along the center line of University avenue to the center line of Rice street, extending northerly along the center line of Rice street to the Burlington Northern railroad right of way, extending easterly along the Burlington Northern railroad right of way to the center line of Sylvan street, extending northerly along the center line of Sylvan street to the center line of Magnolia avenue west, extending easterly along the center line of Magnolia avenue west to the center line of Agate street, extending northerly along the center line of Agate street to the center line of Jessamine avenue west extended, extending easterly along the center line of Jessamine avenue west extended to the center line of Interstate 35E, extending northerly along the center line of Interstate 35E to the north city limits, and extending westerly, southerly, westerly, southerly, westerly, northerly, westerly, and southerly along the city limits to the point of origin.*

(3) The third council district consists of (LEGISLATIVE DISTRICTS 49 AND 57, AND REPRESENTATIVE DISTRICT 32B) *that part of the city of St. Paul described as follows: commencing at the intersection of the center line of Interstate 35E with the north city limits, extending southerly along the center line of Interstate 35E to the center line of Jessamine avenue west extended; extending westerly along the center line of Jessamine avenue west extended to the center line of Agate street, extending southerly along the center line of Agate street to the center line of Magnolia avenue west, extending westerly along the cen-*

ter line of Magnolia avenue west to the center line of Sylvan street, extending southerly along the center line of Sylvan street to the Burlington Northern railroad right of way, extending westerly along the Burlington Northern railroad right of way to the center line of Rice street, extending southerly along the center line of Rice street to the center line of Interstate 94, extending easterly along the center line of Interstate 94 to the center line of Summit avenue extended, extending southwestwardly along the center line of Summit avenue extended and Summit avenue to the center line of Kellogg boulevard, extending southeastwardly along the center line of Kellogg boulevard to the center line of Eagle street, extending southeasterly along the center line of Eagle street to the main channel of the Mississippi river, extending southwestwardly along the main channel of the Mississippi river to the south city limits, extending easterly, northerly, easterly, southerly, easterly, southeasterly, easterly, northerly, and westerly along the city limits to the point of origin.

(4) The fourth council district consists of (LEGISLATIVE DISTRICT 33 AND REPRESENTATIVE DISTRICTS 13A AND 21A) that part of the county of Ramsey consisting of the town of White Bear; the villages of Arden Hills, Gem Lake, Little Canada, Moundsview, New Brighton, North Oaks, North St. Paul, Shoreview, and Vadnais Heights; that part of the city of White Bear Lake lying in the county of Ramsey; and that part of the village of Maplewood lying north of the center line of Larpenteur Avenue.

(5) The fifth council district consists of (LEGISLATIVE DISTRICTS 30 AND 31 AND REPRESENTATIVE DISTRICT 32A) that part of the county of Hennepin consisting of the city of Robbinsdale; that part of the village of Golden Valley described as follows: commencing at the intersection of the center line of trunk highway No. 100 with the north village limits, extending southerly along the center line of trunk highway No. 100 to the Minnesota Western railroad right of way, extending easterly along the Minnesota Western railroad right of way to the east village limits, and extending northerly, westerly, northerly, and westerly along the village limits to the point of origin; and that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the north village limits, extending southerly along the main channel of the Mississippi river to the Burlington Northern railroad right of way, extending southwestwardly along the Burlington Northern railroad right of way to the center line of Sixth street north extended, extending southeasterly along the center line of Sixth street north extended and sixth street north to the center line of Hennepin avenue, extending southwestwardly along the center line of Hennepin avenue to the center line of Franklin avenue west, extending westerly along the center line of Franklin avenue west to the center line of Lake of the Isles boulevard east, extending southerly along the center line of Lake of the Isles boulevard east to the center line of Lake Calhoun boulevard east, extending southerly along the center line

of Lake Calhoun boulevard east to the center line of Lake street west, extending westerly along the center line of Lake street west to the west city limits, and extending northerly, easterly, northerly, and easterly along the city limits to the point of origin.

(6) The sixth council district consists of (LEGISLATIVE DISTRICTS 29 AND 37) *that part of the county of Hennepin consisting of that part of the village of St. Anthony lying in the county of Hennepin; and that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the north village limits, extending southerly along the main channel of the Mississippi river to the Burlington Northern railroad right of way, extending southwesterly along the Burlington Northern railroad right of way to the center line of Sixth street north extended, extending southeasterly along the center line of Sixth street north extended and Sixth street north to the center line of Hennepin avenue, extending southwesterly along the center line of Hennepin avenue to the center line of Lincoln avenue extended, extending easterly along the center line of Lincoln avenue extended to the center line of Lyndale avenue south, extending southerly along the center line of Lyndale avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Stevens avenue south, extending southerly along the center line of Stevens avenue south to the center line of Twenty-fifth street east, extending easterly along the center line of Twenty-fifth street east to the center line of Fifteenth avenue south, extending northerly along the center line of Fifteenth avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Cedar avenue south, extending northerly along the center line of Cedar avenue south to the center line of Sixth street south; extending easterly along the center line of Sixth street south to the center line of Twenty-seventh avenue south extended, extending northerly along the center line of Twenty-seventh avenue south extended to the main channel of the Mississippi river, extending southeasterly along the main channel of the Mississippi river to the east city limits, and extending northerly, westerly, northerly, westerly, northerly, and westerly to the point of origin; and that part of the county of Ramsey consisting of that part of the village of St. Anthony lying in the county of Ramsey.*

(7) The seventh council district consists of (LEGISLATIVE DISTRICTS 27 AND 28) *that part of the city of Minneapolis described as follows: commencing at the intersection of the center line of Lake street west with the west city limits, extending easterly along the center line of Lake street west to the center line of Lake Calhoun boulevard east, extending northerly along the center line of Lake Calhoun boulevard east to the center line of Lake of the Isles boulevard east, extending northerly along the center line of Lake of the Isles boulevard east to the center line of Franklin avenue west, extending easterly along the center*

line of Franklin avenue west to the center line of Hennepin avenue, extending northeasterly along the center line of Hennepin avenue to the center line of Lincoln avenue extended, extending easterly along the center line of Lincoln avenue extended to the center line of Lyndale avenue south, extending southerly along the center line of Lyndale avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Stevens avenue south, extending southerly along the center line of Stevens avenue south to the center line of Twenty-fifth street east, extending easterly along the center line of Twenty-fifth street east to the center line of Chicago avenue south, extending southerly along the center line of Chicago avenue south to the center line of Thirty-eighth street east, extending westerly along the center line of Thirty-eighth street east to the center line of Fourth avenue south, extending southerly along the center line of Fourth avenue south to the center line of Forty-second street east, extending westerly along the center line of Forty-second street east to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the center line of Forty-eighth street east extended, extending westerly along the center line of Forty-eighth street east extended and Forty-eighth street east to the center line of Nicollet avenue south, extending southerly along the center line of Nicollet avenue south to the center line of Fifty-seventh street east, extending easterly along the center line of Fifty-seventh street east and Fifty-seventh street east extended to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the south city limits, and extending westerly, northerly, westerly, and northerly to the point of origin.

(8) The eighth council district consists of (LEGISLATIVE DISTRICTS 34 AND 35) that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the east city limits, extending northwesterly along the main channel of the Mississippi river to the center line of Twenty-seventh avenue south extended, extending southerly along the center line of Twenty-seventh avenue south extended to the center line of Sixth street south, extending westerly along the center line of Sixth street south to the center line of Cedar avenue south, extending southerly along the center line of Cedar avenue south to the center line of Twenty-fourth street east, extending westerly along the center line of Twenty-fourth street east to the center line of Fifteenth avenue south, extending southerly along the center line of Fifteenth avenue south to the center line of Twenty-fifth street east, extending westerly along the center line of Twenty-fifth street east to the center line of Chicago avenue south, extending southerly along the center line of Chicago avenue south, to the center line of Thirty-eighth street east, extending westerly along the center line of Thirty-eighth street east to the center line of Fourth avenue south, extending southerly along the center line of Fourth avenue south to the center line of Forty-second street east, extending westerly along the center line of Forty-second street east

to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the center line of Forty-eighth street east extended, extending westerly along the center line of Forty-eighth street east extended and Forty-eighth street east to the center line of Nicollet avenue south, extending southerly along the center line of Nicollet avenue south to the center line of Fifty-seventh street east, extending easterly along the center line of Fifty-seventh street east and Fifty-seventh street east extended to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the south city limits, and extending easterly, northerly, easterly, and northerly to the point of origin.

(9) The ninth council district consists of (LEGISLATIVE DISTRICTS 36 AND 38) that part of the county of Hennepin consisting of the Fort Snelling area; the city of Richfield; and that part of the city of Bloomington described as follows: commencing at the intersection of the center line of France avenue south with the north city limits, extending southerly along the center line of France avenue south to the center line of One Hundred Second street west, extending westerly along the center line of One Hundred Second Street west to the center line of Johnson avenue, extending southerly along the center line of Johnson avenue to the Minneapolis, Northfield, and Southern railroad right of way, extending southwestwardly along the Minneapolis, Northfield, and Southern railroad right of way to the center line of Normandale boulevard, extending southerly along the center line of Normandale boulevard to the south city limits, extending easterly, northeasterly, westerly, northerly, and westerly along the city limits to the point of origin.

(10) The tenth council district consists of (LEGISLATIVE DISTRICTS 39 AND 40) that part of the county of Hennepin consisting of the village of New Hope, the cities of Crystal and St. Louis Park; and that part of the village of Golden Valley described as follows: commencing at the intersection of the center line of trunk highway No. 100 and the north village limits, extending southerly along the center line of trunk highway No. 100 to the Minnesota Western railroad right of way, extending easterly along the Minnesota Western railroad right of way to the east city limits, extending southerly, westerly, southerly, westerly, and northerly along the village limits to the center line of Olson Memorial highway, extending easterly along the center line of Olson Memorial highway to the center line of Winnetka avenue north, extending northerly along the center line of Winnetka avenue north to the north village limits, and extending easterly along the north village limits to the point of origin.

(11) The eleventh council district consists of (LEGISLATIVE DISTRICTS 41 AND 42) that part of the county of Hennepin consisting of the villages of Edina, Medicine Lake, Minnetonka, and Plymouth; the cities of Hopkins and Wayzata; and that part of the village of Golden Valley described as follows:

commencing at the intersection of the center line of Winnetka avenue north and the north village limits, extending southerly along the center line of Winnetka avenue north to the center line of Olson Memorial highway; extending westerly along the center line of Olson Memorial highway to the west village limits, and extending northerly and easterly along the village limits to the point of origin.

(12) The twelfth council district consists of (LEGISLATIVE DISTRICTS 43 AND 44) *that part of the county of Anoka consisting of the towns of Burns, Grow, Oak Grove, and Ramsey; the villages of Bethel and St. Francis; and the city of Anoka; and that part of the county of Hennepin consisting of the town of Hassan; the villages of Corcoran, Champlin, Dayton, Greenfield, Independence, Loretto, Maple Grove, Maple Plain, Medina, Minnetrista, Osseo, Rogers, and St. Bonifacius; the cities of Brooklyn Center and Brooklyn Park; and that part of the villages of Hanover and Rockford lying in the county of Hennepin.*

(13) The thirteenth council district consists of (LEGISLATIVE DISTRICTS 45 AND 46) *that part of the county of Anoka consisting of the town of Ham Lake; the villages of East Bethel and Hilltop; the cities of Columbia Heights, Coon Rapids, and Fridley; and that part of the village of Spring Lake Park and the city of Blaine lying in Anoka county; and that part of the county of Ramsey consisting of that part of the village of Spring Lake Park and the city of Blaine lying in the county of Ramsey.*

(14) The fourteenth council district consists of (LEGISLATIVE DISTRICTS 47 AND 48) *the county of Washington; that part of the county of Anoka consisting of the towns of Columbus and Linwood; and the villages of Centerville, Circle Pines, Lexington, and Lino Lakes; that part of the county of Dakota consisting of the towns of Marshan, Nininger, and Ravenna; the city of Hastings; and that part of the county of Ramsey consisting of that part of the village of Maplewood lying south of the center line of Larpenteur avenue.*

(15) *The fifteenth council district consists of that part of the county of Dakota consisting of the towns of Castle Rock, Douglas, Egan, Empire, Eureka, Greenvale, Hampton, Randolph, Sciota, Vermillion, and Waterford; the villages of Apple Valley, Burnsville, Coates, Farmington, Hampton, Inver Grove Heights, Lilydale, Mendota, Mendota Heights, Miesville, New Trier, Randolph, Rosemount, Sunfish Lake, and Vermillion; and the cities of South St. Paul and West St. Paul.*

(16) *The sixteenth council district consists of the counties of Carver and Scott; that part of the county of Dakota consisting of the village of Lakeville; and that part of the county of Hennepin consisting of the villages of Deephaven, Eden Prairie, Excelsior, Greenwood, Long Lake, Mound, Orono, Shorewood, Spring Park, Tonka Bay, and Woodland; the city of Minnetonka*

Beach; that part of the village of Chanhassen lying in the county of Hennepin; and that part of the city of Bloomington described as follows: commencing at the intersection of the center line of France avenue south with the north city limits, extending southerly along the center line of France avenue south to the center line of One Hundred Second street west, extending westerly along the center line of One Hundred Second street west to the center line of Johnson avenue south, extending southerly along the center line of Johnson avenue south to the Minneapolis, Northfield, and Southern railroad right of way, extending southwesterly along the Minneapolis, Northfield and Southern railroad right of way to the center line of Normandale boulevard, extending southerly along the center line of Normandale boulevard to the south city limits, and extending westerly, northerly, and easterly, along the city limits to the point of origin.

Sec. 6. Minnesota Statutes 1971, Section 473B.02, Subdivision 4, is amended to read:

Subd. 4. [CHAIRMAN.] (a) [APPOINTMENT.] The chairman of the metropolitan council shall be appointed by the governor as the (15TH) 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) [DUTIES.] The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary and expense allowances shall be fixed by the metropolitan council.

Sec. 7. Minnesota Statutes 1971, Section 473B.02, Subdivision 5, is amended to read:

Subd. 5. [METROPOLITAN COUNCIL; DUTIES AND COMPENSATION.] The metropolitan council shall elect such officers as it deems necessary for the conduct of its affairs other than the chairman. A secretary and treasurer need not be members of the metropolitan council. Meeting times and places shall be fixed by the metropolitan council and special meetings may be called by a majority of the members of the metropolitan council or by the chairman thereof. Each metropolitan council member other than the chairman shall be paid a per diem compensation of (\$35) \$50 for each meeting and for such other services as (ARE SPECIFICALLY) authorized by the metropolitan council, and shall be reimbursed for his reasonable expenses.

In the performance of its duties the metropolitan council may promulgate rules governing its operation, establish committees,

divisions, departments and bureaus and staff the same as necessary to carry out its duties and when specifically authorized by law make appointments to other governmental agencies and districts. All officers and employees of the metropolitan council shall serve at the pleasure of the appointing authority in the unclassified service of the state civil service. Rules promulgated by the metropolitan council shall be in accordance with the administrative procedure provisions contained in Minnesota Statutes, Chapter 15.

Sec. 8. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.021] [MEMBERSHIP, PROCEDURES, OFFICERS AND EMPLOYEES OF METROPOLITAN COMMISSIONS.] *Subdivision 1. [GENERAL.] Metropolitan commissions shall be organized, structured and administered as prescribed in this section.*

Subd. 2. [MEMBERSHIP.] Each commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the metropolitan council. One member shall be appointed from each of the following precincts

- (1) *Precinct A, consisting of council districts 1 and 2;*
- (2) *Precinct B, consisting of council districts 3 and 14;*
- (3) *Precinct C, consisting of council districts 4 and 13;*
- (4) *Precinct D, consisting of council districts 5 and 6;*
- (5) *Precinct E, consisting of council districts 7 and 8;*
- (6) *Precinct F, consisting of council districts 9 and 11;*
- (7) *Precinct G, consisting of council districts 10 and 12; and*
- (8) *Precinct H, consisting of council districts 15 and 16.*

Subd. 3. [CHAIRMAN.] The chairman of each commission shall be appointed by the governor with the advice and consent of the senate and shall be the ninth voting member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. Each commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] *Each member shall be a resident of the precinct for which he is appointed and shall not during his term of office hold the office of metropolitan council member, or be a member of another metropolitan commission or hold any judicial office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article V, Section 8. Such oath, duly certified by the official administering the same, shall be filed with the executive director of the metropolitan council.*

Subd. 5. [TERMS, REMOVAL.] *Commencing the first Monday in January 1975 the terms of members of each commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1977, members representing precincts E, F, G, and H and the chairman for terms ending the first Monday in January 1979. Thereafter the term of each member and chairman shall be for a term of four years and until his successor is appointed and qualified. Members, other than the chairman, may be removed by the council only for cause in the manner specified in chapter 351. The chairman may be removed at the pleasure of the governor.*

Members of any commission serving as of the first Monday in January 1975 shall continue to serve the precinct described in subdivision 2 in which they reside for the term herein prescribed for that precinct, provided that if more than one such member resides in the same precinct the council shall designate one of them to serve as the commission member from the precinct and the terms of the other members are thereupon terminated. The council shall appoint as members of the commission, in the manner prescribed by subdivision 2, one resident of each precinct described in said subdivision in which no present member of the commission resides to serve for the term herein defined. For the purpose of this subdivision the residence of present members of the commissions serving as of the first Monday in January 1975 shall be their residence as of July 1, 1974.

Subd. 6. [VACANCIES.] *If the office of any commission member becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that precinct was made. An office shall be deemed vacant under the conditions specified in chapter 351.*

Subd. 7. [COMPENSATION.] *Each commission member shall be paid a per diem compensation of \$50 for each meeting and for such other services as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive a salary in an amount fixed by the members of that commission or board and shall be reimbursed for reasonable expenses to the same extent as a member.*

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] Each commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

Subd. 9. [PERSONNEL CODE; MERIT SYSTEM.] (a) The council shall by resolution adopt guidelines for a personnel code relating to the employees of the commissions, except that nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10. After adoption of the guidelines, each commission shall by resolution adopt a personnel code in general conformance therewith. The code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension or discharge of employees, procedures for hearing grievances, procedures for salary administration, and such other provisions as the council deems appropriate. In addition, the code shall provide for the development by each commission of affirmative action plans, which shall be submitted for approval to the appropriate agency or office of the state. The plans shall include a yearly progress report to the agency or office. The chief administrator of each commission shall administer the code, and no commission shall take any action inconsistent with the personnel code.

(b) All employees of the commission except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission or the council; and any employee of the commission expressly exempted from the classified service by law. Each code shall also include procedures for open competitive examinations to test the relative skill or ability of all applicants for positions in the classified service. Such examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or his personal fitness for the position. Where there is more than

one applicant for a position, each code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended or dismissed by the chief administrator, he may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing the position from which he was dismissed, the date of dismissal, and the reason for requesting the hearing, his full name and his present mailing address. Upon receipt of a request for a hearing the commission shall appoint three of its members to act as an appeal committee and preside at a hearing on the action of the administrator. The hearing shall be held within 30 days after the request is received by the commission, upon written notice mailed or delivered to the employee at his present mailing address, not less than seven days before the hearing. The appeal committee shall approve or disapprove the action of the administrator, and in the case of approval the action of the administrator shall be final. In the case of disapproval the appeal committee may reinstate the employee under such conditions as it deems proper, and may order the payment to the employee of compensation lost as a result of the demotion, suspension or dismissal.

Subd. 10. [SECRETARY AND TREASURER.] At its first regular meeting each year each commission shall appoint a secretary and a treasurer or, in the alternative, a secretary-treasurer. The secretary and treasurer, or secretary-treasurer, may, but need not be, members of the commission, and shall hold office at the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except such as the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the commission except such as the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Subd. 11. [CHIEF ADMINISTRATOR.] The chairman of each commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.

(b) He shall appoint and remove, subject to the provisions of the personnel code adopted pursuant to subdivision 9 of this

section, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.

(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.

(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.

(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.

(f) He shall perform such other duties as may be prescribed by the commission.

Subd. 12. [PUBLIC EMPLOYEES.] All persons employed by the chief administrator shall be public employees, and shall have all rights and duties conferred on public employees under sections 179.61 to 179.76. The compensation and other conditions of employment of such employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of chapter 15A, unless the council so provides. All employees of the commission shall be members of the Minnesota state retirement system, except that employees, who by reason of their prior employment belonged to another public retirement association in the state of Minnesota, may at their option continue membership in that public retirement association, and all other rights to which they are entitled by contract or law. The commission shall make the employer's contributions to pension funds of its employees. Employees shall perform such duties as may be prescribed by the commission. Nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10.

Subd. 13. [COMMISSION OPERATING PROCEDURES.]

(a) The commission shall adopt resolutions and bylaws, an administrative code establishing procedures for commission action keeping records, approving claims, authorizing and making disbursements, authorizing contracts, safekeeping funds and audit of all financial operations of the commission.

(b) The commission and the council may enter into contracts with each other and with other commissions and governmental units for the joint exercise of powers in the manner provided by Minnesota Statutes, Section 471.59; provided that no commis-

sion shall enter into any contract with the council which would assign any operations authority, responsibility or function, other than planning or making studies, from the commission to the council.

Subd. 14. [RELOCATION PAYMENT STANDARDS.] In all acquisitions the commissions shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1971), 42 United States Code, Section 4601, et seq.

Sec. 9. Minnesota Statutes 1971, Section 473B.04, is amended to read:

473B.04 [REPORTS.] On or before January 15th, of each (ODD NUMBERED) year the metropolitan council shall report to the legislature. The report shall include:

(1) A statement of the metropolitan council's receipts and expenditures by category since the preceding report;

(2) A detailed budget for the year in which the report is filed and the following year including an outline of its program for such period;

(3) An explanation of any (COMPREHENSIVE) *policy plan and other comprehensive plan* adopted in whole or in part for the metropolitan area *and the review comments of the affected commission*;

(4) Summaries of any studies and the recommendations resulting therefrom made by the metropolitan council, and a listing of all applications for federal moneys made by governmental units within the metropolitan area submitted to the metropolitan council;

(5) A listing of plans of local governmental units *and proposed matters of metropolitan significance* submitted to the metropolitan council; and

(6) Recommendations of the metropolitan council for metropolitan area legislation, including the organization and functions of the metropolitan council *and the commissions. The council shall include in its 1975 report to the legislature its recommendations for solid waste recycling facilities in the metropolitan area.*

Sec. 10. Minnesota Statutes 1971, Section 473B.06, is amended by adding a subdivision to read:

Subd. 5a. [POLICY PLANS FOR METROPOLITAN COMMISSIONS.] (1) Within 12 months after the effective date of this section, the council shall adopt after appropriate study and such public hearings as may be necessary, as a part of its development guide, long-range comprehensive policy plans for each commission and when adopted, the policy plans shall be followed by the council and the affected commissions. The plans shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council and the commissions. In preparing or amending a policy plan the council shall consult with and make maximum use of the expertise of the affected commission, and each such commission shall cooperate with and make its employees, records, studies, plans and other information available to the council. Each such policy plan shall include, to the extent appropriate to the functions covered thereby, the following:

(a) A statement of the needs of the metropolitan area with respect to the functions covered and the objective of and the policies to be forwarded by the policy plan;

(b) A general description of the physical facilities and services to be developed by the commission in performing its function;

(c) A statement as to the general location of physical facilities and service areas;

(d) A general statement of timing and priorities in the development by the commission of those physical facilities and service areas;

(e) A general statement on the level of public expenditure both capital and operating appropriate to the facilities and a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(f) A statement of the relationships to any current local comprehensive plans and any related development programs on file with the council;

(g) Such additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the commission and function covered by the policy plan; and

(h) A general statement relating to future population, employment levels, and land use in the metropolitan area and in the individual local governmental units located therein, including population densities and anticipated rates of change in such densities.

(2) Before adopting a policy plan, the council shall submit the proposed plan to the affected commission for its review, and the commission shall report its comments to the council within 60 days and may, within that period request the council to hold a special public hearing for the purpose of receiving the commission's report and comments. Within 60 days after the submission of the proposed plan to the commission, any local governmental unit may request a public hearing for the purpose of receiving testimony from local governmental units and the general public concerning the proposed policy plan prior to the adoption of a policy plan. Within a reasonable time, not to exceed 60 days, after receiving a request for a hearing, the council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and such hearing, if any, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to a policy plan may be initiated by the council or by an affected commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of clause (1) which have been adopted by the council pursuant to Minnesota Statutes, Chapters 473A, 473B and 473C, shall continue in force and effect until expressly superseded by a policy plan adopted pursuant to this subdivision. The council shall not amend a policy plan except in accordance with the procedures herein established.

Sec. 11. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subd. 14. [LOCAL PLANNING ASSISTANCE.] *The metropolitan council may, at the request of local governmental units, enter into contracts or make other arrangements with local governmental units and others for the provision of services for and assistance with comprehensive community planning. This may include:*

(a) *Assistance in the preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities together with long-range fiscal plans for such development;*

(b) *Programming of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program;*

(c) *Coordination of all related plans of the departments or subdivision of the government concerned;*

(d) *Intergovernmental coordination of all related planned activities among the state and local governmental agencies concerned; and*

(e) *Preparation of regulatory and administrative measures in support of the foregoing.*

Sec. 12. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.061] [REVIEW BY COUNCIL.] *Subdivision 1. [METROPOLITAN SIGNIFICANCE.] Within 12 months following the enactment of this section, the council shall adopt regulations pursuant to the administrative procedures act, Minnesota Statutes, Chapter 15, establishing standards and guidelines for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of all proposed matters required to be considered and reviewed by the council. These regulations shall take effect on July 1, 1975. The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. The metropolitan council shall submit the regulations adopted pursuant to this section to the session of the legislature in 1975 for approval. The council shall establish an advisory committee, consisting of elected officials of local governmental units and representing all council districts equally, to provide advice and make recommendations in the preparation of these regulations and may thereafter review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council. The regulations adopted shall provide for a public hearing prior to the determination that an action is of metropolitan significance.*

Subd. 2. [REGULATIONS.] (a) In developing the above regulations establishing standards and guidelines for determining metropolitan significance the council and the committee shall give consideration to all factors deemed relevant to that determination including the following:

(1) *The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the development guide;*

(2) *The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;*

(3) *The impact a proposed matter will have on policy plans adopted by the council and on development programs and functions performed and to be performed by the commission;*

(4) *Functions of municipal governments in respect to control of land use as provided for under the municipal planning act;*

(5) *Such other factors as are deemed relevant.*

(b) *The regulations establishing a procedure for the review of proposed matters shall include, among other provisions, the following:*

(1) *No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.*

(2) *The council shall be empowered to suspend action on a proposed matter for a period not to exceed 12 months following the issuance of its recommendation or determination.*

(3) *The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of an adequately supported and documented proposal.*

(4) *The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area.*

(5) *The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.*

(6) *The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the comprehensive development guide and, if appropriate, an applicable policy plan.*

(7) *Any major alteration or amendment to the regulations adopted by the council shall be developed and promulgated by the council in the same manner as the original regulations.*

(8) *Previously approved policy plans and development programs and areas of operational authority of the metropolitan*

commissions shall not be subject to review under this section, except as specifically provided in paragraphs (b) and (c) of subdivision 3.

(c) Once the development of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing, containing the developed regulations and such other comments as are deemed appropriate, shall be published in a newspaper or newspapers circulated throughout the metropolitan area and mailed to all state agencies and all local governmental units which may be affected by these regulations no later than 30 days prior to the hearing. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

Subd. 3. [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE; APPLICATIONS FOR FEDERAL AND STATE AID.] *The council shall review the following matters, applications, and plans proposed for or with respect to the metropolitan area in accordance with the regulations to be adopted and the provisions of any other relevant statute.*

(a) All proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency.

(b) All applications of a metropolitan commission, independent commission, board or agency, and local governmental units for funds, grants, loans or loan guarantees from the United States of America or agencies thereof submitted in connection with proposed matters of metropolitan significance, all other applications by commissions and local governmental units for grants, loans, or loan guarantees from the United States of America or any agency thereof if review by a regional agency is required by federal law or the federal agency, and all applications of the commissions for grants, loans, or allocations from funds made available by the United States of America to the metropolitan area for regional facilities pursuant to a federal revenue sharing or similar program requiring that the funds be received and granted or allocated or that the grants and allocations be approved by a regional agency.

(c) All applications or requests of a metropolitan commission, independent commission, board or agency, and local governmental units for state funds allocated or granted for proposed matters of metropolitan significance, and all other applications by metropolitan commissions, independent commissions, boards, agencies, and local governmental units for state funds if review

by a regional agency is required by state law or the granting state agency.

Subd. 4. [COUNCIL REVIEW; COMPREHENSIVE PLANS, LAND USE 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. No local government action shall be taken to place any such plan or part thereof into effect until 90 days have elapsed after its submission to the council. 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 plans, the date of submission, and the identity of the submitting unit. Political subdivisions contiguous to 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 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.

Sec. 13. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.062] [DEVELOPMENT PROGRAMS OF COMMISSIONS.] Subdivision 1. [PREPARATION OF DEVELOPMENT PROGRAMS.] Each metropolitan commission shall prepare a development program covering the detailed technical planning, engineering, financing, scheduling and other information necessary to the development of the program elements to be performed by the commission in implementing the policy plan adopted by the council pursuant to section 10 of this article. The program may include such other technical information as the commission deems necessary. The program shall prescribe and delineate the functions to be performed and activities to be undertaken by the commission and shall cover at least the five year period commencing with the first calendar year beginning after

its approval or such longer period as the council may prescribe. The program shall describe all capital improvements to be undertaken in such period and with respect to each improvement shall include the following:

(a) A description of the improvement, its location, function and estimated cost;

(b) The proposed manner of financing the capital costs of the improvement, and the sources of revenue available for payment of such costs;

(c) A schedule showing on a yearly basis the timing of land acquisition, construction and capital expenditures for the improvements;

(d) A review and description of the public need for the improvement, alternatives to the improvement, (including alternatives not involving capital expenditures), the environmental and social effects of the improvement and all actions and steps theretofore taken by the commission with respect to the improvement;

(e) An estimate of the probable impact of the improvement on the responsibilities of the other metropolitan commissions;

(f) An estimate of the annual operating costs of the improvement and the sources of revenue available for payment of such costs;

(g) An evaluation of the relative priority of the improvement taking into consideration other capital improvements described in the program;

(h) Each program shall include such additional information as the council or commission may deem appropriate.

Upon a request from any local governmental unit, the commission shall hold a public hearing for the purpose of receiving testimony from local governmental units and the public prior to submission to the council as provided in subdivision 2 of this section.

Subd. 2. [SUBMISSION TO AND APPROVAL BY COUNCIL.] The development program prepared by the commission shall be submitted to the council for review and approval or disapproval. The council shall complete its review within 90 days after receipt of the proposed development program. If the council determines that the program is consistent with the policy plan it shall approve the program as submitted. If it determines that the program is inconsistent with the policy plan, it shall disapprove it and return it to the submitting commission with comments and the commission shall make appropriate revisions in the program and resubmit it to the council for review and ap-

proval or disapproval. Before approving a program or returning it to the submitting commission, the council shall hold a public hearing for the purpose of considering the program and the council's comments thereon, if requested to do so by the affected commission. The council may approve or disapprove a development program in whole or in part. Within two years of the approval of its first development program by the council and at least biennially thereafter each commission shall review the program, make such revisions as are necessary, including an updating of the five year capital improvement program, and submit the program to the council for its review and approval or disapproval as herein provided.

Subd. 3. [EFFECT OF DEVELOPMENT PROGRAM.] After approval by the council of a development program the commission shall implement the program. No capital improvements shall be undertaken by the commission unless authorized by the program or specifically approved by the council. The council shall not approve any improvement not in substantial conformance with the appropriate policy plan.

Sec. 14. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.063] [METROPOLITAN COMMISSION BUDGET PREPARATION; REVIEW AND APPROVAL.] Subdivision 1. Each metropolitan commission shall prepare a proposed budget for calendar year 1976 and each calendar year thereafter. The proposed budget shall be prepared on or before August 1, 1975 and each year thereafter. The budget shall show for each such year:

(a) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service; and

(b) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; all in such detail and form as the council may prescribe. Between August 1 and September 1 of each year, the commission shall hold a public hearing on the proposed budget. Not less than 14 days before the hearing, the commission shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed budget may be examined by any interested person. Those parts of the budget relating to revenues and expenditures for capital improvements shall be submitted to the council on or before August 1 of each year and shall be subject to approval by the council. The council shall act to approve or disapprove by October 1 of each year. Before December 15 of each year the com-

mission, after obtaining approval of the council for any changes in the capital improvements budget, shall by resolution adopt a final budget. Each commission shall file its final budget with the council on or before December 20 of each year. Except in an emergency, for which procedures shall be established by the commission, the commission and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation by the commission or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it whether or not specifically included in any annual budget. The commission may, after obtaining approval of the council, amend the capital improvements budget at any time by transferring any appropriation from one purpose to another, except appropriations of the proceeds of bonds issued for a specific purpose. The council shall file the budgets of all commissions with the secretary of the senate and the clerk of the house of representatives not later than January 15 of each year.

Subd. 2. [PROGRAM BUDGETING.] The council may in consultation with the commissions adopt regulations providing for program budgeting, as defined in section 16.141, subdivision 1, by each of the commissions. Upon adoption of such regulations, each commission shall submit program budgets to the council in the form established by the regulations, subject to the provisions of subdivision 1 of this section. Within three years after the effective date of this article, the council and all commissions shall adopt budgets in program budget form.

Subd. 3. [REVIEW OF USER CHARGES.] Thirty days prior to the establishment of or change in any user charges or fees or schedule of user charges or fees the commission shall forthwith submit proposed charges or fees or schedule to the council. The council shall review and comment upon the charges, fees, or schedule with particular reference to (1) their consistency with the development guide and policy plan, and (2) their fiscal impact on the metropolitan area, especially their impact on future debt service requirements, the financing of future capital improvements, and on the various local governmental units and classes of users. Upon a request from any local governmental unit, the council shall hold a public hearing for the purpose of receiving testimony from local governmental units and the public prior to commenting upon the establishment or change in any user charges, fees, or schedules. On or before January 15 of each year, the council shall transmit the charges, user fees or schedules of all commissions and its comments thereon to the secretary of the senate and chief clerk of the house of representatives.

Sec. 15. [REPEALER.] Minnesota Statutes 1971, Section 473B.06, Subdivisions 7 and 8, are repealed.

ARTICLE II

METROPOLITAN WASTE CONTROL COMMISSION

Section 1. Minnesota Statutes 1971, Section 473D.02, Subdivision 9, is amended to read:

Subd. 9. "Solid waste" means garbage, refuse and other discarded solid materials, including solid waste materials *and waste sludges* resulting from industrial, commercial and agricultural operations, and from community activities, but does not include earthen fill, boulders, broken rock (AND OTHER MATERIALS NORMALLY HANDLED IN CONSTRUCTION OPERATIONS), solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

Sec. 2. Minnesota Statutes 1971, Section 473C.03, Subdivision 1, is amended to read:

473C.03 [METROPOLITAN WASTE CONTROL COMMISSION.] Subdivision 1. [ESTABLISHMENT; APPOINTMENTS.] A metropolitan (SEWER SERVICE BOARD) *waste control commission* is established (AS AN AGENCY OF THE COUNCIL COMPRISED OF NOT FEWER THAN SEVEN MEMBERS WHO SHALL BE APPOINTED BY THE METROPOLITAN COUNCIL AS HEREINAFTER PROVIDED. THE COUNCIL SHALL COMBINE THE COUNCIL DISTRICTS INTO PRECINCTS, EACH COMPRISED OF AT LEAST TWO CONTIGUOUS COUNCIL DISTRICTS, AND SHALL THEN APPOINT ONE BOARD MEMBER FOR EACH PRECINCT. IF THE BOUNDARIES OF THE COUNCIL DISTRICTS ARE AT ANY TIME RELOCATED, THE BOUNDARIES OF THE PRECINCTS SHALL ALSO BE RELOCATED. NOT MORE THAN HALF OF THE BOARD MEMBERS MAY BE APPOINTED FROM AMONG THE RESIDENTS OF ANY ONE SEWER SERVICE AREA ESTABLISHED PURSUANT TO SECTION 473C.08) *and shall be organized, structured and administered as provided in chapter 473B, sections 1 to 14 of article I.*

Sec. 3. Minnesota Statutes 1971, Section 473C.06, Subdivision 3, is amended to read:

Subd. 3. [MUNICIPAL PLANS AND PROGRAMS.] As soon as practicable after the adoption of the first (COMPREHENSIVE) *policy* plan by the council as provided in (SUBDI-

VISION 1) *article I, section 10*, and before undertaking the construction of any extensions or additions to its disposal system or the substantial alteration or improvement of its existing disposal system, each local government unit shall adopt a similar (COMPREHENSIVE) *policy* plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted forthwith to the (SEWER SERVICE BOARD) *waste control commission* for review and shall be subject to the approval of the (BOARD) *commission* as to those features affecting the (BOARD'S) *commission's* responsibilities as determined by the (BOARD) *commission*. Any such features disapproved by the (BOARD) *commission* shall be modified in accordance with the (BOARD'S) *commission's* recommendations. No construction of new sewers or other disposal facilities, and no substantial alteration or improvement of any existing sewers or other disposal facilities involving such features, shall be undertaken by any local government unit unless its governing body shall first find the same to be in accordance with its comprehensive plan and program as approved by the (BOARD) *commission*. *At the time each local government unit makes application to the agency for a permit to alter or improve its disposal system it shall file with the commission a copy of the application together with design data and a location map of the project.*

Sec. 4: Minnesota Statutes 1971, Section 473C.10, is amended to read:

473C.10 [WASTE CONTROL COMMISSION BUDGET.] The (SEWER SERVICE BOARD) *waste control commission* shall prepare (AND) , submit to the council (FOR APPROVAL ON OR BEFORE SEPTEMBER 1 IN 1969 AND EACH YEAR THEREAFTER, A BUDGET SHOWING, FOR THE FOLLOWING CALENDAR YEAR OR OTHER FISCAL YEAR DETERMINED BY THE COUNCIL, ESTIMATED RECEIPTS OF MONEY FROM ALL SOURCES INCLUDING BUT NOT LIMITED TO PAYMENTS BY EACH LOCAL GOVERNMENT UNIT, FEDERAL OR STATE GRANTS, TAXES ON PROPERTY, AND FUNDS ON HAND AT THE BEGINNING OF THE YEAR, AND ESTIMATED EXPENDITURES FOR COSTS OF (A) OPERATION, ADMINISTRATION, AND MAINTENANCE OF THE METROPOLITAN DISPOSAL SYSTEM, INCLUDING CREDITS TO EACH LOCAL GOVERNMENT UNIT UNDER SECTION 473C.05, SUBDIVISION 4, AND DEFERMENTS UNDER SECTION 473C.08, SUBDIVISION 7, (B) ACQUISITION AND BETTERMENT OF TREATMENT WORKS AND INTERCEPTORS, AND (C) DEBT SERVICE, INCLUDING PRINCIPAL AND INTEREST ON GENERAL OBLIGATION BONDS AND CERTIFICATES ISSUED PURSUANT TO SECTION 473C.12, OBLIGATIONS ASSUMED UNDER SECTION 473C.05, SUBDIVISIONS 2 AND 3, AND ANY MONEY JUDGMENT ENTERED BY A

COURT OF COMPETENT JURISDICTION. APPROPRIATIONS FOR PURPOSES WITHIN THESE GENERAL CATEGORIES SHALL BE ITEMIZED IN SUCH DETAIL AS THE COUNCIL SHALL PRESCRIBE. THE BOARD AND ITS OFFICERS, AGENTS AND EMPLOYEES SHALL NOT SPEND MONEY FOR ANY PURPOSE, OTHER THAN DEBT SERVICE, WITHOUT AN APPROPRIATION OR IN EXCESS OF THE AMOUNT APPROPRIATED THEREFOR, AND NO OBLIGATION TO MAKE SUCH AN EXPENDITURE SHALL BE ENFORCEABLE EXCEPT AS THE OBLIGATION OF THE PERSON OR PERSONS INCURRING IT. THE CREATION OF ANY DEBT OBLIGATION OR THE RECEIPT OF ANY FEDERAL OR STATE GRANT IS A SUFFICIENT APPROPRIATION OF THE PROCEEDS FOR THE PURPOSE FOR WHICH IT IS AUTHORIZED, AND OF THE TAX OR OTHER REVENUES PLEDGED TO PAY THE OBLIGATION AND INTEREST ON IT, WHETHER OR NOT SPECIFICALLY INCLUDED IN ANY ANNUAL BUDGET. THE COUNCIL MAY, AT THE BOARD'S REQUEST, AMEND THE BUDGET AT ANY TIME BY TRANSFERRING FROM ONE PURPOSE TO ANOTHER ANY APPROPRIATION EXCEPT APPROPRIATIONS OF BOND PROCEEDS AND OF MONEY FOR DEBT SERVICE) and adopt a budget at the time and in the manner provided in and otherwise comply with article I, section 14.

Sec. 5. Minnesota Statutes 1971, Section 473C.16, Subdivision 3, is amended to read:

Subd. 3. The (BOARD) *commission* shall prepare and submit to the council for (APPROVAL) *review and comment*, plans and specifications for the acquisition or betterment of interceptors or treatment works authorized by the council's (COMPREHENSIVE) *policy plan and the commission's development program*, and after (APPROVAL) *review and comment* by the council, and approval by the agency if required, may advertise for bids for all work and materials called for by such plans and specifications, and award a contract to the lowest responsible bidder.

Sec. 6. Minnesota Statutes 1971, Section 473C.18, is amended to read:

473C.18 [RELATION TO EXISTING LAWS.] The provisions of sections 473C.01 to 473C.17 and article I of this act shall be given full effect notwithstanding the provisions of any law not consistent therewith (, INCLUDING BUT NOT LIMITED TO SECTION 473B.06, SUBDIVISION 6). The powers conferred on the council and the (BOARD) *commission* under sections 473C.01 to 473C.17 shall in no way diminish or supersede the powers conferred on the agency by chapters 115 and 116.

Sec. 7. [REVISOR DUTIES.] In the next edition of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be necessary to reflect the change of name made by this article.

Sec. 8. [REPEALER.] Minnesota Statutes 1971, Sections 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04; 473C.06, Subdivisions 1 and 2, are repealed.

ARTICLE III

THE METROPOLITAN TRANSIT COMMISSION

Section 1. Minnesota Statutes 1971, Section 473A.01, Subdivision 2, is amended to read:

Subd. 2. "Metropolitan transit area" or "transit area" or "area" or "MTA" means the (TWIN CITIES) metropolitan (PUBLIC) transit area hereinafter established.

Sec. 2. Minnesota Statutes 1971, Section 473A.01, Subdivision 3, is amended to read:

Subd. 3. "Metropolitan transit commission" or "transit commission" or "commission" means the (TWIN CITIES AREA) metropolitan transit commission hereinafter created.

Sec. 3. Minnesota Statutes 1971, Section 473A.01, is amended by adding a subdivision to read:

Subd. 12. "Metropolitan council" or "council" means the metropolitan council created by Minnesota Statutes 1971, Section 473B.02.

Sec. 4. Minnesota Statutes 1971, Section 473A.02, is amended to read:

473A.02 [LEGISLATIVE DETERMINATION, POLICY AND PURPOSE.] The legislature finds and determines that nearly half the people of the state live in the metropolitan transit area hereinafter established. The population of that area is growing faster than in any other area of the state, and it is continually visited by large numbers of people from other parts of the state, resulting in a heavy and steadily increasing concentration of resident and transient population and creating serious problems of public transit and public highway traffic in the area. The present public transit systems in the area consist largely of bus lines using the public highways and streets. These systems are inadequate to meet the needs for public transit in the area. A major part of the transportation of people in the area is provided by private motor vehicles. All of the foregoing adds heavily to

the traffic load on the state highways which constitute the main routes of travel to, from, and through the area, aggravating the congestion and danger of accidents thereon, polluting the surrounding air, intensifying the wear and tear on those highways and streets, increasing the cost of maintenance thereof, and the number, size, and cost of new highways that must be constructed in the area. These effects will progressively grow worse as the population of the area increases, imposing serious handicaps on the business, industry, property development, recreation, and other beneficial activities of the residents of the area and visitors thereto, and causing severe and widespread harm to the public health, safety and welfare of the area and the entire state. It is beyond the capacity of the present operators of public transit systems and other existing public and private agencies unassisted to make adequate provision for public transit in the area or for dealing effectively with the aforesaid problems and conditions therein. The legislature therefore declares as the public policy of the state that for the protection and advancement of the public health, safety, and welfare of the metropolitan transit area and the entire state, and in order to provide for adequate public transit within the area, reduce the traffic congestion and hazards on the state and other highways and streets therein, and relieve the other harmful conditions aforesaid, there is urgent need for the establishment of that area as herein defined, for the creation of a metropolitan transit commission therefor with the powers and duties herein prescribed, *for the implementation of a comprehensive transportation policy plan for the area and for the other measures herein provided for.*

Sec. 5. Minnesota Statutes 1971, Section 473A.03, is amended to read:

473A.03 [METROPOLITAN TRANSIT AREA, ESTABLISHMENT.] There is hereby established a (TWIN CITIES) metropolitan (PUBLIC) transit area comprising the counties of Hennepin, Ramsey, Anoka, Washington, Dakota, Scott, and Carver.

Sec. 6. Minnesota Statutes 1971, Section 473A.04, Subdivision 1, is amended to read:

473A.04 [METROPOLITAN TRANSIT COMMISSION.] Subdivision 1. [COMMISSION; CREATION AND COMPOSITION.] There is hereby created a (TWIN CITIES AREA) metropolitan transit commission for the *metropolitan area*, composed of nine members, herein called commissioners(, **SELECTED AND SERVING AS HEREINAFTER PROVIDED**) *or members, which commission shall be organized, structured and administered as provided in this chapter and article I of this act.*

Sec. 7. Minnesota Statutes 1971, Section 473A.05, Subdivision 10, is amended to read:

Subd. 10. [COMMISSION BUDGET; APPROVAL THEREOF.] (DURING THE MONTH OF JUNE IN EACH YEAR, THE COMMISSION SHALL AT ITS REGULAR MEETING ESTABLISH A BUDGET CONSISTING OF AN OPERATING EXPENSE BUDGET FOR THE CURRENT FISCAL YEAR, A CAPITAL EXPENSE BUDGET FOR THE CURRENT FISCAL YEAR, AND A CAPITAL IMPROVEMENT PROGRAM FOR THE FIVE FISCAL YEARS PAST THE CURRENT FISCAL YEAR. THE CAPITAL EXPENSE BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM SHALL BE SUBMITTED TO THE METROPOLITAN COUNCIL FOR ITS APPROVAL OR DISAPPROVAL AND COMMENT WHICH SHALL BE GIVEN WITHIN 60 DAYS AFTER SUBMISSION. THE ABSENCE OF SUCH APPROVAL OR COMMENT AS TO THE ITEMS CONTAINED THEREIN SHALL CONSTITUTE APPROVAL OF SUCH ITEMS. IF CIRCUMSTANCES REQUIRE A SIGNIFICANT CHANGE IN THE BUDGET OR PROGRAM, THE COMMISSION SHALL SUBMIT THE MATTER TO THE COUNCIL FOR ITS APPROVAL WITHIN 30 DAYS UPON THE ABOVE TERMS.)

(THE COMMISSION AND THE COUNCIL SHALL COOPERATE IN SUCH MANNER AND PROVIDE SUCH INFORMATION SO AS TO MAKE POSSIBLE MEANINGFUL EVALUATION OF THESE ITEMS AND OF THE COMMENTS THEREON IN IMPLEMENTATION OF THE PURPOSES OF MINNESOTA STATUTES 1967, SECTION 473B.06). *The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 14 of this act.*

Sec. 8. Minnesota Statutes 1971, Chapter 473A, is amended by adding a section to read:

[473A.051] [TRANSPORTATION POLICY PLANS, FEDERAL PROGRAMS.] *Subdivision 1. [TRANSPORTATION POLICY PLAN.] The council shall adopt a transportation policy plan as a part of its comprehensive development guide as in article I, section 10 hereof, which shall include policies, relating to all transportation forms. The plan shall be designed to promote the legislative determinations, policies and purposes set forth in section 4 of this article to the end of providing the area an integrated and efficient transportation system. In addition to the requirements of article I, section 10 of this act regarding the use of the expertise of the commission, the state highway department and affected counties and municipalities may provide such technical assistance as may be requested by the council.*

Subd. 2. The metropolitan council shall be the designated planning agency for any long-range comprehensive transportation planning required by Section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and

such other federal transportation laws as may hereinafter be enacted. The council shall assure administration and coordination of transportation planning with appropriate state, regional and other agencies, counties, and municipalities, and together with the commission shall establish such an advisory body consisting of citizen representatives, commission, municipality, county and appropriate state agency representatives in fulfillment of the planning responsibilities of the council and the commission.

Subd. 3. [FEDERAL AID.] For the purposes of this subdivision the term "governmental subdivision" includes municipalities, counties and other political subdivisions generally. If federal aid for transportation programs and projects is otherwise unavailable to an existing agency or governmental subdivision, the metropolitan council may cooperate with the government of the United States and any agency or department thereof and the affected agency or other governmental subdivision in establishing metropolitan area eligibility to receive federal aid and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such projects as are proposed for federal assistance. If necessary to meet federal requirements, the council and the commission may be considered a single eligible unit to carry out their respective responsibilities. The metropolitan council may accept federal aid and other aid, either public or private, for and in behalf of the metropolitan area or any governmental subdivision of the state, for transportation programs and projects within the metropolitan area upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as agent of any governmental subdivision of the state with jurisdiction in the metropolitan area upon request of such subdivision in accepting the aid in its behalf for such programs or projects financed either in whole or in part by federal aid. The governing body of any such subdivision is authorized to designate the metropolitan council as its agent for such purposes and to enter into an agreement with the council prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations. The metropolitan council is authorized to designate an appropriate state agency as its agent for such purposes and to enter into an agreement with such agency prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations.

Nothing contained herein shall limit any separate authority of agencies or governmental subdivisions of the state to contract for and receive federal aid.

Sec. 9. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subd. 1a. [DEVELOPMENT PROGRAM.] The commission shall prepare and submit in the manner provided in and satisfying the requirements of article I, section 13 of this act, a transportation development program, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state highway department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

Such program shall provide for coordination of routes and operations of all publicly and privately owned transportation facilities within the area to the end that combined efficient and rapid transportation may be provided for the use of the public in the entire area. The commission may designate a segment of the system planned as a pilot or demonstration transportation project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The transportation development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The transportation development program shall also contain a description of the type of right of way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria. The program may include such other information as the council or the commission deems necessary.

Sec. 10. Minnesota Statutes 1971, Section 473A.05, is amended by adding a subdivision to read:

Subd. 11. [APPROVAL OF HIGHWAY PROJECTS.] Before acquiring land for or constructing a controlled access highway in the area, hereinafter a project, the state highway department or local government unit proposing such acquisition or construction shall submit to the council a statement describing the proposed project. The statement shall be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the commission, which shall review and evaluate the project in relationship to the development program and report its recommendations and comments to the council. The council shall also review the statement to ascertain its consistency with its policy plan and the development guide. No such project may be undertaken unless the council determines that it is consistent with the policy plan and development program. This approval shall be in addition to the requirements of any other statute, ordinance or regulation.

Sec. 11. Minnesota Statutes 1971, Section 473A.16, is amended to read:

473A.16 [ACT EXCLUSIVE.] The exercise by the commission of the powers provided in sections 473A.01 to 473A.18 shall not be subject to regulation by or the jurisdiction or control of any other public body or agency, either state, county, or municipal, except as specifically provided in sections 473A.01 to 473A.18, (AND FURTHER EXCEPT THAT IN THE EVENT A PUBLIC BODY OR AGENCY SHALL BE CREATED TO EXERCISE THE POWERS OF THE COMMISSION AS PROVIDED IN SECTIONS 473A.01 TO 473A.18, SUCH POWERS SHALL BE EXERCISED BY SUCH OTHER PUBLIC BODY OR AGENCY) *and article I of this act.*

Sec. 12. Minnesota Statutes 1971, Section 473A.18, is amended to read:

473A.18 [CITATION.] Sections 473A.01 to 473A.18 may be cited as the (TWIN CITIES AREA METROPOLITAN TRANSIT COMMISSION ACT OF 1967) *metropolitan transit commission act of 1974.*

Sec. 13. [REPEALER.] Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; and 473A.065 are repealed.

ARTICLE IV

Section 1. [METROPOLITAN REORGANIZATION ACT OF 1974; CITATION.] This act shall be known and may be cited as the Metropolitan Reorganization Act of 1974.

Sec. 2. [EFFECTIVE DATE.] Except for article I, sections 10, 11 and 12 which are effective on the day following final enactment, this act is effective January 1, 1975."

Further, amend by striking the title and inserting in lieu thereof:

"A bill for an act relating to metropolitan government; prescribing powers and duties for the metropolitan council; establishing the metropolitan waste control commission and prescribing powers and duties; prescribing powers and duties of the metropolitan transit commission; amending Minnesota Statutes 1971, Chapters 473A, by adding a section and 473B, by adding sections; Section 473A.01, Subdivisions 2 and 3 and by adding a subdivision; 473A.02; 473A.03; 473A.04, Subdivision 1; 473A.05, Subdivision 10 and by adding a subdivision; 473A.06, by adding a subdivision; 473A.16; 473A.18; 473B.01, Subdivision 3; 473B.02, Subdivisions 1, 2, 4, and 5; 473B.04; 473B.06, by adding subdivisions; 473C.03, Subdivision 1; 473C.06, Subdivi-

sion 3; 473C.10; 473C.16, Subdivision 3; 473C.18; and 473D.02, Subdivision 9; repealing Minnesota Statutes 1971, Section 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; 473A.065; 473B.06, Subdivisions 7 and 8; 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04 and 473C.06, Subdivisions 1 and 2."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: TOM BERG, ROBERT C. BELL, RICHARD J. MENKE, FRED C. NORTON, and JOHN J. SALCHERT.

Senate Conferees: ROBERT NORTH, JOHN C. CHENOWETH, HUBERT H. HUMPHREY, III, WILLIAM G. KIRCHNER, and HARMON T. OGDahl.

Berg moved that the report of the Conference Committee on H. F. No. 636 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 636, A bill for an act relating to establishing a metropolitan transportation commission; assumption by commission of Twin City area metropolitan transit commission powers; granting authority to commission to approve highway designs and locations; establishing budget procedure; amending Minnesota Statutes 1971, Chapter 473A, by adding sections; and Sections 473A.01, Subdivisions 2 and 3, and by adding a subdivision; 473A.02; 473A.03; 473A.04, by adding subdivisions; 473A.05, Subdivision 10, and by adding a subdivision; 473A.16; 473A.18; repealing Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14; 473A.06, Subdivision 1; and 473A.065.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 102, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Eckstein	Hook	Knoll
Andersen, R.	Carlson, B.	Eken	Jacobs	Kostohryz
Anderson, G.	Carlson, L.	Enebo	Jaros	LaVoy
Anderson, I.	Casslerly	Farcy	Johnson, C.	Lemke
Belisle	Cleary	Ferderer	Johnson, D.	Lombardi
Bell	Clifford	Forsythe	Johnson, J.	McArthur
Bennett	Connors	Fudro	Johnson, R.	McCarron
Berg	Culhane	Fugina	Jude	McFarlin
Berglin	Cummiskey	Graba	Kahn	McMillan
Biersdorf	Dahl	Growe	Kelly	Menke
Braun	Dieterich	Hanson	Klaus	Miller, D.
Brinkman	Dirlam	Haugerud	Knickerbocker	Miller, M.

Moe	Pehler	Salchert	Smith	Weaver
Mueller	Peterson	Samuelson	Spanish	Wenzel
Munger	Pleasant	Sarna	Stanton	Wigley
Nelson	Prahl	Schreiber	Swanson	Wohlwend
Newcome	Quirin	Schulz	Tomlinson	Wolcott
Norton	Resner	Searle	Ulland	Mr. Speaker
Ojala	Rice	Sherwood	Vanasek	
Patton	Ryan	Sieben, H.	Vento	
Pavlak, R.	St. Onge	Sieben, M.	Voss	

Those who voted in the negative were:

Anderson, D.	Erickson	Jopp	Long	Savelkoul
Becklin	Fjoslien	Kempe	Myrah	Skaar
Carlson, D.	Graw	Kvam	Niehaus	Stangeland
DeGroat	Hagedorn	Laidig	Ohnstad	
Erdahl	Heinitz	Lindstrom, J.	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3580:

Norton; Haugerud; Voss; Anderson, D.; and Andersen, R.

SPECIAL ORDERS

S. F. No. 3338 was reported to the House.

Ojala moved to amend S. F. No. 3338 as follows:

Page 1, line 12, after "stock" and before "is" insert "in such banks or bank holding companies".

The motion prevailed and the amendment was adopted.

S. F. No. 3338, A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berg	Esau	Kempe	Myrah	Schreiber
Berglin	Faricy	Klaus	Nelson	Schulz
Biersdorf	Ferderer	Knickerbocker	Newcome	Searle
Braun	Fjoslien	Knoll	Niehaus	Sherwood
Brinkman	Fudro	Kostohryz	Norton	Sieben, H.
Carlson, A.	Fugina	Kvam	Ohnstad	Sieben, M.
Carlson, B.	Graba	Laidig	Ojala	Skaar
Carlson, D.	Graw	Larson	Parish	Smith
Carlson, L.	Growe	LaVoy	Patton	Spanish
Casserly	Hagedorn	Lemke	Paviak, R.	Stangeland
Cleary	Hanson	Lindstrom, J.	Pehler	Stanton
Clifford	Haugerud	Lombardi	Peterson	Swanson
Connors	Heinitz	Long	Pieper	Tomlinson
Culhane	Hook	Mann	Pleasant	Ulland
Cummiskey	Jacobs	McArthur	Prahl	Vanasek
Dahl	Jaros	McCarron	Quirin	Vento
DeGroat	Johnson, C.	McEachern	Resner	Voss
Dieterich	Johnson, D.	McFarlin	Rice	Weaver
Dirlam	Johnson, J.	McMillan	Ryan	Wenzel
Eckstein	Johnson, R.	Menke	St. Onge	Wigley
Eken	Jopp	Miller, D.	Salchert	Wohlwend
Enebo	Jude	Miller, M.	Samuelson	Wolcott
Erdahl	Kahn	Mueller	Sarna	Mr. Speaker
Erickson	Kelly	Munger	Savelkoul	

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

S. F.No. 3272, A bill for an act relating to the legislature; authorizing group hospital and medical benefits coverage for retired members; amending Minnesota Statutes 1971, Section 43.491, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jacobs	McEachern	Prahl
Adams, S.	DeGroat	Jaros	McFarlin	Quirin
Andersen, R.	Dieterich	Johnson, C.	McMillan	Resner
Anderson, D.	Dirlam	Johnson, D.	Menke	Rice
Anderson, G.	Eckstein	Johnson, R.	Miller, D.	Ryan
Anderson, I.	Eken	Jopp	Miller, M.	St. Onge
Bell	Enebo	Jude	Mueller	Salchert
Bennett	Erdahl	Kahn	Munger	Samuelson
Berg	Erickson	Kelly	Myrah	Sarna
Berglin	Esau	Kempe	Nelson	Savelkoul
Biersdorf	Faricy	Klaus	Newcome	Schreiber
Braun	Ferderer	Knickerbocker	Niehaus	Schulz
Brinkman	Fjoslien	Knoll	Norton	Searle
Carlson, A.	Fudro	Kostohryz	Ohnstad	Sherwood
Carlson, B.	Fugina	Kvam	Ojala	Sieben, H.
Carlson, D.	Graba	Laidig	Parish	Sieben, M.
Carlson, L.	Graw	Larson	Patton	Skaar
Casserly	Growe	LaVoy	Paviak, R.	Smith
Cleary	Hagedorn	Lindstrom, J.	Paviak, R. L.	Spanish
Clifford	Hanson	Long	Pehler	Stangeland
Connors	Haugerud	Mann	Peterson	Stanton
Culhane	Heinitz	McArthur	Pieper	Swanson
Cummiskey	Hook	McCarron	Pleasant	Tomlinson

Ulland	Vento	Weaver	Wohlwend	Mr. Speaker
Vanasek	Voss	Wenzel	Wolcott	

Those who voted in the negative were:

Belisle Johnson, J.

The bill was passed and its title agreed to.

S. F. No. 2690 was reported to the House.

Ojala moved to amend S. F. No. 2690, the typewritten committee report, as follows:

After clause "(i)" insert:

"(j) Statutes which relate to the writ of habeas corpus, including but not limited to Minnesota Statutes, Sections 589.01 through 589.30 and 484.03."

The motion prevailed and the amendment was adopted.

Ojala moved that S. F. No. 2690, as amended, be re-referred to the Committee on Judiciary. The motion did not prevail.

S. F. No. 2690, A bill for an act relating to the supreme court; authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Growe	Kvam	Munger
Adams, S.	Clifford	Hagedorn	Laidig	Nelson
Andersen, R.	Connors	Hanson	Larson	Newcome
Anderson, D.	Culhane	Haugerud	LaVoy	Niehaus
Anderson, G.	Cummiskey	Heinitz	Lemke	Norton
Becklin	Dahl	Hook	Lindstrom, J.	Ohnstad
Belisle	DeGroat	Jacobs	Lombardi	Parish
Bell	Dirlam	Johnson, C.	Long	Patton
Bennett	Eken	Johnson, D.	Mann	Pavлак, R.
Berg	Enebo	Johnson, J.	McArthur	Pavлак, R. L.
Berglin	Erickson	Jopp	McCarron	Peterson
Biersdorf	Esau	Jude	McFarlin	Pieper
Brinkman	Faricy	Kahn	McMillan	Pleasant
Carlson, A.	Ferderer	Kelly	Menke	Quirin
Carlson, B.	Fjoslien	Kempe	Miller, D.	Resner
Carlson, D.	Fudro	Klaus	Miller, M.	Rice
Carlson, L.	Graba	Knickerbocker	Moe	Ryan
Casserly	Graw	Knoll	Mueller	St. Onge

Samuelson	Searle	Smith	Tomlinson	Weaver
Sarna	Sherwood	Spanish	Ulland	Wenzel
Savelkoul	Sieben, H.	Stangeland	Vanasek	Wohlwend
Schreiber	Sieben, M.	Stanton	Vento	Wolcott
Schulz	Skaar	Swanson	Voss	Mr. Speaker

Those who voted in the negative were:

Dieterich	Fugina	Kostohryz	Ojala	Prahl
Eckstein	Jaros	McCauley	Pehler	Salchert

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

S. F. No. 1888 was reported to the House.

Newcome moved to amend S. F. No. 1888 as follows:

After line 9, add a new section to read "Sec. 2. The court may order the adopting parents to pay the costs of services rendered by guardians or attorneys appointed pursuant to section 1, provided that such parents shall be given a reasonable opportunity to be heard."

The motion prevailed and the amendment was adopted.

S. F. No. 1888, A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Haugerud	Lindstrom, J.	Parish
Adams, S.	Cummiskey	Heinitz	Lombardi	Patton
Andersen, R.	Dahl	Hook	Long	Pavlak, R.
Anderson, D.	DeGroat	Jacobs	Mann	Pavlak, R. L.
Anderson, G.	Dieterich	Jaros	McArthur	Pehler
Anderson, I.	Dirlam	Johnson, C.	McCarron	Peterson
Becklin	Eckstein	Johnson, D.	McCauley	Pieper
Belisle	Eken	Johnson, J.	McEachern	Pleasant
Bell	Enebo	Johnson, R.	McFarlin	Prahl
Bennett	Erdahl	Jopp	McMillan	Quirin
Berg	Erickson	Jude	Menke	Resner
Berglin	Esau	Kahn	Miller, D.	Rice
Biersdorf	Farcy	Kelly	Miller, M.	Ryan
Braun	Ferderer	Kempe	Moe	St. Onge
Brinkman	Fjoslien	Klaus	Mueller	Salchert
Carlson, A.	Forsythe	Knickerbocker	Munger	Samuelson
Carlson, B.	Fudro	Knoll	Myrah	Sarna
Carlson, D.	Fugina	Kostohryz	Nelson	Savelkoul
Carlson, L.	Graba	Kvam	Newcome	Schreiber
Casserly	Graw	Laidig	Niehaus	Schulz
Cleary	Growe	Larson	Norton	Searle
Clifford	Hagedorn	LaVoy	Ohnstad	Sherwood
Connors	Hanson	Lemke	Ojala	Sieben, H.

Sieben, M.	Stangeland	Ulland	Weaver	Wolcott
Skaar	Stanton	Vanasek	Wenzel	Mr. Speaker
Smith	Swanson	Vento	Wigley	
Spanish	Tomlinson	Voss	Wohlwend	

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

S. F. No. 2110, A bill for an act relating to metropolitan government; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; providing for adoption of ordinances therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Knickerbocker	Norton	Sherwood
Adams, S.	Faricy	Knoll	Ohnstad	Sieben, H.
Andersen, R.	Ferderer	Kostohryz	Ojala	Skaar
Anderson, G.	Fjoslien	Laidig	Parish	Spanish
Anderson, I.	Fudro	Larson	Patton	Stangeland
Becklin	Fugina	LaVoy	Pavlak, R.	Stanton
Bell	Graba	Lemke	Pavlak, R. L.	Swanson
Bennett	Grove	Lombardi	Pehler	Tomlinson
Berg	Hagedorn	Mann	Peterson	Ulland
Berglin	Hanson	McArthur	Prahl	Vanasek
Biersdorf	Haugerud	McCarron	Quirin	Vento
Braun	Hook	McCauley	Resner	Voss
Carlson, A.	Jacobs	McEachern	Rice	Weaver
Carlson, B.	Jaros	McFarlin	Ryan	Wenzel
Carlson, D.	Johnson, C.	McMillan	St. Onge	Wohlwend
Carlson, L.	Johnson, D.	Menke	Salchert	Wolcott
Casserly	Johnson, J.	Miller, D.	Samuelson	Mr. Speaker
Clifford	Jude	Miller, M.	Sarna	
Connors	Kahn	Moe	Savelkoul	
Dahl	Kelly	Munger	Schreiber	
Dieterich	Kempe	Nelson	Schulz	
Eckstein	Klaus	Niehaus	Searle	

Those who voted in the negative were:

Anderson, D.	Erdahl	Heinitz	Long	Pleasant
Belisle	Erickson	Johnson, R.	Myrah	
DeGroat	Graw	Jopp	Pieper	

The bill was passed and its title agreed to.

S. F. No. 2590 was reported to the House.

McCarron moved to amend S. F. No. 2590 as follows:

Page 1, line 20, strike "that approval of the electors".

Page 1, line 20, after "except" insert "that notwithstanding the provisions of Minnesota Statutes, Chapter 475, the procedure for a vote on this bond issue by the electors shall be as provided in section 3."

Page 1, line 21, strike "on the question is not required."

Page 1, after line 23, insert:

"Sec. 3. Upon approval by the commissioners of Anoka county this act shall be published for two weeks in a legal newspaper having a general circulation in the county. This act shall not take effect if, within 20 days following the second week of publication, there shall be filed with the county auditor of Anoka county a petition or petitions signed by not less than five percent of the qualified voters who voted in the last county general election requesting that a referendum be held to determine the question of the issuance of the bonds by Anoka county in the amount of and for the purposes designated in this act. Each of the signers of any petition shall affix his signature and his permanent address to the petition. The county auditor shall validate the petitions. Any petition or petitions demanding a referendum of this act shall refer to the act by chapter number, title, date of passage and shall state fully the subject matter of this act. If the 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 the requirements set forth in this section, the board of commissioners of Anoka county shall fix a time for the holding of the referendum, which shall be not less than 30 days and not more than 180 days after the petition or petitions are filed and the signatures thereon are found to be genuine and sufficient. The election shall be held at the time and place within the county as the board of county commissioners shall designate.

If the petition or petitions referred to herein are insufficient and do not comply with the requirements as set out in this section, and the board of county commissioners shall so find, then the board by formal resolution shall declare its finding of the insufficiency of the petition or petitions to answer the requirements for the petition or petitions as provided in this section.

If a majority of the voters voting on the question submitted to the voters of Anoka county shall vote in the affirmative, all sections of this act immediately preceding this section shall take effect immediately upon compliance with Minnesota Statutes, Section 645.021.

If a majority of the voters voting on the question submitted to the voters of Anoka county shall vote in the negative, this act shall not take effect."

Page 1, line 24, strike "3" and insert in lieu thereof "4".

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

S. F. No. 2590, A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 105, and nays 21, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Jaros	Menke	Samuelson
Adams, S.	Cummiskey	Johnson, C.	Miller, D.	Sarna
Andersen, R.	Dahl	Johnson, D.	Moe	Savelkoul
Anderson, D.	DeGroat	Johnson, J.	Mueller	Schreiber
Anderson, G.	Dieterich	Jude	Munger	Schulz
Anderson, I.	Dirlam	Kahn	Nelson	Searle
Becklin	Eckstein	Kelly	Norton	Sherwood
Bell	Eken	Kempe	Ojala	Sieben, H.
Bennett	Enebo	Klaus	Parish	Smith
Berg	Faricy	Knickerbocker	Patton	Spanish
Berglin	Ferderer	Knoll	Pavlak, R.	Stangeland
Biersdorf	Fudro	Kostohryz	Pavlak, R. L.	Stanton
Braun	Fugina	Laidig	Pehler	Swanson
Brinkman	Graba	LaVoy	Pieper	Tomlinson
Carlson, A.	Graw	Mann	Pleasant	Ulland
Carlson, B.	Grove	McArthur	Prahl	Vanasek
Carlson, D.	Hanson	McCarron	Quirin	Vento
Carlson, L.	Haugerud	McCauley	Rice	Voss
Casserly	Heinitz	McEachern	Ryan	Wohlwend
Clifford	Hook	McFarlin	St. Onge	Wolcott
Connors	Jacobs	McMillan	Salchert	Mr. Speaker

Those who voted in the negative were:

Belisle	Hagedorn	Lombardi	Ohnstad	Wigley
Erickson	Johnson, R.	Long	Sieben, M.	
Esau	Jopp	Miller, M.	Skaar	
Fjoslien	Kvam	Myrah	Weaver	
Forsythe	Larson	Niehaus	Wenzel	

The bill was passed and its title agreed to.

S. F. No. 3059 was reported to the House.

Pavlak, R., moved to amend S. F. No. 3059, as amended by the House of Representatives when it adopted the report of the Committee on Metropolitan and Urban Affairs, as follows:

Page 3 of the amendment, after section 5, line 2, insert:

"Sec. 6. Subdivision 1. The board of county commissioners of Dakota county shall redistrict commissioner districts to provide seven districts.

Subd. 2. Each district shall be composed of contiguous territory regular and compact in form and as nearly equal in population as practicable. Commissioners from the new districts shall first be elected in 1976. Four of those elected shall be chosen by lot to serve four year terms and three to serve two year terms.

Except to complete unexpired terms, successors shall thereafter be elected for four year terms. The plan establishing the districts shall be filed with the county auditor and the secretary of state. After filing, the plan shall be published with the proceedings of the county board.

The districts shall be reapportioned after the 1980 federal census and each decade thereafter after the federal census.

Subd. 3. This section is effective upon its approval by the governing body of Dakota county and compliance with Minnesota Statutes, Section 645.021."

Further amend the title in line 2 after "of" and before "Hennepin" by inserting "Dakota,".

The motion prevailed and the amendment was adopted.

Faricy moved to amend S. F. No. 3059, as amended by the House of Representatives when it adopted the report of the Committee on Metropolitan and Urban Affairs, as amended, as follows:

Page 2, line 3 of the amendment, Sec. 2, Subdivision 1, after "district" and before "four" strike "number" and insert in lieu thereof "*numbers*". Continuing in the line, after "four" and before "shall" insert "*, five, six and seven*".

Page 2 of the amendment, after Sec. 2, Subdivision 1, insert a new subdivision as follows:

"Subd. 2. [COMMISSIONER DISTRICTS FOUR, FIVE, SIX AND SEVEN.] *Within 30 days after the effective date of this act, in Ramsey County the district court shall appoint a redistricting commission on a bipartisan or nonpartisan basis to establish districts four, five, six and seven. The commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until two years after*

the determination of the district boundaries pursuant to this act. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 60 days after its appointment."

Page 2 of the amendment, renumber Subd. 2 as Subd. 3.

Further in this new Subd. 3, line 3 of the subdivision, after "members" insert a period and strike the language in lines 4, 5 and 6.

Page 2 of the amendment, strike Subd. 3. [ALLEY SYSTEM.] in its entirety.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 68, and nays 49, as follows:

Those who voted in the affirmative were:

Adams, S.	Cleary	Hanson	Myrah	Schulz
Andersen, R.	Clifford	Heinitz	Nelson	Sherwood
Anderson, I.	Connors	Johnson, C.	Niehaus	Sieben, M.
Becklin	Culhane	Kempe	Norton	Smith
Bell	Cummiskey	Klaus	Ohnstad	Stangeland
Bennett	Eken	Knickerbocker	Ojala	Stanton
Berglin	Faricy	Kostohryz	Parish	Ulland
Biersdorf	Ferderer	Laidig	Patton	Vanasek
Braun	Fjoslien	LaVoy	Pehler	Voss
Brinkman	Forsythe	Lindstrom, J.	Pleasant	Wenzel
Carlson, A.	Fudro	McArthur	Prahl	Wohlwend
Carlson, D.	Graba	McCarron	Ryan	Wolcott
Carlson, L.	Graw	McCauley	Sarna	
Casserly	Hagedorn	Moe	Schreiber	

Those who voted in the negative were:

Adams, J.	Fugina	Kvam	Munger	Savelkoul
Anderson, D.	Hook	Larson	Newcome	Searle
Belisle	Jaros	Lombardi	Pavlak, R.	Sieben, H.
Carlson, B.	Johnson, D.	Long	Pavlak, R. L.	Skaar
DeGroat	Johnson, J.	Mann	Peterson	Tomlinson
Dieterich	Johnson, R.	McFarlin	Pieper	Vento
Dirlam	Jopp	McMillan	Quirin	Weaver
Enebo	Jude	Miller, D.	Resner	Wigley
Erickson	Kahn	Miller, M.	Rice	Mr. Speaker
Esau	Knoll	Mueller	Salchert	

The motion prevailed and the amendment was adopted.

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871,

Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 123, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Savelkoul
Andersen, R.	Eken	Kahn	Mueller	Schreiber
Anderson, D.	Enebo	Kelly	Munger	Schulz
Anderson, G.	Erdahl	Kempe	Nelson	Searle
Anderson, I.	Erickson	Klaus	Newcome	Sherwood
Becklin	Esau	Knickerbocker	Niehaus	Sieben, H.
Belisle	Faricy	Knoll	Norton	Sieben, M.
Bell	Ferderer	Kostohryz	Ohnstad	Skaar
Bennett	Fjoslien	Kvam	Ojala	Smith
Berglin	Forsythe	Laidig	Parish	Stangeland
Biersdorf	Fudro	LaVoy	Patton	Stanton
Braun	Fugina	Lemke	Pavlak, R.	Swanson
Brinkman	Graba	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, A.	Grove	Lombardi	Pehler	Ulland
Carlson, B.	Hagedorn	Long	Peterson	Vanasek
Carlson, D.	Hanson	Mann	Pieper	Vento
Carlson, L.	Haugerud	McArthur	Prahl	Voss
Casserly	Hook	McCarron	Quirin	Weaver
Cleary	Jacobs	McCauley	Resner	Wenzel
Connors	Jaros	McEachern	Rice	Wigley
Cummiskey	Johnson, C.	McFarlin	Ryan	Wohlwend
Dahl	Johnson, D.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, J.	Menke	Salchert	Mr. Speaker
Dieterich	Johnson, R.	Miller, D.	Samuelson	
Dirlam	Jopp	Miller, M.	Sarna	

Those who voted in the negative were:

Adams, S.	Graw	Larson	Myrah	Pleasant
Clifford	Heinitz			

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

Hagedorn was excused for the remainder of today's session.

S. F. No. 1713, A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 107, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, M.	Schreiber
Andersen, R.	Eken	Jude	Munger	Schulz
Anderson, D.	Enebo	Kahn	Myrah	Searle
Anderson, G.	Esau	Kelly	Nelson	Sherwood
Anderson, I.	Faricy	Klaus	Newcome	Sieben, H.
Becklin	Ferderer	Knickerbocker	Norton	Sieben, M.
Belisle	Fjoslien	Knoll	Ohnstad	Skaar
Bell	Forsythe	Kostohryz	Ojala	Smith
Bennett	Fudro	Laidig	Parish	Stanton
Berg	Fugina	Larson	Pavlak, R.	Swanson
Biersdorf	Graba	LaVoy	Pavlak, R. L.	Tomlinson
Braun	Grove	Lemke	Peterson	Ulland
Carlson, A.	Hanson	Lindstrom, J.	Pieper	Vanasek
Carlson, D.	Haugerud	Lombardi	Prahl	Vento
Carlson, L.	Heinitz	Mann	Quirin	Wenzel
Casserly	Hook	McArthur	Resner	Wigley
Cleary	Jacobs	McCarron	Rice	Wohlwend
Clifford	Jaros	McCauley	Ryan	Wolcott
Connors	Johnson, C.	McFarlin	Salchert	Mr. Speaker
Culhane	Johnson, D.	McMillan	Samuelson	
Cummiskey	Johnson, J.	Menke	Sarna	
Dahl	Johnson, R.	Miller, D.	Savelkoul	

Those who voted in the negative were:

Berglin	DeGroat	Long	Patton	Pehler
Brinkman	Erickson	Niehaus		

The bill was passed and its title agreed to.

S. F. No. 3433, A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	Dirlam	Fjoslien
Adams, S.	Berg	Casserly	Eckstein	Forsythe
Andersen, R.	Berglin	Cleary	Eken	Fudro
Anderson, D.	Biersdorf	Clifford	Enebo	Fugina
Anderson, G.	Braun	Connors	Erdahl	Graba
Anderson, I.	Brinkman	Culhane	Erickson	Graw
Becklin	Carlson, A.	Cummiskey	Esau	Grove
Belisle	Carlson, B.	Dahl	Faricy	Hanson
Bell	Carlson, D.	Dieterich	Ferderer	Haugerud

Heinitz	Kvam	Miller, M.	Pieper	Sieben, M.
Hook	Larson	Moe	Pleasant	Skaar
Jacobs	LaVoy	Munger	Prahl	Smith
Jaros	Lemke	Myrah	Quirin	Stanton
Johnson, C.	Lindstrom, J.	Nelson	Resner	Swanson
Johnson, D.	Lombardi	Newcome	Rice	Tomlinson
Johnson, J.	Long	Niehaus	St. Onge	Ulland
Johnson, R.	Mann	Norton	Salchert	Vanasek
Jopp	McArthur	Ohnstad	Samuelson	Vento
Jude	McCarron	Ojala	Sarna	Voss
Kahn	McCauley	Parish	Savelkoul	Weaver
Kelly	McEachern	Patton	Schreiber	Wenzel
Kempe	McFarlin	Pavlak, R.	Schulz	Wigley
Klaus	McMillan	Pavlak, R. L.	Searle	Wohlwend
Knickerbocker	Menke	Pehler	Sherwood	Wolcott
Kostohryz	Miller, D.	Peterson	Sieben, H.	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2639 was reported to the House.

Hook moved to amend S. F. No. 2639 as follows:

Page 1, line 15, before "employee" strike "public".

Page 1, line 25, before "employee" strike "public".

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

S. F. No. 2639, A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Forsythe	Kelly	McEachern
Adams, S.	Casserly	Fudro	Kempe	McFarlin
Andersen, R.	Cleary	Fugina	Klaus	McMillan
Anderson, D.	Clifford	Graba	Knickerbocker	Menke
Anderson, G.	Connors	Graw	Knoll	Miller, D.
Anderson, I.	Culhane	Growe	Kostohryz	Miller, M.
Becklin	Cummiskey	Hanson	Kvam	Moe
Belisle	Dahl	Haugerud	Laidig	Mueller
Bell	Dieterich	Heinitz	Larson	Munger
Rennett	Dirlam	Hook	LaVoy	Myrah
Berg	Eken	Jacobs	Lemke	Nelson
Berglin	Enebo	Jaros	Lindstrom, J.	Newcome
Biersdorf	Erdahl	Johnson, C.	Lombardi	Niehaus
Braun	Erickson	Johnson, D.	Long	Norton
Brinkman	Esau	Johnson, J.	Mann	Ohnstad
Carlson, A.	Faricy	Johnson, R.	McArthur	Ojala
Carlson, B.	Ferderer	Jude	McCarron	Parish
Carlson, D.	Fjoslien	Kahn	McCauley	Patton

Pavlak, R.	Resner	Schreiber	Stangeland	Weaver
Pavlak, R. L.	Rice	Schulz	Stanton	Wenzel
Pehler	Ryan	Sherwood	Swanson	Wigley
Pieper	St. Onge	Sieben, H.	Tomlinson	Wohlwend
Pleasant	Salchert	Sieben, M.	Ulland	Wolcott
Prahl	Sarna	Skaar	Vanasek	Mr. Speaker
Quirin	Savelkoul	Smith	Voss	

The bill was passed and its title agreed to.

S. F. No. 2640, A bill for an act relating to courts; allowance of costs and disbursements in the supreme court.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, D.	Menke	Salchert
Adams, S.	DeGroat	Johnson, J.	Miller, D.	Samuelson
Andersen, R.	Dieterich	Johnson, R.	Miller, M.	Sarna
Anderson, D.	Dirlam	Jopp	Moe	Savelkoul
Anderson, G.	Eckstein	Jude	Mueller	Schreiber
Anderson, I.	Eken	Kahn	Munger	Schulz
Becklin	Enebo	Kelly	Myrah	Sherwood
Belisle	Erdahl	Kempe	Nelson	Sieben, H.
Bell	Erickson	Klaus	Newcome	Sieben, M.
Bennett	Esau	Knickerbocker	Niehaus	Skaar
Berg	Faricy	Knoll	Norton	Smith
Berglin	Ferderer	Kostohryz	Ohnstad	Stangeland
Biersdorf	Fjoslien	Kvam	Ojala	Stanton
Braun	Forsythe	Laidig	Patton	Swanson
Brinkman	Fugina	Larson	Pavlak, R.	Tomlinson
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Ulland
Carlson, B.	Graw	Lombardi	Pehler	Vanasek
Carlson, D.	Grove	Long	Pieper	Vento
Carlson, L.	Hanson	Mann	Pleasant	Voss
Casserly	Haugerud	McArthur	Prahl	Weaver
Cleary	Heinitz	McCarron	Quirin	Wenzel
Clifford	Hook	McCauley	Resner	Wigley
Connors	Jacobs	McEachern	Rice	Wohlwend
Culhane	Jaros	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, C.	McMillan	St. Onge	Mr. Speaker

The bill was passed and its title agreed to.

S. F. No. 2641 was reported to the House.

Fugina and Carlson, B., moved to amend S. F. No. 2641 as follows:

Page 1, line 14, after "registered" and before "in" insert "in this state or".

Line 16, after "may" and before "operate" insert "*with a permit as provided in this subdivision.*".

Line 19, strike "occasionally".

Line 20, strike "occasionally".

Line 25, strike "Use of a vehicle".

Strike all of lines 26 to 31.

Page 2, strike lines 1 and 2.

Page 2, after line 2, insert: "*The commissioner of highways shall issue a one year permit to any person qualified under this subdivision. The permit fee shall be \$2 per tire and shall be credited to the highway user tax distribution fund.*".

A roll call was requested and properly seconded:

The question was taken on the amendment and the roll being called, there were yeas 26, and nays 98, as follows:

Those who voted in the affirmative were:

Anderson, D.	DeGroat	LaVoy	Prahl	Spanish
Anderson, I.	Eckstein	Mann	Rice	Wenzel
Brinkman	Fugina	Munger	St. Onge	
Carlson, B.	Jaros	Ojala	Salchert	
Carlson, D.	Johnson, D.	Patton	Skaar	
Cummiskey	Larson	Pehler	Smith	

Those who voted in the negative were:

Adams, J.	Dirlam	Johnson, R.	Miller, D.	Schreiber
Adams, S.	Eken	Jude	Miller, M.	Schulz
Andersen, R.	Enebo	Kelly	Moe	Sherwood
Anderson, G.	Erdahl	Kempe	Mueller	Sieben, H.
Becklin	Erickson	Klaus	Myrah	Sieben, M.
Belisle	Esau	Knickerbocker	Nelson	Stangeland
Bell	Faricy	Kostohryz	Newcome	Stanton
Bennett	Ferderer	Kvam	Niehaus	Swanson
Berg	Fjoslien	Laidig	Norton	Tomlinson
Berglin	Forsythe	Lemke	Ohnstad	Ulland
Biersdorf	Fudro	Lindstrom, J.	Parish	Vanasek
Braun	Graba	Lombardi	Pavlak, R.	Vento
Carlson, A.	Graw	Long	Peterson	Voss
Carlson, L.	Growe	McArthur	Pieper	Weaver
Casserly	Hanson	McCarron	Pleasant	Wigley
Cleary	Heinitz	McCauley	Quirin	Wohlwend
Connors	Hook	McEachern	Resner	Wolcott
Culhane	Jacobs	McFarlin	Ryan	Mr. Speaker
Dahl	Johnson, C.	McMillan	Sarna	
Dieterich	Johnson, J.	Menke	Savelkoul	

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

S. F. No. 2641, A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 169.72, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 97, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, D.	Schreiber
Andersen, R.	Dieterich	Jude	Miller, M.	Schulz
Anderson, G.	Dirlam	Kahn	Moe	Sieben, H.
Becklin	Eken	Kelly	Myrah	Sieben, M.
Belisle	Erdahl	Klaus	Newcome	Skaar
Bennett	Erickson	Knickerbocker	Niehaus	Smith
Berg	Esau	Kostohryz	Norton	Stangeland
Biersdorf	Faricy	Kvam	Ohnstad	Stanton
Braun	Ferderer	Laidig	Patton	Tomlinson
Brinkman	Fjoslien	Larson	Pavlak, R.	Ulland
Carlson, A.	Forsythe	Lemke	Pehler	Vanasek
Carlson, B.	Graba	Lindstrom, J.	Peterson	Vento
Carlson, D.	Graw	Lombardi	Pieper	Voss
Casserly	Grove	Long	Pleasant	Wigley
Cleary	Haugerud	Mann	Quirin	Wohlwend
Clifford	Heinitz	McArthur	Resner	Wolcott
Connors	Jacobs	McCarron	Rice	Mr. Speaker
Culhane	Jaros	McCauley	St. Onge	
Cummiskey	Johnson, C.	McMillan	Salchert	
Dahl	Johnson, J.	Menke	Savelkoul	

Those who voted in the negative were:

Anderson, D.	Enebo	Johnson, R.	Nelson	Spanish
Anderson, I.	Fudro	Kempe	Ojala	Swanson
Bell	Fugina	LaVoy	Parish	Weaver
Berglin	Hanson	McEachern	Prahl	Wenzel
Carlson, L.	Hook	McFarlin	Sarna	
Eckstein	Johnson, D.	Munger	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 3088 was reported to the House.

Faricy moved to amend S. F. No. 3088 as follows:

On page 27, line 17, after the word "section" and before the word "of" strike the figure "41" and insert the figure "39".

The motion prevailed and the amendment was adopted.

S. F. No. 3088, A bill for an act relating to courts, Ramsey and Chisago counties; amending Minnesota Statutes, 1973 Supple-

ment, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 484.18, Subdivision 3; 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9 and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, D.	Salchert
Adams, S.	Dieterich	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Dirlam	Jopp	Moe	Sarna
Anderson, D.	Eckstein	Jude	Mueller	Savelkoul
Anderson, G.	Eken	Kahn	Munger	Schreiber
Anderson, I.	Enebo	Kelly	Myrah	Schulz
Becklin	Erdahl	Kempe	Nelson	Sherwood
Belisle	Erickson	Klaus	Newcome	Sieben, H.
Bell	Esau	Knickerbocker	Niehaus	Sieben, M.
Bennett	Faricy	Kostohryz	Norton	Skaar
Berg	Ferderer	Kvam	Ohnstad	Smith
Berglin	Fjoslien	Laidig	Ojala	Spanish
Biersdorf	Forsythe	Larson	Parish	Stangeland
Braun	Fudro	LaVoy	Patton	Stanton
Brinkman	Fugina	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graba	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, B.	Graw	Lombardi	Pehler	Ulland
Carlson, D.	Growe	Long	Peterson	Vanasek
Carlson, L.	Hanson	Mann	Pieper	Vento
Casserly	Haugerud	McArthur	Pleasant	Voss
Cleary	Heinitz	McCarron	Prahl	Weaver
Clifford	Hook	McCauley	Quirin	Wenzel
Connors	Jacobs	McEachern	Resner	Wigley
Culhane	Jaros	McFarlin	Rice	Wohlwend
Cummiskey	Johnson, C.	McMillan	Ryan	Wolcott
Dahl	Johnson, D.	Menke	St. Onge	Mr. Speaker

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

S. F. No. 2885 was reported to the House.

Tomlinson moved to amend S. F. No. 2885, as amended by the House of Representatives when it adopted the report of the Committee on Metropolitan and Urban Affairs, as follows:

Page 2, line 24, strike the new language "without cost to the metropolitan transit commission,".

The motion prevailed and the amendment was adopted.

Quirin moved to amend S. F. No. 2885, as amended, as follows:

Page 2, after line 26, add a new subdivision to read:

"Subd. 9. The commission shall call upon the affected school districts and school bus companies for participation in the study."

The motion prevailed and the amendment was adopted.

S. F. No. 2885, A bill for an act relating to metropolitan transportation; directing the metropolitan transit commission to promote the use of car pools and employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing tax levies.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Moe	Samuelson
Adams, S.	Dieterich	Jude	Mueller	Sarna
Andersen, R.	Dirlam	Kahn	Munger	Savelkoul
Anderson, D.	Eken	Kelly	Myrah	Schreiber
Anderson, G.	Enebo	Kempe	Nelson	Schulz
Anderson, I.	Erdahl	Klaus	Newcome	Searle
Becklin	Erickson	Knickerbocker	Niehaus	Sherwood
Belisle	Esau	Knoll	Norton	Sieben, H.
Bell	Faricy	Kostohryz	Ohnstad	Sieben, M.
Bennett	Fjoslien	Kvam	Ojala	Smith
Berg	Fudro	Laidig	Parish	Spanish
Berglin	Fugina	Larson	Patton	Stangeland
Biersdorf	Graba	LaVoy	Paviak, R.	Stanton
Braun	Graw	Lemke	Pavlak, R. L.	Swanson
Brinkman	Growe	Lindstrom, J.	Pehler	Tomlinson
Carlson, A.	Hanson	Lombardi	Peterson	Ulland
Carlson, D.	Haugerud	Long	Pieper	Vanasek
Carlson, L.	Heinitz	Mann	Pleasant	Vento
Casserly	Hook	McArthur	Prah	Voss
Cleary	Jacobs	McEachern	Quirin	Weaver
Clifford	Jaros	McFarlin	Resner	Wenzel
Connors	Johnson, C.	McMillan	Rice	Wigley
Culhane	Johnson, D.	Menke	Ryan	Wohlwend
Cummiskey	Johnson, J.	Miller, D.	St. Onge	Wolcott
Dahl	Johnson, R.	Miller, M.	Salchert	Mr. Speaker

Those who voted in the negative were:

Eckstein Skaar

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

Newcome was excused for the remainder of today's session.

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 71, and nays 56, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Norton	Sherwood
Andersen, R.	Enebo	Kelly	Ojala	Sieben, H.
Anderson, I.	Farcy	Knoll	Parish	Sieben, M.
Bell	Forsythe	Kostohryz	Patton	Smith
Bennett	Fudro	LaVoy	Pavlak, R.	Swanson
Berg	Fugina	Lombardi	Pehler	Tomlinson
Berglin	Graba	McArthur	Pleasant	Vento
Brinkman	Grove	McCarron	Quirin	Voss
Carlson, A.	Hanson	McEachern	Resner	Wenzel
Carlson, L.	Haugerud	McMillan	Rice	Wolcott
Casserly	Jacobs	Menke	Ryan	Mr. Speaker
Clifford	Jaros	Miller, D.	St. Onge	
Connors	Johnson, C.	Moe	Salchert	
Cummiskey	Johnson, D.	Munger	Sarna	
Dahl	Jude	Nelson	Schreiber	

Those who voted in the negative were:

Anderson, D.	Eckstein	Kempe	Miller, M.	Skaar
Anderson, G.	Eken	Klaus	Mueller	Spanish
Becklin	Erdahl	Kvam	Myrah	Stangeland
Belisle	Erickson	Laidig	Niehaus	Ulland
Biersdorf	Esau	Larson	Ohnstad	Vanasek
Braun	Ferderer	Lemke	Pavlak, R. L.	Weaver
Carlson, B.	Fjoslien	Lindstrom, E.	Peterson	Wigley
Carlson, D.	Heinitz	Lindstrom, J.	Pieper	Wohlwend
Cleary	Hook	Long	Prahl	
Culhane	Johnson, J.	Mann	Savelkoul	
DeGroat	Johnson, R.	McCauley	Schulz	
Dirlam	Jopp	McFarlin	Searle	

The bill was passed and its title agreed to.

S. F. No. 3301 was reported to the House.

Carlson, A. moved to amend S. F. No. 3301 as follows:

Page 1, line 9, strike "rapes" and insert in lieu thereof "sexual attacks".

Page 1, after subdivision 1, insert a new subdivision 2 as follows:

"Subd. 2. As used in this act, a 'sexual attack' means any non-consensual act of rape, sodomy, or indecent liberties."

Renumber subdivision "2" as "3".

Page 1, line 14, strike "rape" and insert in lieu thereof "sexual attack".

Page 1, line 17, strike "rape" and insert in lieu thereof "attack".

Page 1, line 27, strike "rape" and insert in lieu thereof "sexual attack".

Page 1, line 28, strike "." and insert "or is ineligible to receive compensation under any other law of this state or of the United States."

Page 1, Section 2, add a new clause (a) as follows:

"(a) assist and encourage county attorneys to assign prosecuting attorneys trained in sensitivity and understanding of victims of sexual attacks."

Page 2, Section 2, renumber the clauses in order.

Page 2, line 3, strike "rape".

Page 2, line 4, after "victims" insert "of sexual attacks".

Page 2, line 8, strike "rape" and after "victims" insert "of sexual attacks".

Page 2, line 10, strike "rape" and after "victims" insert "of sexual attacks".

Page 2, line 16, strike "rape" and after "victims" insert "of sexual attacks".

Amend the title in line 5 by striking "rape" and after "victims" inserting "of sexual attacks".

The motion prevailed and the amendment was adopted.

S. F. No. 3301, A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Sarna
Adams, S.	Eckstein	Kahn	Moe	Savelkoul
Andersen, R.	Eken	Kelly	Mueller	Schreiber
Anderson, D.	Enebo	Kempe	Munger	Schulz
Anderson, G.	Erdahl	Klaus	Myrah	Searle
Anderson, I.	Erickson	Knickerbocker	Nelson	Sherwood
Becklin	Esau	Knoll	Niehaus	Sieben, H.
Belisle	Faricy	Kostohryz	Norton	Sieben, M.
Bell	Ferderer	Kvam	Ohnstad	Skaar
Bennett	Fjoslien	Laidig	Ojala	Smith
Berglin	Forsythe	Larson	Parish	Spanish
Biersdorf	Fudro	LaVoy	Patton	Stangeland
Braun	Fugina	Lemke	Pavlak, R.	Stanton
Brinkman	Graba	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Tomlinson
Carlson, B.	Grove	Lombardi	Peterson	Ulland
Carlson, D.	Hanson	Long	Pieper	Vanasek
Carlson, L.	Haugerud	Mann	Pleasant	Vento
Casserly	Heinritz	McArthur	Prahl	Voss
Cleary	Hook	McCarron	Quirin	Weaver
Clifford	Jacobs	McCauley	Resner	Wenzel
Connors	Jaros	McEachern	Rice	Wigley
Culhane	Johnson, C.	McFarlin	Ryan	Wohlwend
Cummiskey	Johnson, D.	McMillan	St. Onge	Wolcott
Dahl	Johnson, J.	Menke	Salchert	Mr. Speaker
DeGroat	Johnson, R.	Miller, D.	Samuelson	

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

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2813, A bill for an act relating to student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

H. F. No. 3089, A bill for an act relating to the city of Detroit Lakes; authorizing the issuance of an on-sale liquor license.

H. F. No. 3248, A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned :

H. F. No. 2704, A bill for an act relating to the department of natural resources; appropriating money for the improvement of a certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House Files, herewith returned :

H. F. No. 1692, A bill for an act relating to labor and industry; boiler and pressure vessel fees to be paid to the state of Minnesota; amending Minnesota Statutes 1971, Sections 183.545, Subdivisions 3 and 4; and 183.57, Subdivision 2.

H. F. No. 2324, A bill for an act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, Subdivision 1.

H. F. No. 2477, A bill for an act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities.

H. F. No. 2725, A bill for an act relating to education; requiring a good faith attempt to make up time lost by school districts on account of calamity; amending Minnesota Statutes 1971, Section 124.16.

H. F. No. 3013, A bill for an act relating to the city of Beaver Bay; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3032, A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3048, A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioners; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McArthur moved that the House concur in the Senate amendments to H. F. No. 3048 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3048, A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioners; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	McMillan	St. Onge
Adams, S.	Dirlam	Johnson, R.	Menke	Salchert
Andersen, R.	Eckstein	Jopp	Miller, D.	Samuelson
Anderson, D.	Eken	Jude	Miller, M.	Savelkoul
Anderson, G.	Enebo	Kahn	Moe	Schulz
Anderson, I.	Erdahl	Kelly	Mueller	Searle
Becklin	Erickson	Kempe	Munger	Sherwood
Belisle	Esau	Klaus	Nelson	Sieben, H.
Bell	Farcy	Knickerbocker	Niehaus	Sieben, M.
Bennett	Ferderer	Knoll	Norton	Smith
Berg	Fjoslien	Kostohryz	Ohnstad	Spanish
Berglin	Forsythe	Laidig	Ojala	Stangeland
Biersdorf	Fudro	Larson	Parish	Stanton
Braun	Fugina	LaVoy	Patton	Swanson
Brinkman	Graba	Lemke	Pavlak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, B.	Grove	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hanson	Lombardi	Peterson	Vento
Carlson, L.	Hangerud	Long	Pieper	Voss
Casserly	Heinitz	Mann	Pleasant	Wenzel
Cleary	Hook	McArthur	Prahl	Wigley
Clifford	Jacobs	McCarron	Quirin	Wohlwend
Connors	Jaros	McCauley	Resner	Wolcott
Culhane	Johnson, C.	McEachern	Rice	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	Ryan	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested :

H. F. No. 1973, A bill for an act relating to education ; teacher certification ; providing for the refund of renewal fees paid by mistake ; amending Minnesota Statutes 1971, Section 125.08, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Belisle moved that the House concur in the Senate amendments to H. F. No. 1973 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1973, A bill for an act relating to education, teacher certification ; providing for the refund of renewal fees paid by mistake ; amending Minnesota Statutes, 1973 Supplement, Section 125.08.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 131, and nays 0, as follows :

Those who voted in the affirmative were :

Adams, J.	Cassery	Forsythe	Kelly	McEachern
Adams, S.	Cleary	Fudro	Kempe	McFarlin
Andersen, R.	Clifford	Fugina	Klaus	McMillan
Anderson, D.	Connors	Graba	Knickerbocker	Menke
Anderson, G.	Culhane	Graw	Knoll	Miller, D.
Anderson, I.	Cummiskey	Grove	Kostohryz	Miller, M.
Becklin	Dahl	Hanson	Kvam	Moe
Belisle	DeGroat	Haugerud	Laidig	Mueller
Bell	Dieterich	Heinitz	Larson	Munger
Bennett	Dirlam	Hook	LaVoy	Nelson
Berg	Eckstein	Jacobs	Lemke	Niehaus
Berglin	Eken	Jaros	Lindstrom, E.	Norton
Biersdorf	Enebo	Johnson, C.	Lindstrom, J.	Ohnstad
Braun	Erdahl	Johnson, D.	Lombardi	Ojala
Brinkman	Erickson	Johnson, J.	Long	Parish
Carlson, A.	Esau	Johnson, R.	Mann	Patton
Carlson, B.	Faricy	Jopp	McArthur	Paviak, R.
Carlson, D.	Ferderer	Jude	McCarron	Paviak, R. L.
Carlson, L.	Fjoslien	Kahn	McCauley	Pehler

Peterson	St. Onge	Sherwood	Swanson	Wigley
Pieper	Salchert	Sieben, H.	Tomlinson	Wohlwend
Pleasant	Samuelson	Sieben, M.	Ulland	Wolcott
Prahl	Sarna	Skaar	Vanasek	Mr. Speaker
Quirin	Savelkoul	Smith	Vento	
Resner	Schreiber	Spanish	Voss	
Rice	Schulz	Stangeland	Weaver	
Ryan	Searle	Stanton	Wenzel	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3325, A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dahl moved that the House concur in the Senate amendments to H. F. No. 3325 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3325, A bill for an act relating to taxation; assessment of real property; requiring towns to make certain payments to town assessors; permitting newly organized towns adequate time to employ a qualified assessor; amending Minnesota Statutes 1971, Section 270.50.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	Dirlam	Fjoslien
Adams, S.	Berg	Casserly	Eckstein	Forsythe
Andersen, R.	Berglin	Cleary	Eken	Fudro
Anderson, D.	Biersdorf	Clifford	Enebo	Fugina
Anderson, G.	Braun	Connors	Erdahl	Graba
Anderson, I.	Brinkman	Culhane	Erickson	Graw
Becklin	Carlson, A.	Cummiskey	Esau	Growe
Belisle	Carlson, B.	Dahl	Faricy	Hanson
Bell	Carlson, D.	DeGroat	Ferderer	Haugerud

Heinitz	Laidig	Miller, M.	Pleasant	Skaar
Hook	Larson	Moe	Prahl	Smith
Jacobs	LaVoy	Mueller	Quirin	Spanish
Jaros	Lemke	Munger	Resner	Stangeland
Johnson, C.	Lindstrom, E.	Myrah	Rice	Stanton
Johnson, D.	Lindstrom, J.	Nelson	Ryan	Swanson
Johnson, J.	Lombardi	Niehaus	St. Onge	Tomlinson
Jopp	Long	Norton	Salchert	Ulland
Jude	Mann	Ohnstad	Samuelson	Vanasek
Kahn	McArthur	Ojala	Sarna	Vento
Kelly	McCarron	Parish	Savelkoul	Voss
Kempe	McCauley	Patton	Schreiber	Weaver
Klaus	McEachern	Pavlak, R.	Schulz	Wenzel
Knickerbocker	McFarlin	Pavlak, R. L.	Searle	Wigley
Knoll	McMillan	Pehler	Sherwood	Wohlwend
Kostohryz	Menke	Peterson	Sieben, H.	Wolcott
Kvam	Miller, D.	Pieper	Sieben, M.	Mr. Speaker

Those who voted in the negative were:

Dieterich Johnson, R.

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 987, A bill for an act relating to Scott county; authorizing that county to establish a housing and redevelopment authority.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Menke moved that the House concur in the Senate amendments to H. F. No. 987 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 987, A bill for an act creating a housing and redevelopment authority in Scott county; applying the provisions of the municipal housing and redevelopment act to Scott county.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Menke	Salchert
Adams, S.	Dirlam	Jopp	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jude	Miller, M.	Sarna
Anderson, D.	Eken	Kahn	Moe	Savelkoul
Anderson, G.	Enebo	Kelly	Mueller	Schreiber
Anderson, I.	Erdahl	Kempe	Munger	Schulz
Becklin	Erickson	Klaus	Myrah	Searle
Belisle	Esau	Knickerbocker	Nelson	Sherwood
Bell	Faricy	Knoll	Niehaus	Sieben, H.
Bennett	Ferderer	Kostohryz	Norton	Sieben, M.
Berg	Fjoslien	Kvam	Ohnstad	Skaar
Berglin	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Spanish
Braun	Fugina	LaVoy	Patton	Stangeland
Brinkman	Graba	Lemke	Pavlak, R.	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Growe	Lindstrom, J.	Pehler	Tomlinson
Carlson, D.	Hanson	Lombardi	Peterson	Ulland
Carlson, L.	Haugerud	Long	Pieper	Vanasek
Casserly	Heinitz	Mann	Pleasant	Vento
Cleary	Hook	McArthur	Prahl	Voss
Clifford	Jacobs	McCarron	Quirin	Wenzel
Connors	Jaros	McCauley	Resner	Wigley
Culhane	Johnson, C.	McEachern	Rice	Wohlwend
Cummiskey	Johnson, D.	McFarlin	Ryan	Wolcott
Dahl	Johnson, J.	McMillan	St. Onge	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1425, A bill for an act relating to the supreme court; authorizing promulgation of rules of evidence by the supreme court; repealing Minnesota Statutes 1971, Section 480.059, Sub-division 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Parish moved that the House concur in the Senate amendments to H. F. No. 1425 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1425, A bill for an act relating to the supreme court; authorizing promulgation of rules of evidence by the supreme court.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Samuelson
Adams, S.	Dirlam	Jopp	Miller, M.	Sarna
Andersen, R.	Eckstein	Jude	Moe	Savelkoul
Anderson, D.	Eken	Kahn	Mueller	Schreiber
Anderson, G.	Enebo	Kelly	Munger	Schulz
Anderson, I.	Erdahl	Kempe	Myrah	Searle
Becklin	Erickson	Klaus	Nelson	Sherwood
Belisle	Esau	Knickerbocker	Niehaus	Sieben, H.
Bell	Faricy	Knoll	Norton	Sieben, M.
Bennett	Ferderer	Kostohryz	Ohnstad	Skaar
Berg	Fjoslien	Kvam	Ojala	Spanish
Berglin	Forsythe	Laidig	Parish	Stangeland
Biersdorf	Fudro	Larson	Patton	Stanton
Braun	Fugina	LaVoy	Pavlak, R.	Swanson
Brinkman	Graba	Lenke	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pehler	Ulland
Carlson, B.	Growe	Lindstrom, J.	Peterson	Vanasek
Carlson, D.	Hanson	Lombardi	Pieper	Vento
Carlson, L.	Haugerud	Long	Pleasant	Voss
Casserly	Heinitz	Mann	Prahl	Weaver
Cleary	Hook	McArthur	Quirin	Wenzel
Clifford	Jacobs	McCarron	Resner	Wigley
Connors	Jaros	McEachern	Rice	Wohlwend
Culhane	Johnson, C.	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, D.	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, J.	Menke	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3023, A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

PATRICK E. FLAHAVEN, Secretary of the Senate

Moe moved that the House refuse to concur in the Senate amendments to H. F. No. 3023, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2866, 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 urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sections 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vento moved that the House refuse to concur in the Senate amendments to H. F. No. 2866, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3023:

Moe, Patton, and Larson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2866:

Vento, Dieterich, and Pavlak, R. L.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Monday, March 25, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Monday, March 25, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-TWELFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 25, 1974

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Jopp	Moe	Schreiber
Adams, S.	Dirlam	Jude	Mueller	Schulz
Andersen, R.	Eckstein	Kahn	Munger	Searle
Anderson, D.	Eken	Kelly	Myrah	Sherwood
Anderson, G.	Enebo	Kempe	Nelson	Sieben, H.
Anderson, I.	Erdahl	Klaus	Niehaus	Sieben, M.
Becklin	Erickson	Knickerbocker	Norton	Skaar
Belisle	Esau	Knoll	Ohnstad	Smith
Bell	Faricy	Kostohryz	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Growe	Lombardi	Pieper	Vento
Carlson, B.	Hagedorn	Long	Pleasant	Voss
Carlson, D.	Hanson	Mann	Prahl	Weaver
Carlson, L.	Haugerud	McArthur	Quirin	Wenzel
Casserly	Heinitz	McCarron	Resner	Wigley
Cleary	Hook	McCauley	Rice	Wohlwend
Clifford	Jacobs	McEachern	Ryan	Wolcott
Connors	Jaros	McFarlin	St. Onge	Mr. Speaker
Culhane	Johnson, C.	McMillan	Salchert	
Cummiskey	Johnson, D.	Menke	Samuelson	
Dahl	Johnson, J.	Miller, D.	Sarna	
DeGroat	Johnson, R.	Miller, M.	Savelkoul	

A quorum was present.

Graba was excused until 7:45 p.m. Newcome was excused until 11:45 a.m. Kvam was excused until 2:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. DeGroat, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 560 and 3575 and S. F. Nos. 2707, 2913, 3280 and 3575 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 22, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 2148, An act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
498		177	March 21	March 21
	892	178	March 21	March 21
	1795	179	March 21	March 21
	1952	180	March 21	March 21
	1966	181	March 21	March 21
	1967	182	March 21	March 21
	1986	183	March 21	March 21
	2043	184	March 21	March 21
	2144	185	March 21	March 21
	2553	186	March 21	March 21
	2595	187	March 21	March 21
	2829	188	March 21	March 21
	2833	189	March 21	March 21
	2926	190	March 21	March 21
	2936	191	March 21	March 21
	3009	192	March 21	March 21
	3041	193	March 21	March 21
	3055	194	March 21	March 21
	3086	195	March 21	March 21
	3121	196	March 21	March 21
	3142	197	March 21	March 21
	3233	198	March 21	March 21
	3264	199	March 21	March 21
	3322	200	March 21	March 21

JOURNAL OF THE HOUSE			[112th Day	
<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> <i>1974</i>	<i>Date Filed</i> <i>1974</i>
	3331	201	March 21	March 21
	3384	202	March 21	March 21
	3394	203	March 21	March 21
1558		204	March 21	March 21
1865		205	March 21	March 21
1877		206	March 21	March 21

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> <i>1974</i>	<i>Date Filed</i> <i>1974</i>
1902		207	March 21	March 21
2450		208	March 21	March 21
2498		209	March 21	March 21
2568		210	March 21	March 21
2607		211	March 21	March 21
2781		212	March 21	March 21
2949		213	March 21	March 21

112th Day]

MONDAY, MARCH 25, 1974

6751

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2951		214	March 21	March 21
2953		215	March 21	March 21
2972		216	March 21	March 21
3169		217	March 21	March 21
3249		218	March 21	March 21
3426		219	March 21	March 21
3432		220	March 21	March 21

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	2148	221	March 22	March 22

Sincerely,

ARLEN I. ERDAHL
Secretary of State

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1951

March 22, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1951, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments, and the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [FINDINGS AND DECLARATION OF POLICY.] It is hereby found and determined that: The conditions found to exist by the municipal housing and redevelopment act as amended continue to exist throughout the state and in the area in which the metropolitan council established by Minnesota Statutes, Chapter 473B, has jurisdiction; substandard, slum and blighted areas exist in the metropolitan area which cannot be redeveloped without government assistance; there is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low and moderate income at rentals or prices they can afford; many municipalities in the metropolitan area are unable adequately to provide the financing and staff necessary to an effective municipal housing and redevelopment authority; for each such municipality to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to enable the metropolitan council to make available to the municipalities in the metropolitan area those services provided for in the municipal housing and redevelopment act.

Sec. 2. [DEFINITIONS.] Subdivision 1. Unless the context clearly indicates otherwise, the following terms, for the purposes of this act, shall have the meanings ascribed to them in this section.

Subd. 2. The terms defined in the municipal housing and redevelopment act shall, for the purposes of this act, have the meanings given them in that act.

Subd. 3. "Council" shall mean the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Metropolitan area" means the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 5. "Comprehensive development guide" means that document prepared by the council pursuant to Minnesota Statutes, Section 473B.06, Subdivision 5.

Sec. 3. [POWERS.] Subdivision 1. In addition to, and not in limitation of, all other powers invested in it by law, the council, and the members thereof, shall have, throughout the metropolitan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. The provisions of Minnesota Statutes, Sections 462.411 to 462.711 and of all other laws relating to housing and redevelopment authorities shall be applicable to the council when functioning as an authority, except as herein provided or as clearly indicated otherwise from the context of such laws. Minnesota Statutes, Section 462.425 shall have no application to the council nor to any municipality or county within which the council undertakes a project. Any municipality or county, and the governing bodies of any municipality or county, within and for which the council undertakes a project shall have all the powers, authority and obligations granted to municipalities and counties by the provisions of Minnesota Statutes, Sections 462.411 to 462.711 and all other laws relating to housing and redevelopment authorities. The council may plan and propose projects within the boundaries of any municipality, and may otherwise exercise the powers of an authority at any time; provided, however, that the council shall not implement any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality or county without the prior approval of the governing body of the municipality or county in which any such project is to be located; and provided further that the council shall not propose any project to the governing body of a municipality or county having an active authority created pursuant to Minnesota Statutes, Section 462.425, or pursuant to special legislation, without first submitting the proposed project to the municipal or county authority for its review and recommendations; and provided further that as to any project proposed by the council and approved by the municipality or county, the council shall not undertake the project if within 60 days after it has been proposed, the municipality or county agrees to undertake the project. All plans and projects of the council shall be consistent with the comprehensive development guide.

Subd. 2. [TECHNICAL ASSISTANCE.] The council may provide technical assistance to existing municipal or county housing and redevelopment authorities at the request of such authorities.

Subd. 3. [COOPERATION WITH OTHER GOVERNMENT AGENCIES.] The council may cooperate with or act as agent for the federal government, the state government, or any agencies or instrumentalities thereof, in carrying out the provisions of any federal or state legislation relating to the general purposes of the municipal housing and redevelopment act.

Subd. 4. [CITIZEN PARTICIPATION.] The council shall, as part of any project proposal to a municipality, propose a means for citizens substantially affected by the proposed project to participate in the formulation and carrying out of projects undertaken by the council pursuant to the terms of this act.

Subd. 5. [PROJECTS; REPORTS.] The council shall prepare a detailed report on the progress of any project it undertakes. The report shall be filed with the legislature not later than January 15 of each year.

Sec. 4. [EFFECT UPON MUNICIPAL AND COUNTY HOUSING AND REDEVELOPMENT AUTHORITIES.] Nothing in this act shall be construed to impair the powers and obligations of municipal, county or multi-county housing and redevelopment authorities within the metropolitan area.

Sec. 5. [FINANCES.] Subdivision 1. The council shall allocate the net unreimbursed costs of any project which it undertakes to the municipality or group of municipalities or county for which the project is undertaken. The governing body of each such municipality or county shall impose taxes or other revenue measures to provide funds necessary to pay the allocated costs, and the governing body of each such municipality or county shall have all the powers, authority and obligation granted to authorities by Minnesota Statutes, Section 462.545 and all other provisions of law regarding the financing of such projects, provided that the council shall have the powers of an authority for purposes of applying for and receiving federal grants in connection with all projects which it undertakes.

Subd. 2. The council may expend for the purposes of this act any revenues derived pursuant to Minnesota Statutes, Section 473B.08.”.

Further, strike the title and insert in lieu thereof the following:

“A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area.”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JAMES R. CASSERLY and WILLIAM H. SCHREIBER.

Senate Conferees: HUBERT H. HUMPHREY, JOHN KEEFE, and EUGENE STOKOWSKI.

Casserly moved that the report of the Conference Committee on H. F. No. 1951 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1951, A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 76, and nays 49, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Kahn	Nelson	Schulz
Andersen, R.	Dahl	Kelly	Norton	Sherwood
Anderson, G.	Dieterich	Knickerbocker	Ojala	Sieben, M.
Bell	Eken	Knoll	Parish	Stanton
Bennett	Enebo	Kostohryz	Patton	Tomlinson
Berg	Faricy	LaVoy	Pehler	Ulland
Berglin	Ferderer	Lemke	Pleasant	Vanasek
Braun	Fudro	Lindstrom, J.	Prahl	Vento
Brinkman	Fugina	Lombardi	Quirin	Voss
Carlson, A.	Growe	McArthur	Resner	Wenzel
Carlson, B.	Hanson	McCarron	Rice	Wolcott
Carlson, L.	Hook	McEachern	Ryan	Mr. Speaker
Casserly	Jacobs	McMillan	St. Onge	
Clifford	Johnson, D.	Miller, D.	Salchert	
Cunners	Johnson, J.	Miller, M.	Sarna	
Culhane	Jude	Moe	Schreiber	

Those who voted in the negative were:

Adams, S.	Eckstein	Johnson, R.	Mueller	Searle
Anderson, D.	Erdahl	Jopp	Myrah	Sieben, H.
Anderson, I.	Erickson	Kempe	Niehaus	Skaar
Becklin	Esau	Klaus	Ohnstad	Smith
Belisle	Fjoslien	Laidig	Pavlak, R.	Spanish
Biersdorf	Forsythe	Larson	Pavlak, R. L.	Stangeland
Carlson, D.	Graw	Long	Peterson	Weaver
Cleary	Hagedorn	Mann	Pieper	Wigley
DeGroat	Heinitz	McCauley	Samuelson	Wohlwend
Dirlam	Johnson, C.	McFarlin	Savelkoul	

The bill was repassed, as amended by Conference, and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3575.

H. F. No. 3575, A bill for an act providing additional bond issuing authority to provide compensation to those members of the armed forces who served during the Vietnam conflict; and appropriating the proceeds thereof.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Savelkoul
Adams, S.	Dirlam	Jopp	Miller, M.	Schreiber
Andersen, R.	Eckstein	Jude	Moe	Searle
Anderson, D.	Eken	Kahn	Mueller	Sherwood
Anderson, G.	Enebo	Kelly	Myrah	Sieben, H.
Anderson, I.	Erdahl	Kempe	Nelson	Sieben, M.
Becklin	Erickson	Klaus	Niehaus	Skaar
Belisle	Esau	Knickerbocker	Norton	Smith
Bell	Faricy	Knoll	Ohnstad	Spanish
Bennett	Ferderer	Kostohryz	Ojala	Stangeland
Berg	Fjoslien	Laidig	Parish	Stanton
Berglin	Forsythe	Larson	Patton	Swanson
Biersdorf	Fudro	LaVoy	Pavlak, R.	Tomlinson
Braun	Fugina	Lemke	Pavlak, R. L.	Vanasek
Brinkman	Graw	Lindstrom, E.	Pehler	Vento
Carlson, A.	Grove	Lindstrom, J.	Peterson	Voss
Carlson, B.	Hagedorn	Lombardi	Pieper	Weaver
Carlson, D.	Hanson	Long	Prahl	Wenzel
Carlson, L.	Haugerud	Mann	Quirin	Wigley
Casserly	Heinitz	McArthur	Resner	Wohlwend
Cleary	Hook	McCarron	Rice	Wolcott
Clifford	Jacobs	McCauley	Ryan	Mr. Speaker
Connors	Jaros	McEachern	St. Onge	
Culhane	Johnson, C.	McFarlin	Salchert	
Dahl	Johnson, D.	McMillan	Samuelson	
DeGroat	Johnson, J.	Menke	Sarna	

Those who voted in the negative were:

Schulz Ulland

The bill was passed and its title agreed to.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3035

March 22, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3035, recommend as follows:

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

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. The twin cities area metropolitan transit commission is hereby authorized to implement its bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974. It is the intent of the legislature to have this program substantially completed in 1977. No highway funds dedicated for use in areas outside the twin cities metropolitan public transit area shall be used for the purposes of this act. The commission shall make a progress report to the legislature in January of each year until the year following the completion of this program. The 1975 report shall also include recommendations for alternative methods of financing and alternative bus system passenger fares, including recommendations on single fare plans and elimination of fare zones.

Sec. 2. Minnesota Statutes 1971, Section 473A.09, is amended by adding a subdivision to read:

Subd. 12. [BUS SYSTEM FARES.] The commission shall not charge bus system passengers a total fare of more than \$.50 for any ride; except that the commission may establish separate fares for passengers on express bus service. This subdivision shall be in effect on January 30, 1975.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1, is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A 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 (1.45) 2.87 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 Minnesota Statutes 1969, Section 473A.14, 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*

((B)) (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) *Nothing in this section shall be construed as providing funding for the preliminary engineering, studies, or construction for the automated fixed guideway system proposed in the 1972 transit development program of the commission.*

Sec. 4. Minnesota Statutes 1971, 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 (8:00) 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 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.”.

Further, amend the title in line 6 thereof, at the beginning of the line strike “Section 473.09” and insert in lieu thereof “Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4;”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JOHN TOMLINSON, GORDON VOSS, JOHN SALCHERT, ROBERT BELL, and RAYMOND WOLCOTT.

Senate Conferees: JOHN CHENOWETH, EDWARD GEARTY, RALPH DOTY, and WILLIAM KIRCHNER.

Tomlinson moved that the report of the Conference Committee on H. F. No. 3035 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3035, A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 69, and nays 58, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kelly	Norton	Schreiber
Andersen, R.	Dieterich	Knickerbocker	Ojala	Sherwood
Anderson, I.	Enebo	Knoll	Parish	Sieben, H.
Bell	Faricy	Kostohryz	Patton	Sieben, M.
Bennett	Ferderer	LaVoy	Pavlak, R.	Swanson
Berg	Fudro	McArthur	Pehler	Tomlinson
Berglin	Fugina	McCarron	Pleasant	Ulland
Brinkman	Growe	McEachern	Quirin	Vanasek
Carlson, A.	Hanson	McFarlin	Resner	Vento
Carlson, L.	Jacobs	Menke	Rice	Voss
Casserly	Jaros	Miller, D.	Ryan	Wenzel
Clifford	Johnson, D.	Moe	St. Onge	Wolcott
Connors	Johnson, R.	Munger	Salchert	Mr. Speaker
Cummiskey	Kahn	Nelson	Sarna	

Those who voted in the negative were:

Adams, S.	Eckstein	Johnson, J.	McCauley	Samuelson
Anderson, D.	Eken	Jopp	McMillan	Savelkoul
Anderson, G.	Erdahl	Jude	Miller, M.	Schulz
Becklin	Erickson	Klaus	Mueller	Searle
Belisle	Esau	Laidig	Myrah	Skaar
Biersdorf	Fjoslien	Larson	Newcome	Smith
Braun	Forsythe	Lemke	Niehaus	Stangeland
Carlson, B.	Graw	Lindstrom, E.	Ohnstad	Weaver
Carlson, D.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Wigley
Culhane	Heinitz	Lombardi	Peterson	Wohlwend
DeGroat	Hook	Long	Pieper	
Diriam	Johnson, C.	Mann	Prahl	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3712

March 22, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3712, 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. 3712 be further amended as follows:

Page 2, lines 13 to 17, delete all of the language and renumber the remaining subdivisions in sequence.

Page 11, line 5, strike "may" and insert "*shall attempt to*".

Page 11, lines 11 to 13, reinstate stricken language and delete the underscored language.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: RAY W. FARICY, DALE ERDAHL, and PAUL MCCARRON.

Senate Conferees: CLARENCE PURFEERST, JEROME V. BLATZ, and STANLEY N. THORUP.

Faricy moved that the report of the Conference Committee on H. F. No. 3712 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3712, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	Miller, D.	Salchert
Adams, S.	Dieterich	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Dirlam	Jopp	Moe	Sarna
Anderson, D.	Eckstein	Jude	Mueller	Savelkoul
Anderson, G.	Eken	Kahn	Munger	Schulz
Anderson, I.	Enebo	Kelly	Myrah	Searle
Becklin	Erdahl	Kempe	Nelson	Sherwood
Belisle	Erickson	Klaus	Newcome	Sieben, H.
Bell	Esau	Knickerbocker	Niehaus	Sieben, M.
Bennett	Faricy	Knoll	Norton	Smith
Berg	Ferderer	Kostohryz	Ohnstad	Stangeland
Berglin	Fjoslien	Laidig	Ojala	Stanton
Biersdorf	Forsythe	Larson	Parish	Swanson
Braun	Fudro	LaVoy	Patton	Tomlinson
Brinkman	Fugina	Lemke	Pavlak, R.	Ulland
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vento
Carlson, D.	Hagedorn	Lombardi	Peterson	Voss
Carlson, L.	Hanson	Mann	Pieper	Weaver
Casserly	Haugerud	McArthur	Pleasant	Wenzel
Cleary	Heinitz	McCarron	Prahl	Wigley
Clifford	Hook	McCauley	Quirin	Wohlwend
Connors	Jacobs	McEachern	Resner	Mr. Speaker
Culhane	Jaros	McFarlin	Rice	
Cummiskey	Johnson, C.	McMillan	Ryan	
Dahl	Johnson, D.	Menke	St. Onge	

Those who voted in the negative were:

Long Skaar

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2992

March 22, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2992, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendment and that the amendment adopted by the Senate on March 19, 1974 to H. F. No. 2992 be further amended as follows:

Page 2, line 1, after the period insert "The articles of this act are numbered out of sequence to facilitate the possible inclusion of other articles of the probate code in one chapter."

Page 6, line 3, after "estate" insert "or to actions pursuant to Minnesota Statutes, Section 573.02".

Page 6, line 7, after "court" insert "or county court".

Page 6, line 19, strike "524.5-401" and insert in lieu thereof "525.54".

Page 7, line 19, strike "defined" and insert in lieu thereof "described".

Page 7, line 20, strike "524.5-101" and insert in lieu thereof "525.54, other than a minor".

Page 9, line 21, strike "defined" and insert in lieu thereof "described".

Page 9, line 22, strike "524.5-101" and insert in lieu thereof "525.54, Subdivision 2".

Page 9, line 23, strike "defined in section" and insert in lieu thereof "described in sections".

Page 9, line 24, strike "524.5-101" and insert in lieu thereof "525.541 to 525.551".

Page 11, line 11, strike "article VI" and insert in lieu thereof "chapter 528".

Page 11, line 24, strike "defined" and insert in lieu thereof "described".

Page 11, line 24, strike "524.5-101" and insert in lieu thereof "525.54, Subdivision 1".

Page 21, line 8, after "article" insert "except that the time limited for filing claims under section 525.41 shall be 60 days from the date of the filing of the application for appointment of a personal representative. The notice to creditors shall be in the form prescribed by court rule."

Page 22, line 5, after the period insert "This section shall not be applicable to actions under Minnesota Statutes, Section 573.02".

Page 66, line 5, strike "or he may" and insert in lieu thereof "and shall".

Page 66, line 6, after "court" insert "and an executed copy of the Minnesota inheritance tax return with the court and the same shall be part of the court records".

Page 68, line 7, after "court" insert "and when so exercised shall transfer good title to the transferee to the same extent that decedent had title thereto".

Page 83, line 20, strike "Accodingly" and insert in lieu thereof "Accordingly".

Page 89, line 12, after "other" strike "death".

Page 89, line 14, after "been" and before "distributed" insert "inventoried and".

Page 89, line 15, after "claims" and before "remain" insert ", expenses or taxes".

Page 89, line 15, strike "state".

Page 89, strike lines 16 and 17.

Page 89, line 18, strike "the distributees or it shall".

Page 104, line 20, strike "525.80, and 525.83" and insert in lieu thereof "and 525.80".

Page 105, strike lines 1 to 7 and insert in lieu thereof:

"Sec. 524.8-103. [EARLY EFFECTIVE DATE.] Notwithstanding section 524.8-101, the provisions of this act relating to bonds found at sections 524.3-603 to 524.3-606 and article IX of this act, and that portion of section 524.8-102 which repeals Minnesota Statutes 1971, Sections 525.32 to 525.324, are effective August 1, 1974.

ARTICLE IX".

Page 105, line 14, strike "Sec. 146" and insert in lieu thereof "Section 1".

Page 106, line 8, strike "147" and insert in lieu thereof "2".

Page 106, line 19, after "fees" insert "and representative fees".

Page 106, line 24, strike "148" and insert in lieu thereof "3".

Page 107, line 25, strike "147" and insert in lieu thereof "2".

Page 108, line 3, after "fees" insert "and representative fees".

Further, amend the title as follows:

Page 108, line 29, strike "525.80, and 525.83" and insert in lieu thereof "and 525.80".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JOHN C. LINDSTROM, NEIL S. HAUGERUD, WILLIS R. EKEN, and ARLAN STANGELAND.

Senate Conferees: CLARENCE M. PURFEERST, ROBERT J. BROWN, JACK DAVIES, and ROBERT DUNN.

Lindstrom, J., moved that the report of the Conference Committee on H. F. No. 2992 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 99, and nays 23, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	Sarna
Andersen, R.	Dieterich	Jopp	Menke	Savelkoul
Anderson, G.	Eckstein	Jude	Miller, D.	Sherwood
Anderson, I.	Eken	Kahn	Miller, M.	Sieben, H.
Becklin	Enebo	Kelly	Munger	Sieben, M.
Belisle	Faricy	Kempe	Myrah	Smith
Bennett	Ferderer	Knickerbocker	Nelson	Spanish
Berg	Fjoslien	Knoll	Njehaus	Stangeland
Biersdorf	Fudro	Kostohryz	Ohnstad	Stanton
Braun	Fugina	Laidig	Ojala	Swanson
Carlson, B.	Graw	Larson	Patton	Tomlinson
Carlson, D.	Grove	LaVoy	Pehler	Ulland
Carlson, L.	Hagedorn	Lemke	Peterson	Vanasek
Cassery	Hanson	Lindstrom, E.	Pieper	Vento
Cleary	Haugerud	Lindstrom, J.	Pleasant	Voss
Clifford	Heinitz	Mann	Prahl	Wenzel
Connors	Jacobs	McArthur	Quirin	Wigley
Culhane	Jaros	McCarron	Resner	Wolcott
Cummiskey	Johnson, C.	McCauley	Ryan	Mr. Speaker
Dahl	Johnson, D.	McEachern	St. Onge	

Those who voted in the negative were:

Adams, S.	Carlson, A.	Erickson	Long	Newcome
Anderson, D.	Dirlam	Johnson, R.	McFarlin	Norton
Brinkman	Erdahl	Klaus	Mueller	Parish

Pavlak, R.	Rice	Searle	Weaver	Wohlwend
Pavlak, R. L.	Schreiber	Skaar		

The motion prevailed.

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 103, and nays 21, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McCauley	St. Onge
Andersen, R.	Dieterich	Johnson, J.	McEachern	Sarna
Anderson, G.	Eckstein	Jopp	McMillan	Savelkoul
Anderson, I.	Eken	Jude	Menke	Sherwood
Becklin	Enebo	Kahn	Miller, D.	Sieben, H.
Belisle	Erdahl	Kelly	Miller, M.	Sieben, M.
Bennett	Fariacy	Kempe	Munger	Smith
Berg	Ferderer	Knickerbocker	Myrah	Spanish
Biersdorf	Fjoslien	Knoll	Nelson	Stangeland
Braun	Fudro	Kostohryz	Niehaus	Stanton
Brinkman	Fugina	Kvam	Ohnstad	Swanson
Carlson, B.	Graw	Laidig	Ojala	Tomlinson
Carlson, D.	Grove	Larson	Patton	Ulland
Carlson, L.	Hagedorn	LaVoy	Pehler	Vanasek
Casserly	Hanson	Lemke	Peterson	Vento
Cleary	Haugerud	Lindstrom, E.	Pieper	Voss
Clifford	Heinitz	Lindstrom, J.	Pleasant	Wenzel
Connors	Hook	Lombardi	Prahl	Wigley
Culhane	Jacobs	Mann	Quirin	Wolcott
Cummiskey	Jaros	McArthur	Resner	
Dahl	Johnson, C.	McCarron	Ryan	

Those who voted in the negative were:

Adams, S.	Esau	Mueller	Pavlak, R. L.	Wohlwend
Anderson, D.	Johnson, R.	Newcome	Rice	
Carlson, A.	Klaus	Norton	Schreiber	
Dirlam	Long	Parish	Skaar	
Erickson	McFarlin	Pavlak, R.	Weaver	

The bill was repassed, as amended by Conference, and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration House File No. 862:

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

PATRICK E. FLAHAVER, Secretary of the Senate

Pehler moved that the House accede to the request of the Senate for the return of H. F. No. 862 for further consideration by the Senate. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3712, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1951, A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3035, A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 242, A bill for an act relating to highway traffic regulations; television in motor vehicles; prohibiting the use of certain listening devices while operating a motor vehicle; amending Minnesota Statutes 1971, Section 169.471.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pehler moved that the House concur in the Senate amendments to H. F. No. 242 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 242, A bill for an act relating to highway traffic regulations; television in motor vehicles; prohibiting the use of certain listening devices while operating a motor vehicle; amending Minnesota Statutes 1971, Section 169.471.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	McMillan	Ryan
Adams, S.	DeGroat	Johnson, D.	Menke	St. Onge
Andersen, R.	Dieterich	Johnson, J.	Miller, D.	Sarna
Anderson, D.	Dirlam	Jopp	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Jude	Moe	Schreiber
Anderson, I.	Eken	Kahn	Munger	Schulz
Becklin	Enebo	Kelly	Myrah	Searle
Belisle	Erdahl	Kempe	Nelson	Sherwood
Bell	Erickson	Knickerbocker	Newcome	Sieben, H.
Bennett	Esau	Knoll	Niehaus	Sieben, M.
Berg	Faricy	Kostohryz	Norton	Skaar
Berglin	Ferderer	Kvam	Ohnstad	Smith
Biersdorf	Fjoslien	Laidig	Ojala	Stangeland
Braun	Forsythe	Larson	Parish	Stanton
Brinkman	Fudro	LaVoy	Patton	Tomlinson
Carlson, A.	Fugina	Lemke	Pavlak, R.	Ulland
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, D.	Grove	Lindstrom, J.	Pehler	Vento
Carlson, L.	Hagedorn	Lombardi	Peterson	Wenzel
Casserly	Hanson	Long	Pieper	Wigley
Cleary	Haugerud	McArthur	Pleasant	Wohlwend
Clifford	Heinitz	McCarron	Prahl	Wolcott
Connors	Hook	McCauley	Quirin	Mr. Speaker
Culhane	Jacobs	McEachern	Resner	
Cummiskey	Jaros	McFarlin	Rice	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3313, A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 3313 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3313, A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, J.	McMillan	Schreiber
Adams, S.	Dirlam	Jude	Menke	Schulz
Andersen, R.	Eckstein	Kahn	Miller, D.	Searle
Anderson, D.	Eken	Kelly	Miller, M.	Sherwood
Anderson, G.	Enebo	Kempe	Moe	Sieben, H.
Anderson, I.	Erickson	Klaus	Munger	Sieben, M.
Becklin	Esau	Knickerbocker	Nelson	Skaar
Belisle	Faricy	Knoll	Newcome	Smith
Bennett	Ferderer	Kostohryz	Norton	Stangeland
Berg	Forsythe	Laidig	Parish	Stanton
Berglin	Fudro	Larson	Pavlak, R.	Tomlinson
Biersdorf	Fugina	LaVoy	Pavlak, R. L.	Ulland
Braun	Graw	Lemke	Pehler	Vanasek
Brinkman	Grove	Lindstrom, J.	Peterson	Vento
Carlson, A.	Hagedorn	Lombardi	Pieper	Wenzel
Carlson, B.	Hanson	Long	Quirin	Wigley
Carlson, L.	Haugerud	Mann	Resner	Wohlwend
Casserly	Hook	McArthur	Rice	Wolcott
Cleary	Jacobs	McCarron	Ryan	Mr. Speaker
Connors	Jaros	McCauley	St. Onge	
Culhane	Johnson, C.	McEachern	Samuelson	
Cummiskey	Johnson, D.	McFarlin	Sarna	

Those who voted in the negative were:

Bell	Erdahl	Kvam	Ohnstad	Prahl
Carlson, D.	Fjoslien	Lindstrom, E.	Ojala	Savelkoul
Clifford	Heinitz	Myrah	Patton	
DeGroat	Jopp	Niehaus	Pleasant	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2236, A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pavlak, R., moved that the House refuse to concur in the Senate amendments to H. F. No. 2236, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3240, A bill for an act relating to the legislature; Indian affairs commission; raising the per diem pay of members; amending Minnesota Statutes 1971, Section 3.922, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cassery moved that the House concur in the Senate amendments to H. F. No. 3240 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3240, A bill for an act relating to the legislature; Indian affairs commission; raising the per diem pay of members; amending Minnesota Statutes 1971, Section 3.922, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 117, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jopp	Mueller	Schreiber
Adams, S.	Dieterich	Jude	Munger	Schulz
Andersen, R.	Eckstein	Kahn	Myrah	Searle
Anderson, D.	Eken	Kelly	Nelson	Sherwood
Anderson, G.	Enebo	Kempe	Newcome	Sieben, H.
Anderson, I.	Erdahl	Klaus	Niehaus	Sieben, M.
Becklin	Faricy	Knickerbocker	Norton	Skaar
Belisle	Ferderer	Knoll	Parish	Smith
Bell	Forsythe	Kostohryz	Patton	Spanish
Bennett	Fudro	Laidig	Pavlak, R.	Stangeland
Berg	Fugina	Larson	Pavlak, R. L.	Stanton
Berglin	Graw	LaVoy	Pehler	Swanson
Biersdorf	Grove	Lemke	Peterson	Tomlinson
Braun	Hagedorn	Lindstrom, E.	Pieper	Ulland
Brinkman	Hanson	Lindstrom, J.	Pleasant	Vanasek
Carlson, A.	Haugerud	Lombardi	Prahl	Vento
Carlson, B.	Heinitz	Mann	Quirin	Wenzel
Carlson, D.	Hook	McArthur	Resner	Wigley
Carlson, L.	Jacobs	McCauley	Rice	Wohlwend
Casserly	Jaros	McFarlin	Ryan	Wolcott
Clifford	Johnson, C.	McMillan	St. Onge	Mr. Speaker
Connors	Johnson, D.	Menke	Samuelson	
Culhane	Johnson, J.	Miller, D.	Sarna	
Cummiskey	Johnson, R.	Moe	Savelkoul	

Those who voted in the negative were:

Cleary	Erickson	Kvam	Miller, M.	Ohnstad
DeGroat	Esau	Long		
Dirlam	Fjoslien	McEachern		

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2065, A bill for an act relating to the promotion of tourism of the state; providing for the financing of tourist and related recreational facilities; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Smith moved that the House concur in the Senate amendments to H. F. No. 2065 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2065, A bill for an act relating to the promotion of tourism in the state; providing for the financing of tourist and related recreational facilities; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Menke	Samuelson
Adams, S.	Dirlam	Jopp	Miller, D.	Sarna
Andersen, R.	Eckstein	Jude	Miller, M.	Savelkoul
Anderson, D.	Eken	Kelly	Moe	Schreiber
Anderson, G.	Enebo	Kempe	Munger	Schulz
Anderson, I.	Erdahl	Klaus	Myrah	Searle
Becklin	Erickson	Knickerbocker	Nelson	Sherwood
Belisle	Esau	Knoll	Newcome	Sieben, H.
Bell	Ferderer	Kostohryz	Niehaus	Sieben, M.
Bennett	Fjoslien	Kvam	Norton	Skaar
Berglin	Forsythe	Laidig	Ohnstad	Smith
Biersdorf	Fudro	Larson	Ojala	Spanish
Braun	Fugina	LaVoy	Parish	Stangeland
Brinkman	Graw	Lenke	Patton	Stanton
Carlson, A.	Grove	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hanson	Lombardi	Pehler	Ulland
Carlson, L.	Haugerud	Long	Peterson	Vanasek
Casserly	Heinitz	Mann	Pieper	Wenzel
Cleary	Hook	McArthur	Prahl	Wigley
Clifford	Jacobs	McCarron	Quirin	Wohlwend
Connors	Jaros	McCauley	Resner	Wolcott
Culhane	Johnson, C.	McEachern	Rice	Mr. Speaker
Cummiskey	Johnson, D.	McFarlin	Ryan	
Dahl	Johnson, J.	McMillan	St. Onge	

Those who voted in the negative were:

Berg	Dieterich	Faricy	Pleasant	Vento
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1716, A bill for an act relating to wild animals; limiting the use of certain firearms in relation to firearm deer seasons; amending Minnesota Statutes 1971, Section 100.29, Subdivisions 3 and 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lemke moved that the House concur in the Senate amendments to H. F. No. 1716 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1716, A bill for an act relating to wild animals; limiting the use of certain firearms in relation to firearm deer seasons; amending Minnesota Statutes 1971, Section 100.29, Subdivisions 3 and 9.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Miller, M.	Savelkoul
Adams, S.	Eckstein	Kahn	Moe	Schreiber
Andersen, R.	Eken	Kelly	Mueller	Schulz
Anderson, D.	Enebo	Klaus	Munger	Searle
Anderson, G.	Erdahl	Knickerbocker	Myrah	Sherwood
Anderson, I.	Erickson	Knoll	Nelson	Sieben, H.
Becklin	Esau	Kostohryz	Newcome	Sieben, M.
Belisle	Faricy	Kvam	Niehaus	Skaar
Bell	Ferderer	Laidig	Norton	Smith
Bennett	Fjoslien	Larson	Ohnstad	Spanish
Berg	Forsythe	LaVoy	Ojala	Stangeland
Berglin	Fugina	Lemke	Patton	Stanton
Biersdorf	Graw	Lindstrom, E.	Paviak, R.	Swanson
Braun	Growe	Lindstrom, J.	Paviak, R. L.	Tomlinson
Brinkman	Hagedorn	Lombardi	Pehler	Ulland
Carlson, A.	Haugerud	Long	Peterson	Vanasek
Carlson, B.	Heinitz	Mann	Pieper	Vento
Carlson, D.	Hook	McArthur	Prahl	Wenzel
Carlson, L.	Jacobs	McCarron	Quirin	Wigley
Connors	Jaros	McCauley	Resner	Wohlwend
Culhane	Johnson, C.	McEachern	Rice	Wolcott
Cummiskey	Johnson, D.	McFarlin	Ryan	Mr. Speaker
Dahl	Johnson, J.	McMillan	St. Onge	
DeGroat	Johnson, R.	Menke	Samuelson	
Dieterich	Jopp	Miller, D.	Sarna	

Those who voted in the negative were:

Cleary	Clifford	Hanson	Kempe	Pleasant
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

PATRICK E. FLAHAVEN, Secretary of the Senate

Munger moved that the House refuse to concur in the Senate amendments to H. F. No. 2928, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2605, A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Prahl moved that the House concur in the Senate amendments to H. F. No. 2605 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2605, A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Biersdorf	Connors	Enebo	Hanson
Andersen, R.	Braun	Culhane	Faricy	Haugerud
Anderson, G.	Brinkman	Cummiskey	Ferderer	Heinitz
Anderson, I.	Carlson, A.	Dahl	Forsythe	Jacobs
Belisle	Carlson, B.	DeGroat	Fudro	Jaros
Bell	Carlson, L.	Dieterich	Fugina	Johnson, C.
Bennett	Casserly	Dirlam	Graw	Johnson, D.
Berg	Cleary	Eckstein	Growe	Johnson, R.
Berglin	Clifford	Eken	Hagedorn	Jude

Kahn	McArthur	Nelson	Quirin	Spanish
Kelly	McCarron	Newcome	Resner	Stangeland
Kempe	McCauley	Niehaus	Ryan	Stanton
Knickerbocker	McEachern	Ojala	St. Onge	Swanson
Knoll	McFarlin	Parish	Samuelson	Tomlinson
Kostohryz	McMillan	Patton	Sarna	Ulland
Laidig	Menke	Pavlak, R.	Savelkoul	Vanasek
LaVoy	Miller, D.	Pavlak, R. L.	Schreiber	Vento
Lemke	Miller, M.	Pehler	Schulz	Wenzel
Lindstrom, E.	Moe	Peterson	Sieben, H.	Wigley
Lindstrom, J.	Mueller	Pieper	Sieben, M.	Wohlwend
Lombardi	Munger	Pleasant	Skaar	Wolcott
Mann	Myrah	Prahl	Smith	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Erickson	Johnson, J.	Ohnstad	Searle
Becklin	Esau	Jopp	Rice	Sherwood
Carlson, D.	Fjoslien	Kvam		
Erdahl	Hook	Long		

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1192, A bill for an act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jaros moved that the House concur in the Senate amendments to H. F. No. 1192 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1192, A bill for an act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, R.	Menke	Sarna
Andersen, R.	Dirlam	Jopp	Miller, D.	Saveikoul
Anderson, D.	Eckstein	Jude	Miller, M.	Schreiber
Anderson, G.	Eken	Kahn	Moe	Schulz
Anderson, I.	Enebo	Kelly	Mueller	Searle
Becklin	Erdahl	Kempe	Munger	Sherwood
Belisle	Erickson	Klaus	Myrah	Sieben, H.
Bell	Esau	Knickerbocker	Nelson	Sieben, M.
Bennett	Faricy	Knoll	Newcome	Skaar
Berg	Ferderer	Kostohryz	Niehaus	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Spanish
Biersdorf	Forsythe	Laidig	Ojala	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hanson	Lombardi	Peterson	Vento
Casserly	Haugerud	Long	Pieper	Voss
Cleary	Heinitz	Mann	Prahl	Wenzel
Clifford	Hook	McArthur	Quirin	Wigley
Connors	Jacobs	McCarron	Resner	Wohlwend
Culhane	Jaros	McCauley	Rice	Wolcott
Cummiskey	Johnson, C.	McEachern	Ryan	Mr. Speaker
Dahl	Johnson, D.	McFarlin	St. Onge	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3223, A bill for an act relating to the governor's citizens council on aging; duties of council; disbursement of funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2; and 256.01, Subdivision 10.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Eken moved that the House concur in the Senate amendments to H. F. No. 3223 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3223, A bill for an act relating to the governor's citizens council on aging; duties of council; authority over funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2; and 256.01, Subdivision 10.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	St. Onge
Adams, S.	Dieterich	Johnson, R.	Menke	Samuelson
Andersen, R.	Dirlam	Jopp	Miller, D.	Sarna
Anderson, D.	Eckstein	Jude	Miller, M.	Savelkoul
Anderson, G.	Eken	Kahn	Moe	Schreiber
Anderson, I.	Enebo	Kelly	Mueller	Schulz
Becklin	Erdahl	Kempe	Munger	Searle
Belisle	Erickson	Klaus	Myrah	Sherwood
Bell	Esau	Knickerbocker	Nelson	Sieben, H.
Bennett	Faricy	Knoll	Newcome	Sieben, M.
Berg	Ferderer	Kostohryz	Niehaus	Skaar
Berglin	Fjoslien	Kvam	Ohnstad	Smith
Biersdorf	Forsythe	Laidig	Ojala	Spanish
Braun	Fudro	Larson	Parish	Stangeland
Brinkman	Fugina	LaVoy	Patton	Stanton
Carlson, A.	Graw	Lemke	Pavlak, R.	Swanson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Ulland
Carlson, L.	Hanson	Lombardi	Peterson	Vanasek
Casserly	Haugerud	Long	Pieper	Vento
Cleary	Heinitz	Mann	Pleasant	Wenzel
Clifford	Hook	McArthur	Prahl	Wigley
Connors	Jacobs	McCarron	Quirin	Wohlwend
Culhane	Jaros	McCauley	Resner	Wolcott
Cummiskey	Johnson, C.	McEachern	Rice	Mr. Speaker
Dahl	Johnson, D.	McFarlin	Ryan	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1382, A bill for an act relating to insurance; deposits by domestic insurance companies; defining the kind of securities which domestic insurance companies must keep on deposit for the protection of policyholders; requiring all securities to be deposited in a state or national bank in Minnesota; amending Minnesota Statutes 1971, Sections 60A.10, Subdivisions 1 and 4, and by adding a subdivision; 60A.19, Subdivision 5; 61A.41; 63.02; 65A.22; 66A.08, Subdivision 1; and 68A.01, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 1382 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1382, A bill for an act relating to insurance; deposits by domestic insurance companies; defining the kind of securities which domestic insurance companies must keep on deposit for the protection of policyholders; requiring all securities to be deposited in a state or national bank in Minnesota; amending Minnesota Statutes 1971, Sections 60A.10, Subdivisions 1 and 4, and by adding a subdivision; 60A.19, Subdivision 5; 61A.41; 63.02; 65A.22; 66A.08, Subdivision 1; and 68A.01, Subdivision 3.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	St. Onge
Adams, S.	Dieterich	Johnson, R.	Menke	Samuelson
Andersen, R.	Dirlam	Jopp	Miller, D.	Sarna
Anderson, D.	Eckstein	Jude	Miller, M.	Savelkoul
Anderson, G.	Eken	Kahn	Moe	Schreiber
Anderson, I.	Enebo	Kelly	Mueller	Searle
Becklin	Erdahl	Kempe	Munger	Sherwood
Belisle	Erickson	Klaus	Myrah	Sieben, H.
Bell	Esau	Knickerbocker	Nelson	Sieben, M.
Bennett	Faricy	Knoll	Newcome	Skaar
Berg	Ferderer	Kostohryz	Niehaus	Smith
Berglin	Fjoslien	Kvam	Ohnstad	Spanish
Biersdorf	Forsythe	Laidig	Ojala	Stangeland
Braun	Fudro	Larson	Parish	Stanton
Brinkman	Fugina	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Growe	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hanson	Lombardi	Peterson	Vento
Casserly	Haugerud	Long	Pieper	Wenzel
Cleary	Heinitz	Mann	Pleasant	Wigley
Clifford	Hook	McArthur	Prah	Wohlwend
Connors	Jacobs	McCarron	Quirin	Wolcott
Culhane	Jaros	McCauley	Resner	Mr. Speaker
Cummiskey	Johnson, C.	McEachern	Rice	
Dahl	Johnson, D.	McFarlin	Ryan	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3352, A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137;

233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Eken moved that the House concur in the Senate amendments to H. F. No. 3352 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3352, A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, J.	McMillan	Ryan
Adams, S.	Dieterich	Johnson, R.	Menke	St. Onge
Andersen, R.	Dirlam	Jopp	Miller, D.	Samuelson
Anderson, D.	Eckstein	Jude	Miller, M.	Sarna
Anderson, G.	Eken	Kahn	Moe	Savelkoul
Anderson, I.	Enebo	Kelly	Mueller	Schreiber
Becklin	Erdahl	Kempe	Munger	Schulz
Belisle	Erickson	Klaus	Myrah	Searle
Bell	Esau	Knickerbocker	Nelson	Sherwood
Bennett	Faricy	Knoll	Newcome	Sieben, H.
Berg	Ferderer	Kostohryz	Niehaus	Sieben, M.
Berglin	Fjoslien	Kvam	Norton	Skaar
Biersdorf	Forsythe	Laidig	Ohnstad	Smith
Braun	Fudro	Larson	Ojala	Spanish
Brinkman	Fugina	LaVoy	Parish	Stangeland
Carlson, A.	Graw	Lemke	Patton	Stanton
Carlson, B.	Growe	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, D.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, L.	Hanson	Lombardi	Pehler	Ulland
Casserly	Haugerud	Long	Peterson	Vanasek
Cleary	Heinitz	Mann	Pieper	Vento
Clifford	Hook	McArthur	Pleasant	Wenzel
Connors	Jacobs	McCarron	Prahl	Wigley
Culhane	Jaros	McCauley	Quirin	Wohlwend
Cummiskey	Johnson, C.	McEachern	Resner	Wolcott
Dahl	Johnson, D.	McFarlin	Rice	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3164, A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 3164 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3164, A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 91, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kempe	Myrah	Schreiber
Andersen, R.	Faricy	Knickerbocker	Nelson	Sherwood
Anderson, I.	Ferderer	Knoll	Newcome	Sieben, H.
Belisle	Forsythe	Kostohryz	Norton	Sieben, M.
Bell	Fudro	Laidig	Ojala	Spanish
Bennett	Fugina	LaVoy	Parish	Swanson
Berg	Graw	Lombardi	Patton	Tomlinson
Berglin	Grove	McArthur	Pavlak, R.	Ulland
Brinkman	Hanson	McCarron	Pavlak, R. L.	Vanasek
Carlson, A.	Haugerud	McCauley	Pehler	Vento
Carlson, L.	Heinitz	McEachern	Pieper	Voss
Casserly	Jacobs	McFarlin	Pleasant	Wenzel
Cleary	Jaros	McMillan	Prahl	Wohlwend
Clifford	Johnson, C.	Menke	Quirin	Wolcott
Connors	Johnson, D.	Miller, D.	Resner	Mr. Speaker
Culhane	Johnson, J.	Miller, M.	Rice	
Cummiskey	Jude	Moe	Ryan	
Dahl	Kahn	Mueller	St. Onge	
Dieterich	Kelly	Munger	Sarna	

Those who voted in the negative were:

Anderson, D.	Dirlam	Hagedorn	Lindstrom, J.	Savelkoul
Anderson, G.	Eckstein	Hook	Long	Searle
Becklin	Eken	Jopp	Mann	Skaar
Biersdorf	Erdahl	Klaus	Niehaus	Smith
Braun	Erickson	Kvam	Ohnstad	Stangeland
Carlson, D.	Esau	Larson	Peterson	Stanton
DeGroat	Fjoslien	Lindstrom, E.	Samuelson	Wigley

The bill was repassed, as amended by the Senate, and its title agreed to.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2236:

Pavlak, R.; Culhane; Biersdorf; Braun; and Searle.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2928:

Smith, Searle and Faricy.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2745, A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in awarding contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Enebo moved that the House concur in the Senate amendments to H. F. No. 2745 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2745, A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in

awarding contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 82, and nays 46, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Kempe	Nelson	Savelkoul
Andersen, R.	Cummiskey	Knickerbocker	Norton	Schulz
Anderson, G.	Dahl	Knoll	Ojala	Sherwood
Anderson, I.	Dieterich	Kostohryz	Parish	Sieben, H.
Bell	Enebo	LaVoy	Patton	Sieben, M.
Bennett	Faricy	Lombardi	Pavlak, R.	Spanish
Berg	Ferderer	McArthur	Pavlak, R. L.	Stanton
Berglin	Fudro	McCarron	Pehler	Swanson
Biersdorf	Fugina	McCauley	Peterson	Tomlinson
Braun	Grove	McEachern	Prahl	Vanasek
Brinkman	Hanson	McFarlin	Quirin	Vento
Carlson, A.	Jacobs	McMillan	Resner	Wenzel
Carlson, B.	Jaros	Menke	Rice	Wolcott
Carlson, D.	Johnson, D.	Miller, D.	Ryan	Mr. Speaker
Carlson, L.	Jude	Miller, M.	St. Onge	
Casserly	Kahn	Moe	Samuelson	
Connors	Kelly	Munger	Sarna	

Those who voted in the negative were:

Adams, S.	Erickson	Johnson, J.	Mann	Skaar
Anderson, D.	Esau	Johnson, R.	Mueller	Smith
Becklin	Fjoslien	Jopp	Myrah	Stangeland
Belisle	Forsythe	Klaus	Newcome	Ulland
Cleary	Graw	Kvam	Niehaus	Wigley
Clifford	Hagedorn	Laidig	Ohnstad	Wohlwend
DeGroat	Haugerud	Larson	Pieper	
Dirlam	Heinitz	Lindstrom, E.	Pleasant	
Eckstein	Hook	Lindstrom, J.	Schreiber	
Erdahl	Johnson, C.	Long	Searle	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2764, A bill for an act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method payment of such obligations.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Enebo moved that the House concur in the Senate amendments to H. F. No. 2764 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2764, A bill for an act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method payment of such obligations.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Savelkoul
Adams, S.	Dirlam	Jopp	Miller, M.	Schreiber
Andersen, R.	Eckstein	Jude	Moe	Schulz
Anderson, D.	Eken	Kahn	Mueller	Searle
Anderson, G.	Enebo	Kelly	Munger	Sherwood
Anderson, I.	Erdahl	Kempe	Myrah	Sieben, H.
Becklin	Erickson	Klaus	Nelson	Sieben, M.
Belisle	Esau	Knickerbocker	Newcome	Skaar
Bell	Farcy	Knoll	Niehaus	Smith
Bennett	Ferderer	Kostohryz	Ohnstad	Spanish
Berg	Fjoslien	Kvam	Ojala	Stangeland
Berglin	Forsythe	Laidig	Parish	Stanton
Biersdorf	Fudro	LaVoy	Patton	Swanson
Braun	Fugina	Lemke	Pavlak, R.	Tomlinson
Brinkman	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, A.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, B.	Hagedorn	Lombardi	Peterson	Vento
Carlson, D.	Hanson	Long	Pieper	Voss
Carlson, L.	Haugerud	Mann	Prahl	Wenzel
Casserly	Heinitz	McArthur	Quirin	Wigley
Cleary	Hook	McCarron	Resner	Wohlwend
Connors	Jacobs	McCauley	Rice	Wolcott
Culhane	Jaros	McEachern	Ryan	Mr. Speaker
Cummiskey	Johnson, C.	McFarlin	St. Onge	
Dahl	Johnson, D.	McMillan	Samuelson	
DeGroat	Johnson, J.	Menke	Sarna	

Those who voted in the negative were:

Clifford Larson Pleasant

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3267, A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Haugerud moved that the House concur in the Senate amendments to H. F. No. 3267 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3267, A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jude	Miller, M.	Savelkoul
Adams, S.	Dirlam	Kahn	Moe	Schreiber
Andersen, R.	Eckstein	Kelly	Mueller	Schulz
Anderson, D.	Eken	Kempe	Munger	Searle
Anderson, G.	Enebo	Klaus	Myrah	Sherwood
Anderson, I.	Erdahl	Knickerbocker	Nelson	Sieben, H.
Becklin	Erickson	Knoll	Newcome	Sieben, M.
Belisle	Esau	Kostohryz	Niehaus	Skaar
Bell	Ferderer	Kvam	Ohnstad	Smith
Bennett	Fjoslien	Laidig	Ojala	Spanish
Berg	Forsythe	Larson	Parish	Stangeland
Berglin	Fudro	LaVoy	Patton	Stanton
Biersdorf	Fugina	Lemke	Pavlak, R.	Swanson
Braun	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Growe	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Hagedorn	Lombardi	Peterson	Vanasek
Carlson, B.	Haugerud	Long	Pieper	Vento
Carlson, D.	Heinitz	Mann	Pleasant	Voss
Carlson, L.	Hook	McArthur	Prahl	Wenzel
Cassery	Jacobs	McCarron	Quirin	Wigley
Cleary	Jaros	McCauley	Resner	Wohlwend
Clifford	Johnson, C.	McEachern	Rice	Wolcott
Connors	Johnson, D.	McFarlin	Ryan	Mr. Speaker
Culhane	Johnson, J.	McMillan	St. Onge	
Cummiskey	Johnson, R.	Menke	Samuelson	
Dahl	Jopp	Miller, D.	Sarna	

Those who voted in the negative were:

Dieterich Faricy Hanson

The bill was repassed, as amended by the Senate, and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3140, A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 636, A bill for an act relating to establishing a metropolitan transportation commission; assumption by commission of Twin City area metropolitan transit commission powers; granting authority to commission to approve highway designs and locations; establishing budget procedure; amending Minnesota Statutes 1971, Chapter 473A, by adding sections; and Sections 473A.01, Subdivisions 2 and 3, and by adding a subdivision; 473A.02; 473A.03; 473A.04, by adding subdivisions; 473A.05, Subdivision 10, and by adding a subdivision; 473A.16; 473A.18; repealing Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14; 473A.06, Subdivision 1; and 473A.065.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 978, A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2937, A bill for an act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; 83.30, Subdivision 1; and 83.38, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 2937 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2937, A bill for an act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; 83.30, Subdivision 1; and 83.38, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, D.	Sarna
Adams, S.	Eckstein	Jude	Miller, M.	Savelkoul
Andersen, R.	Eken	Kahn	Moe	Schreiber
Anderson, D.	Enebo	Kelly	Mueller	Schulz
Anderson, G.	Erdahl	Kempe	Munger	Searle
Anderson, I.	Erickson	Klaus	Myrah	Sherwood
Becklin	Esau	Knickerbocker	Nelson	Sieben, H.
Belisle	Faricy	Knoll	Newcome	Sieben, M.
Bell	Ferderer	Kostohryz	Niehaus	Skaar
Bennett	Fjoshten	Kvam	Norton	Smith
Berg	Forsythe	Laidig	Ohnstad	Spanish
Berglin	Fudro	Larson	Ojala	Stangeland
Biersdorf	Fugina	LaVoy	Parish	Stanton
Braun	Graw	Lemke	Patton	Swanson
Brinkman	Grove	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, A.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, B.	Hanson	Lombardi	Pehler	Vento
Carlson, L.	Haugerud	Long	Peterson	Voss
Cassery	Heinitz	Mann	Pieper	Weaver
Cleary	Hook	McArthur	Pleasant	Wenzel
Clifford	Jacobs	McCarron	Prahl	Wigley
Connors	Jaros	McCauley	Quirin	Wohlwend
Culhane	Johnson, C.	McEachern	Rice	Wolcott
Cummiskey	Johnson, D.	McFarlin	Ryan	Mr. Speaker
Dahl	Johnson, J.	McMillan	St. Onge	
Dieterich	Johnson, R.	Menke	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2715, A bill for an act relating to elections; prohibiting the scheduling of athletic events on a precinct caucus day; amending Minnesota Statutes 1971, Chapter 202, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wenzel moved that the House concur in the Senate amendments to H. F. No. 2715 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2715, A bill for an act relating to elections; prohibiting the scheduling of certain activities on a political party precinct caucus day; granting employees time off from work during precinct caucuses; making public schools available for precinct caucuses.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Miller, D.	Samuelson
Adams, S.	Eken	Kahn	Miller, M.	Sarna
Andersen, R.	Enebo	Kelly	Moe	Savelkoul
Anderson, G.	Erdahl	Kempe	Mueller	Schreiber
Anderson, I.	Erickson	Klaus	Munger	Schulz
Becklin	Esau	Knickerbocker	Myrah	Searle
Belisle	Faricy	Knoll	Nelson	Sherwood
Bennett	Ferderer	Kostohryz	Newcome	Sieben, H.
Berg	Fjoslien	Kvam	Niehaus	Sieben, M.
Berglin	Forsythe	Laidig	Norton	Skaar
Biersdorf	Fudro	Larson	Ohnstad	Smith
Braun	Fugina	LaVoy	Ojala	Spanish
Brinkman	Graw	Lemke	Parish	Stangeland
Carlson, A.	Growe	Lindstrom, E.	Patton	Stanton
Carlson, B.	Hagedorn	Lindstrom, J.	Pavlak, R.	Swanson
Carlson, D.	Hanson	Lombardi	Pavlak, R. L.	Tomlinson
Carlson, L.	Haugerud	Long	Pehler	Vento
Casserly	Heinitz	Mann	Peterson	Voss
Cleary	Hook	McArthur	Pieper	Weaver
Clifford	Jacobs	McCarron	Prahl	Wenzel
Connors	Jaros	McCauley	Quirin	Wigley
Culhane	Johnson, C.	McEachern	Rice	Wolcott
Cummiskey	Johnson, D.	McFarlin	Ryan	Mr. Speaker
Dahl	Johnson, R.	McMillan	St. Onge	
Dieterich	Jopp	Menke	Salchert	

Those who voted in the negative were:

Anderson, D.	Dirlam	Pleasant	Ulland	Wohlwend
DeGroat	Johnson, J.			

The bill was repassed, as amended by the Senate, and its title agreed to.

Johnson, C., was excused for the remainder of today's session.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1075, A bill for an act creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act to Washington county.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 1075 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1075, A bill for an act relating to local government in Washington county and the town of Forest Lake; creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act in Washington county; exempting the town of Forest Lake from limitation on tax levies for fire protection.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Enebo	Jacobs	Laidig
Adams, S.	Carlson, B.	Erdahl	Jaros	Larson
Andersen, R.	Carlson, D.	Erickson	Johnson, D.	LaVoy
Anderson, D.	Carlson, L.	Esau	Johnson, J.	Lemke
Anderson, G.	Cassery	Farcy	Johnson, R.	Lindstrom, E.
Anderson, I.	Cleary	Ferderer	Jopp	Lindstrom, J.
Becklin	Clifford	Fjoslien	Jude	Lombardi
Belisle	Connors	Forsythe	Kahn	Long
Bell	Culhane	Fudro	Kelly	Mann
Bennett	Cummiskey	Fugina	Kempe	McArthur
Berg	Dahl	Graw	Klaus	McCarron
Berglin	Dieterich	Growe	Knickerbocker	McCaughey
Biersdorf	Dirlam	Hanson	Knoll	McEachern
Braun	Eckstein	Heinitz	Kostohryz	McFarlin
Brinkman	Eken	Hook	Kvam	McMillan

Menke	Ohnstad	Prahl	Searle	Ulland
Miller, D.	Ojala	Quirin	Sherwood	Vento
Miller, M.	Parish	Rice	Sieben, H.	Voss
Moe	Patton	Ryan	Sieben, M.	Weaver
Mueller	Pavlak, R.	St. Onge	Skaar	Wenzel
Munger	Pavlak, R. L.	Salchert	Smith	Wigley
Nelson	Pehler	Samuelson	Spanish	Wohlwend
Newcome	Peterson	Sarna	Stanton	Wolcott
Niehaus	Pieper	Savelkoul	Swanson	Mr. Speaker
Norton	Pleasant	Schulz	Tomlinson	

Those who voted in the negative were:

DeGroat Hagedorn Myrah Schreiber Stangeland

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 677, A bill for an act relating to recreational motor vehicles; providing limitations on the operation of such vehicles while on property not owned by the operator; providing penalties; amending Minnesota Statutes 1971, Chapter 84, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson moved that the House concur in the Senate amendments to H. F. No. 677 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 677, A bill for an act relating to recreational motor vehicles; providing limitations on the operation of such vehicles while on property not owned by the operator; providing penalties; amending Minnesota Statutes 1971, Chapter 84, by adding a section.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, D.	Samuelson
Adams, S.	Dieterich	Jude	Miller, M.	Sarna
Andersen, R.	Dirlam	Kahn	Moe	Savelkoul
Anderson, D.	Eckstein	Kelly	Mueller	Schreiber
Anderson, G.	Eken	Kempe	Munger	Schulz
Anderson, I.	Enebo	Klaus	Myrah	Searle
Becklin	Erdahl	Knickerbocker	Nelson	Sherwood
Belisle	Erickson	Knoll	Newcome	Sieben, H.
Bell	Esau	Kostohryz	Niehaus	Sieben, M.
Bennett	Faricy	Kvam	Norton	Skaar
Berg	Ferderer	Laidig	Ohnstad	Smith
Berglin	Fjoslien	Larson	Ojala	Spanish
Biersdorf	Forsythe	LaVoy	Parish	Stangeland
Braun	Fudro	Lemke	Patton	Stanton
Brinkman	Fugina	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, A.	Graw	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, B.	Grove	Lombardi	Pehler	Ulland
Carlson, D.	Hagedorn	Long	Peterson	Vento
Carlson, L.	Hanson	Mann	Pieper	Voss
Casserly	Heinitz	McArthur	Pleasant	Weaver
Cleary	Hook	McCarron	Prahl	Wenzel
Clifford	Jacobs	McCauley	Quirin	Wigley
Connors	Jaros	McEachern	Rice	Wohlwend
Culhane	Johnson, D.	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, J.	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, R.	Menke	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3357, A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Skaar moved that the House concur in the Senate amendments to H. F. No. 3357 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3357, A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 112, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Kelly	Munger	Savelkoul
Adams, S.	Dieterich	Kempe	Myrah	Schreiber
Andersen, R.	Dirlam	Knickerbocker	Nelson	Schulz
Anderson, D.	Eckstein	Knoll	Newcome	Sieben, H.
Anderson, I.	Eken	Kostohryz	Niehaus	Sieben, M.
Belisle	Enebo	Laidig	Norton	Skaar
Bell	Faricy	LaVoy	Ojala	Smith
Bennett	Ferderer	Lemke	Parish	Spanish
Berg	Forsythe	Lindstrom, E.	Patton	Stangeland
Berglin	Fudro	Lindstrom, J.	Pavlak, R.	Swanson
Biersdorf	Fugina	Lombardi	Pavlak, R. L.	Tomlinson
Braun	Graw	Mann	Pehler	Ulland
Brinkman	Growe	McArthur	Peterson	Vento
Carlson, A.	Hagedorn	McCarron	Pieper	Voss
Carlson, B.	Hanson	McCauley	Pleasant	Weaver
Carlson, L.	Heinitz	McEachern	Prahl	Wenzel
Casserly	Jacobs	McFarlin	Quirin	Wigley
Cleary	Jaros	McMillan	Rice	Wohlwend
Clifford	Johnson, D.	Menke	Ryan	Wolcott
Connors	Johnson, R.	Miller, D.	St. Onge	Mr. Speaker
Culhane	Jopp	Miller, M.	Salchert	
Cummiskey	Jude	Moe	Samuelson	
Dahl	Kahn	Mueller	Sarna	

Those who voted in the negative were:

Becklin	Erickson	Hook	Kvam	Ohnstad
Carlson, D.	Esau	Johnson, J.	Larson	Sherwood
Erdahl	Fjoslien	Klaus	Long	Stanton

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3372, A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ohnstad moved that the House concur in the Senate amendments to H. F. No. 3372 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3372, A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Knickerbocker	Munger	Sarna
Adams, S.	Dieterich	Knoll	Myrah	Schreiber
Andersen, R.	Dirlam	Kostohryz	Nelson	Schulz
Anderson, G.	Eckstein	Kvam	Newcome	Sieben, H.
Anderson, I.	Eken	Laidig	Niehaus	Sieben, M.
Belisle	Enebo	Larson	Norton	Smith
Bell	Ferderer	LaVoy	Ohnstad	Spanish
Bennett	Forsythe	Lemke	Ojala	Stangeland
Berg	Fudro	Lindstrom, E.	Parish	Swanson
Biersdorf	Fugina	Lindstrom, J.	Patton	Tomlinson
Braun	Graw	Lombardi	Pavlak, R.	Ulland
Brinkman	Grove	McArthur	Pavlak, R. L.	Vento
Carlson, A.	Hagedorn	McCarron	Pehler	Voss
Carlson, B.	Heinitz	McCauley	Peterson	Weaver
Carlson, L.	Jacobs	McEachern	Pieper	Wenzel
Casserly	Jaros	McFarlin	Pleasant	Wigley
Cleary	Johnson, D.	McMillan	Prahl	Wohlwend
Clifford	Johnson, J.	Menke	Quirin	Wolcott
Connors	Johnson, R.	Miller, D.	Rice	Mr. Speaker
Culhane	Jopp	Miller, M.	Ryan	
Cummiskey	Jude	Moe	St. Onge	
Dahl	Kempe	Mueller	Salchert	

Those who voted in the negative were:

Anderson, D.	Erdahl	Fjoslien	Kelly	Sherwood
Becklin	Erickson	Hanson	Klaus	Skaar
Berglin	Esau	Hook	Long	Stanton
Carlson, D.	Faricy	Kahn	Searle	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 210, A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

St. Onge moved that the House concur in the Senate amendments to H. F. No. 210 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 210, A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6, and by adding subdivisions; Minnesota Statutes, 1973 Supplement, Section 125.12, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 96, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Kelly	Munger	Savelkoul
Adams, S.	Dahl	Kempe	Nelson	Schreiber
Andersen, R.	Dieterich	Knickerbocker	Newcome	Schulz
Anderson, I.	Eken	Knoll	Norton	Sherwood
Becklin	Enebo	Kostohryz	Ohnstad	Sieben, H.
Bell	Faricy	Kvam	Ojala	Sieben, M.
Bennett	Ferderer	Laidig	Parish	Skaar
Berg	Fjoslien	LaVoy	Patton	Spanish
Berglin	Fudro	Lemke	Pavlak, R.	Swanson
Biersdorf	Fugina	Mann	Pavlak, R. L.	Tomlinson
Braun	Graw	McArthur	Pehler	Ulland
Brinkman	Grove	McCarron	Pieper	Vento
Carlson, A.	Hanson	McCauley	Prahl	Voss
Carlson, B.	Haugerud	McEachern	Quirin	Wenzel
Carlson, D.	Jacobs	McFarlin	Rice	Wohlwend
Carlson, L.	Jaros	McMillan	Ryan	Wolcott
Cassery	Johnson, D.	Menke	St. Onge	
Cleary	Johnson, J.	Miller, D.	Salchert	
Connors	Jude	Miller, M.	Samuelson	
Culhane	Kahn	Moe	Sarna	

Those who voted in the negative were:

Anderson, D.	Erdahl	Johnson, R.	Mueller	Stangeland
Anderson, G.	Erickson	Klaus	Myrah	Stanton
Belisle	Esau	Larson	Niehaus	Weaver
Clifford	Forsythe	Lindstrom, E.	Peterson	Wigley
DeGroat	Hagedorn	Lindstrom, J.	Pleasant	
Dirlam	Heinitz	Lombardi	Searle	
Eckstein	Hook	Long	Smith	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House file, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 2405, A bill for an act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Belisle moved that the House concur in the Senate amendments to H. F. No. 2405 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2405, A bill for an act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Miller, M.	Sarna
Adams, S.	Dieterich	Jopp	Moe	Savelkoul
Andersen, R.	Dirlam	Jude	Mueller	Schreiber
Anderson, D.	Eckstein	Kahn	Munger	Schulz
Anderson, G.	Eken	Kelly	Myrah	Sherwood
Anderson, I.	Enebo	Kempe	Nelson	Sieben, H.
Becklin	Erdahl	Klaus	Newcome	Sieben, M.
Belisle	Erickson	Knickerbocker	Niehaus	Skaar
Bell	Esau	Knoll	Norton	Smith
Bennett	Faricy	Kostohryz	Ohnstad	Spanish
Berg	Ferderer	Kvam	Ojala	Stangeland
Berglin	Fjoslien	Laidig	Parish	Stanton
Biersdorf	Forsythe	Larson	Patton	Swanson
Braun	Fudro	LaVoy	Pavlak, R.	Tomlinson
Brinkman	Fugina	Lemke	Pavlak, R. L.	Ulland
Carlson, A.	Graw	Lindstrom, E.	Pehler	Vento
Carlson, B.	Growe	Lindstrom, J.	Peterson	Voss
Carlson, D.	Hagedorn	Lombardi	Pieper	Weaver
Carlson, L.	Hanson	Long	Pleasant	Wenzel
Casserly	Haugerud	Mann	Prahl	Wigley
Cleary	Heinitz	McArthur	Quirin	Wohlwend
Clifford	Hook	McCauley	Rice	Wolcott
Connors	Jacobs	McEachern	Ryan	Mr. Speaker
Culhane	Jaros	McFarlin	St. Onge	
Cummiskey	Johnson, D.	Menke	Salchert	
Dahl	Johnson, J.	Miller, D.	Samuelson	

Those who voted in the negative were:

McCarron

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1415, A bill for an act relating to health; developmentally disabled; amending Minnesota Statutes 1971, Sections 252.24, Subdivisions 1 and 4; 252.25; 252.26; 252.27; and 252.28.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 1415 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1415, A bill for an act relating to health; providing for grants to daytime activity centers for mentally retarded and cerebral palsied persons; amending Minnesota Statutes 1971, Sections 252.21; 252.23; 252.24, Subdivision 1; 252.25; 252.26; and Minnesota Statutes, 1973 Supplement, Sections 252.22 and 252.24, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Hagedorn	Klaus
Adams, S.	Carlson, A.	Eckstein	Hanson	Knickerbocker
Andersen, R.	Carlson, B.	Eken	Heinitz	Knoll
Anderson, D.	Carlson, D.	Erdahl	Hook	Kostohryz
Anderson, G.	Carlson, L.	Erickson	Jacobs	Kvam
Anderson, I.	Casserly	Esau	Jaros	Laidig
Becklin	Cleary	Faricy	Johnson, D.	Larson
Belisle	Clifford	Ferderer	Johnson, J.	LaVoy
Bell	Connors	Fjoslien	Johnson, R.	Lemke
Bennett	Culhane	Forsythe	Jopp	Lindstrom, E.
Berg	Cummiskey	Fudro	Jude	Lindstrom, J.
Berglin	Dahl	Fugina	Kahn	Lombardi
Biersdorf	DeGroat	Graw	Kelly	Long
Braun	Dieterich	Growe	Kempe	Mann

McArthur	Nelson	Pieper	Searle	Vento
McCarron	Newcome	Pleasant	Sherwood	Voss
McCaughey	Niehhaus	Prahl	Sieben, H.	Weaver
McEachern	Norton	Quirin	Sieben, M.	Wenzel
McFarlin	Ohnstad	Rice	Skaar	Wigley
Menke	Ojala	Ryan	Smith	Wohlwend
Miller, D.	Parish	St. Onge	Spanish	Wolcott
Miller, M.	Patton	Salchert	Stangeland	Mr. Sreaker
Moe	Pavlak, R.	Sarna	Stanton	
Mueller	Pavlak, R. L.	Savelkoul	Swanson	
Munger	Pehler	Schreiber	Tomlinson	
Myrah	Peterson	Schulz	Ulland	

The bill was repassed, as amended by the Senate, and its title agreed to.

McMillan was excused for the remainder of today's session.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 268, A bill for an act relating to courts; initiation of paternity proceedings; amending Minnesota Statutes 1971, Section 257.253.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 268 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 268, A bill for an act relating to courts; initiation of paternity proceedings; amending Minnesota Statutes 1971, Section 257.253.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Belisle	Brinkman	Clifford	Dirlam
Adams, S.	Bell	Carlson, A.	Connors	Eckstein
Andersen, R.	Bennett	Carlson, B.	Culhane	Eken
Anderson, D.	Berg	Carlson, D.	Cummiskey	Enebo
Anderson, G.	Berglin	Carlson, L.	Dahl	Erdahl
Anderson, I.	Biersdorf	Casserly	DeGroat	Erickson
Becklin	Braun	Cleary	Dieterich	Esau

Faricy	Jude	McCarron	Pavlak, R.	Sieben, H.
Ferderer	Kahn	McCauley	Pavlak, R. L.	Sieben, M.
Fjoslien	Kelly	McEachern	Pehler	Skaar
Forsythe	Kempe	McFarlin	Peterson	Smith
Fudro	Klaus	Menke	Pieper	Spanish
Fugina	Knickerbocker	Miller, D.	Pleasant	Stangeland
Graw	Knoll	Miller, M.	Prahl	Stanton
Grove	Kostohryz	Moe	Quirin	Swanson
Hagedorn	Kvam	Mueller	Rice	Tomlinson
Hanson	Laidig	Munger	Ryan	Ulland
Haugerud	Larson	Myrah	St. Onge	Vento
Heinitz	LaVoy	Nelson	Salchert	Voss
Hook	Lemke	Newcome	Samuelson	Weaver
Jacobs	Lindstrom, E.	Niehaus	Sarna	Wenzel
Jaros	Lindstrom, J.	Norton	Savelkoul	Wigley
Johnson, D.	Lombardi	Ohnstad	Schreiber	Wohlwend
Johnson, J.	Long	Ojala	Schulz	Wolcott
Johnson, R.	Mann	Parish	Searle	Mr. Speaker
Jopp	McArthur	Patton	Sherwood	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3151, A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 3151 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3151, A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, G.	Becklin	Bell
Adams, S.	Anderson, D.	Anderson, I.	Belisle	Bennett

Berg	Esau	Klaus	Munger	Schreiber
Berglin	Faricy	Knickerbocker	Nelson	Schulz
Biersdorf	Ferderer	Knoll	Newcome	Searle
Braun	Fjosien	Kostohryz	Niehaus	Sherwood
Brinkman	Forsythe	Kvam	Norton	Sieben, H.
Carlson, A.	Fudro	Laidig	Ohnstad	Sieben, M.
Carlson, B.	Fugina	Larson	Ojala	Skaar
Carlson, D.	Graw	LaVoy	Parish	Smith
Carlson, L.	Grove	Lemke	Patton	Spanish
Casserly	Hagedorn	Lindstrom, E.	Pavlak, R.	Stangeland
Cleary	Hanson	Lindstrom, J.	Pavlak, R. L.	Stanton
Clifford	Haugerud	Lombardi	Pehler	Swanson
Connors	Heinitz	Long	Peterson	Tomlinson
Culhane	Hook	Mann	Pieper	Ulland
Cummiskey	Jacobs	McArthur	Pleasant	Vento
Dahl	Jaros	McCarron	Prahl	Voss
DeGroat	Johnson, D.	McCauley	Quirin	Weaver
Dieterich	Johnson, J.	McEachern	Rice	Wenzel
Dirlam	Johnson, R.	McFarlin	Ryan	Wigley
Eckstein	Jopp	Menke	St. Onge	Wohlwend
Eken	Jude	Miller, D.	Salchert	Wolcott
Enebo	Kahn	Miller, M.	Samuelson	Mr. Speaker
Erdahl	Kelly	Moe	Sarna	
Erickson	Kempe	Mueller	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1047, A bill for an act relating to standards of weight and measure; providing for the gradual implementation and instruction concerning the metric system of weights and measures.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCauley moved that the House concur in the Senate amendments to H. F. No. 1047 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1047, A bill for an act relating to standards of weight and measure; providing for the gradual implementation and instruction concerning the metric system of weights and measures.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Sarna
Adams, S.	Dirlam	Jude	Miller, M.	Savelkoul
Andersen, R.	Eckstein	Kahn	Moe	Schreiber
Anderson, G.	Eken	Kelly	Mueller	Schulz
Anderson, I.	Enebo	Kempe	Munger	Searle
Becklin	Erdahl	Klaus	Myrah	Sherwood
Belisle	Erickson	Knickerbocker	Nelson	Sieben, H.
Bell	Esau	Knoll	Newcome	Sieben, M.
Bennett	Faricy	Kostohryz	Niehaus	Skaar
Berg	Ferderer	Kvam	Norton	Smith
Berglin	Fjoslien	Laidig	Ohnstad	Spanish
Biersdorf	Forsythe	Larson	Ojala	Stanton
Braun	Fudro	LaVoy	Parish	Swanson
Brinkman	Fugina	Lemke	Patton	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Grove	Lindstrom, J.	Pehler	Vento
Carlson, L.	Hagedorn	Lombardi	Peterson	Voss
Cassery	Hanson	Long	Pieper	Weaver
Cleary	Heinitz	Mann	Pleasant	Wenzel
Clifford	Hook	McArthur	Prahl	Wigley
Connors	Jacobs	McCarron	Quirin	Wohlwend
Culhane	Jaros	McCauley	Rice	Wolcott
Cummiskey	Johnson, D.	McEachern	Ryan	Mr. Speaker
Dahl	Johnson, J.	McFarlin	Salchert	
DeGroat	Johnson, R.	Menke	Samuelson	

Those who voted in the negative were:

Anderson, D. Carlson, B. Pavlak, R. Stangeland

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3060, A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivisions 2 and 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 3060 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3060, A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivision 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Jopp	Miller, M.	Sarna
Adams, S.	Dieterich	Jude	Moe	Savelkoul
Andersen, R.	Dirlam	Kahn	Mueller	Schreiber
Anderson, D.	Eckstein	Kelly	Munger	Schulz
Anderson, G.	Eken	Kempe	Myrah	Searle
Anderson, I.	Enebo	Klaus	Nelson	Sherwood
Becklin	Erdahl	Knickerbocker	Newcome	Sieben, H.
Belisle	Erickson	Knoll	Niehaus	Sieben, M.
Bell	Esau	Kostohryz	Norton	Skaar
Bennett	Faricy	Kvam	Ohnstad	Smith
Berg	Ferderer	Laidig	Ojala	Spanish
Berglin	Fjoslien	Larson	Parish	Stangeland
Biersdorf	Forsythe	LaVoy	Patton	Stanton
Braun	Fudro	Lemke	Pavlak, R.	Swanson
Brinkman	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graw	Lindstrom, J.	Pehler	Ulland
Carlson, B.	Grove	Lombardi	Peterson	Vento
Carlson, D.	Hagedorn	Long	Pieper	Voss
Carlson, L.	Hanson	Mann	Pleasant	Weaver
Casserly	Heinitz	McArthur	Prahl	Wenzel
Cleary	Hook	McCarron	Quirin	Wigley
Clifford	Jacobs	McCauley	Rice	Wohlwend
Connors	Jaros	McEachern	Ryan	Wolcott
Culhane	Johnson, D.	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Johnson, J.	Menke	Salchert	
Dahl	Johnson, R.	Miller, D.	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1386, A bill for an act relating to insurance; requiring insurance agents to issue written memoranda with respect to new or altered insurance coverage; providing a penalty; amending Minnesota Statutes 1971, Section 60A.17, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 1386 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1386, A bill for an act relating to insurance; requiring insurance agents to issue written memoranda with respect to new or altered insurance coverage; providing a penalty; amending Minnesota Statutes 1971, Section 60A.17, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Hanson	Lemke	Norton
Adams, S.	Cummiskey	Heinitz	Lindstrom, E.	Ohnstad
Andersen, R.	Dahl	Hook	Lindstrom, J.	Ojala
Anderson, D.	DeGroat	Jacobs	Lombardi	Parish
Anderson, G.	Dieterich	Jaros	Long	Patton
Anderson, I.	Dirlam	Johnson, D.	Mann	Pavlak, R.
Becklin	Eckstein	Johnson, J.	McArthur	Pavlak, R. L.
Belisle	Eken	Johnson, R.	McCarron	Pehler
Bennett	Enebo	Jopp	McCauley	Peterson
Berg	Erdahl	Jude	McEachern	Pieper
Berglin	Erickson	Kahn	McFarlin	Prahl
Braun	Esau	Kelly	Menke	Quirin
Brinkman	Faricy	Kempe	Miller, D.	Rice
Carlson, A.	Ferderer	Klaus	Miller, M.	Ryan
Carlson, B.	Fjoslien	Knickerbocker	Moe	St. Onge
Carlson, D.	Forsythe	Knoll	Mueller	Saichert
Carlson, L.	Fudro	Kostohryz	Munger	Samuelson
Casserly	Fugina	Kvam	Myrah	Sarna
Cleary	Graw	Laidig	Nelson	Saveikoul
Clifford	Growe	Larson	Newcome	Schreiber
Connors	Hagedorn	LaVoy	Niehaus	Schulz

Searle	Skaar	Stanton	Vento	Wigley
Sherwood	Smith	Swanson	Voss	Wohlwend
Sieben, H.	Spanish	Tomlinson	Weaver	Wolcott
Sieben, M.	Stangeland	Ulland	Wenzel	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2844, A bill for an act relating to the Minnehaha creek watershed district; providing for taxes.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Knickerbocker moved that the House concur in the Senate amendments to H. F. No. 2844 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2844, A bill for an act relating to the Minnehaha creek watershed district; providing for taxes.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Cleary	Forsythe	Kempe	McEachern
Andersen, R.	Clifford	Fudro	Klaus	McFarlin
Anderson, D.	Connors	Fugina	Knickerbocker	Menke
Anderson, G.	Culhane	Graw	Knoll	Miller, D.
Anderson, I.	Cummiskey	Growe	Kostohryz	Miller, M.
Becklin	Dahl	Hagedorn	Kvam	Moe
Belisle	DeGroat	Hanson	Laidig	Mueller
Bell	Dieterich	Haugerud	Larson	Munger
Bennett	Dirlam	Heinitz	LaVoy	Myrah
Berg	Eckstein	Hook	Lemke	Nelson
Berglin	Eken	Jacobs	Lindstrom, E.	Newcome
Biersdorf	Enebo	Jaros	Lindstrom, J.	Niehaus
Braun	Erdahl	Johnson, D.	Lombardi	Norton
Carlson, A.	Erickson	Johnson, R.	Long	Ohnstad
Carlson, B.	Esau	Jopp	Mann	Ojala
Carlson, D.	Faricy	Jude	McArthur	Parish
Carlson, L.	Ferderer	Kahn	McCarron	Patton
Casserly	Fjoslien	Kelly	McCauley	Pavlak, R.

Pavlak, R. L.	Rice	Schulz	Stangeland	Weaver
Pehler	Ryan	Searle	Stanton	Wenzel
Peterson	St. Onge	Sherwood	Swanson	Wigley
Pieper	Salchert	Sieben, H.	Tomlinson	Wohlwend
Pleasant	Samuelson	Sieben, M.	Ulland	Wolcott
Prahl	Sarna	Skaar	Vanasek	Mr. Speaker
Quirin	Savelkoul	Smith	Vento	
Resner	Schreiber	Spanish	Voss	

Those who voted in the negative were:

Johnson, J.

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3436, A bill for an act relating to the state building code; adopting the uniform fire code.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 3436 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3436, A bill for an act relating to public safety; authorizing the commissioner of public safety to promulgate a uniform fire code; adopting the uniform fire code, 1973 edition, promulgated by the international conference of building officials and the western fire chiefs association, until the commissioner promulgates a code.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Becklin	Berglin	Carlson, B.	Clifford
Adams, S.	Belisle	Biersdorf	Carlson, D.	Connors
Andersen, R.	Bell	Braun	Carlson, L.	Culhane
Anderson, G.	Bennett	Brinkman	Casserly	Cummiskey
Anderson, I.	Berg	Carlson, A.	Cleary	Dahl

DeGroat	Hook	Lombardi	Parish	Sherwood
Dieterich	Jacobs	Long	Patton	Sieben, H.
Dirlam	Jaros	Mann	Pavlak, R.	Sieben, M.
Eckstein	Johnson, D.	McArthur	Pavlak, R. L.	Skaar
Eken	Johnson, J.	McCarron	Pehler	Smith
Enebo	Johnson, R.	McCauley	Peterson	Spanish
Erdahl	Jopp	McEachern	Pieper	Stangeland
Erickson	Jude	McFarlin	Pleasant	Stanton
Esau	Kahn	Menke	Prahl	Swanson
Faricy	Kelly	Miller, D.	Quirin	Tomlinson
Ferderer	Kempe	Miller, M.	Resner	Ulland
Fjoslien	Klaus	Moe	Rice	Vento
Forsythe	Knickerbocker	Mueller	Ryan	Voss
Fudro	Knoll	Munger	St. Onge	Weaver
Fugina	Kostohryz	Myrah	Salchert	Wenzel
Graw	Laidig	Nelson	Samuelson	Wigley
Grove	Larson	Newcome	Sarna	Wohlwend
Hagedorn	LaVoy	Niehaus	Savelkoul	Wolcott
Hanson	Lemke	Norton	Schreiber	Mr. Speaker
Haugerud	Lindstrom, E.	Ohnstad	Schulz	
Heintz	Lindstrom, J.	Ojala	Searle	

Those who voted in the negative were:

Anderson, D.

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2458, A bill for an act relating to political subdivisions; conditioning authorization for expenditures in connection with membership in certain associations on the filing of financial statements; amending Minnesota Statutes 1971, Section 471.96, Subdivision 1; repealing Minnesota Statutes 1971, Section 471.96, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cummiskey moved that the House concur in the Senate amendments to H. F. No. 2458 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2458, A bill for an act relating to soil and water conservation districts; authorizing membership in state and national associations; amending Minnesota Statutes 1971, Section 40.07, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Mueller	Schreiber
Adams, S.	Dirlam	Kahn	Munger	Schulz
Andersen, R.	Eckstein	Kelly	Myrah	Searle
Anderson, D.	Eken	Kempe	Nelson	Sherwood
Anderson, G.	Enebo	Klaus	Newcome	Sieben, H.
Anderson, J.	Erdahl	Knickerbocker	Niehaus	Sieben, M.
Becklin	Ericksen	Knoll	Norton	Skaar
Belisle	Esau	Kostohryz	Ohnstad	Smith
Bell	Faricy	Kvam	Ojala	Spanish
Bennett	Ferderer	Laidig	Parish	Stangeland
Berg	Fjoslien	Larson	Patton	Stanton
Berglin	Forsythe	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graw	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Growe	Lombardi	Pieper	Vento
Carlson, B.	Hagedorn	Long	Pleasant	Voss
Carlson, D.	Hanson	Mann	Prahl	Weaver
Carlson, L.	Haugerud	McArthur	Quirin	Wenzel
Casserly	Heinitz	McCarron	Resner	Wigley
Cleary	Hook	McCauley	Rice	Wohlwend
Clifford	Jacobs	McEachern	Ryan	Wolcott
Connors	Jaros	McFarlin	St. Onge	Mr. Speaker
Culhane	Johnson, D.	Menke	Salchert	
Cummiskey	Johnson, J.	Miller, D.	Samuelson	
Dahl	Johnson, R.	Miller, M.	Sarna	
DeGroat	Jopp	Moe	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Johnson, D., moved that the House refuse to concur in the Senate amendments to H. F. No. 3707, that the Speaker appoint a Conference Committee of 5 members of the House, and that the

House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 69, and nays 59, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Knoll	Ojala	Sarna
Anderson, I.	Faricy	Kostohryz	Parish	Sherwood
Berg	Fudro	LaVoy	Patton	Sieben, H.
Berglin	Fugina	Lindstrom, J.	Pavlak, R.	Sieben, M.
Braun	Graba	Mann	Pehler	Smith
Brinkman	Growe	McCarron	Peterson	Spanish
Carlson, B.	Hanson	McEachern	Prahl	Swanson
Carlson, L.	Haugerud	Menke	Quirin	Tomlinson
Casserly	Jacobs	Miller, D.	Resner	Vanasek
Connors	Jaros	Miller, M.	Rice	Vento
Cummiskey	Johnson, D.	Moe	Ryan	Voss
Dahl	Jude	Munger	St. Onge	Wenzel
Dieterich	Kahn	Nelson	Salchert	Mr. Speaker
Eken	Kelly	Norton	Samuelson	

Those who voted in the negative were:

Adams, S.	Culhane	Heinitz	Long	Savelkoul
Andersen, R.	DeGroat	Hook	McArthur	Schreiber
Anderson, D.	Dirlam	Johnson, J.	McCauley	Schulz
Becklin	Eckstein	Johnson, R.	McFarlin	Searle
Betisle	Erdahl	Jopp	Mueller	Skaar
Bell	Erickson	Kempe	Myrah	Stangeland
Bennett	Esau	Klaus	Newcome	Stanton
Biersdorf	Ferderer	Knickerbocker	Niehaus	Ulland
Carlson, A.	Fjoslien	Kvam	Ohnstad	Weaver
Carlson, D.	Forsythe	Laidig	Pavlak, R. L.	Wigley
Cleary	Graw	Lindstrom, E.	Pieper	Wolcott
Clifford	Hagedorn	Lombardi	Pleasant	

The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3308.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3308, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, March 26, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, March 26, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-THIRTEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 26, 1974

The House convened at 12:00 noon and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	DeGroat	Johnson, D.	Menke	St. Onge
Adams, S.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Andersen, R.	Dirlam	Johnson, R.	Miller, M.	Sarna
Anderson, D.	Eckstein	Jopp	Moe	Savelkoul
Anderson, G.	Eken	Jude	Mueller	Schreiber
Anderson, I.	Enebo	Kahn	Munger	Searle
Becklin	Erdahl	Kelly	Myrah	Sherwood
Belisle	Erickson	Kempe	Nelson	Sieben, H.
Bell	Esau	Klaus	Newcome	Sieben, M.
Bennett	Faricy	Knickerbocker	Niehaus	Skaar
Berg	Ferderer	Knoll	Norton	Smith
Berglin	Fjoslien	Kostohryz	Ohnstad	Spanish
Biersdorf	Forsythe	Kvam	Ojala	Stangeland
Braun	Fudro	Laidig	Parish	Stanton
Brinkman	Fugina	Larson	Patton	Swanson
Carlson, A.	Graba	LaVoy	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Lindstrom, E.	Pehler	Vanasek
Carlson, L.	Hagedorn	Lindstrom, J.	Peterson	Vento
Casserly	Hanson	Lombardi	Pieper	Voss
Cleary	Haugerud	Long	Pleasant	Weaver
Clifford	Heinitz	Mann	Prahl	Wenzel
Connors	Hook	McArthur	Quirin	Wigley
Culhane	Jacobs	McCarron	Resner	Wohlwend
Cummiskey	Jaros	McEachern	Rice	Wolcott
Dahl	Johnson, C.	McMillan	Ryan	Mr. Speaker

A quorum was present.

Salchert was excused. McCauley was excused until 1:15 p.m. McFarlin and Schulz were excused.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. No. 3308 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2350		222	March 23	March 23
2501		223	March 23	March 23
2687		224	March 23	March 23
2740		225	March 23	March 23
2840		226	March 23	March 23
3002		227	March 23	March 23
3068		228	March 23	March 23
3144		229	March 23	March 23
3152		230	March 23	March 23
3159		231	March 23	March 23
3162		232	March 23	March 23

113th Day]

TUESDAY, MARCH 26, 1974

6811

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
3218		233	March 23	March 23
3287		234	March 23	March 23
3360		235	March 23	March 23

Sincerely,

ARLEN I. ERDAHL
Secretary of State

INTRODUCTION OF BILLS

Pavlak, R., introduced:

H. F. No. 3728, A bill for an act relating to crimes and criminals; prohibiting the willful refusal of a legislator to sign a conference committee report after agreement has been reached thereon, without payment of ransom; providing a penalty.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

MOTION FOR RECONSIDERATION

Pehler moved that the vote whereby the House acceded to the request of the Senate for the return of H. F. No. 862 to the Senate for further consideration be now reconsidered. The motion prevailed.

Pehler moved that the House refuse to concur in the Senate amendments to H. F. No. 862, that the Speaker appoint a Conference Committee of three members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 862:

Pehler, Voss, and Laidig.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2120

March 25, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2120, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments and that H. F. No. 2120, the printed bill, be further amended as follows:

Page 1, line 3, strike "*initially*".

Page 1, line 4, after "receives" insert "*on or*".

Page 1, line 5, after "week" and before the period insert "*, as adjusted*".

Page 1, line 5, strike "*Thereafter,*".

Page 1, line 6, strike "*January 1, 1975*" and insert "*July 1, 1974*".

Page 1, line 7, after "*be*" strike the remainder of the line.

Page 1, line 8, strike everything through the word "*annually*".

Page 1, line 9, strike "*of each prior year*" and insert "*then in effect*".

Page 1, line 11, after the word "*January*" insert the words "*of the year*".

Page 1, line 13, after the word "*January*" insert the words "*of the year*".

Page 1, line 14, after "*effect*" and before the period, insert the words "*, and raising the product to the next highest full dollar amount*".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: DONALD MOE, DAVID CLEARY, and JOHN SARNA.

Senate Conferees: JOHN MILTON, BALDY (C. R.) HANSEN, and OTTO T. BANG, JR.

Moe moved that the report of the Conference Committee on H. F. No. 2120 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2120, A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, M.	Sarna
Andersen, R.	Dirlam	Jopp	Moe	Savelkoul
Anderson, G.	Eckstein	Jude	Munger	Schreiber
Anderson, I.	Eken	Kahn	Myrah	Searle
Becklin	Enebo	Kelly	Nelson	Sherwood
Belisle	Erdahl	Kempe	Newcome	Sieben, H.
Bell	Erickson	Knickerbocker	Niehaus	Sieben, M.
Bennett	Esau	Knoll	Norton	Skaar
Berg	Faricy	Kostohryz	Ohnstad	Smith
Berglin	Ferderer	Kvam	Ojala	Stangeland
Braun	Fjoslien	Laidig	Parish	Stanton
Brinkman	Forsythe	Larson	Patton	Swanson
Carlson, A.	Fudro	LaVoy	Pavlak, R.	Tomlinson
Carlson, B.	Fugina	Lemke	Pavlak, R. L.	Ulland
Carlson, D.	Graba	Lindstrom, E.	Pehler	Vanasek
Carlson, L.	Graw	Lindstrom, J.	Peterson	Vento
Casserly	Grove	Lombardi	Pieper	Voss
Cleary	Hagedorn	Long	Pleasant	Wenzel
Clifford	Hanson	Mann	Prahl	Wigley
Connors	Heinitz	McArthur	Quirin	Wohlwend
Culhane	Jacobs	McCarron	Resner	Wolcott
Cummiskey	Jaros	McMillan	Rice	Mr. Speaker
Dahl	Johnson, C.	Menke	Ryan	
DeGroat	Johnson, D.	Miller, D.	St. Onge	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2675

March 25, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2675 re-

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

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [FINDINGS AND PURPOSE.] The legislature finds and declares that the present rapid growth in demand for energy is in part due to unnecessary energy use; that a continuation of this trend will result in serious depletion of finite quantities of fuels, land and water resources, and threats to the state’s environmental quality; that the state must insure consideration of urban expansion, transit systems; economic development, energy conservation and environmental protection in planning for large energy facilities; that there is a need to carry out energy conservation measures; and that energy planning, protection of environmental values, development of Minnesota energy sources, and conservation of energy require expanded authority and technical capability and a unified, coordinated response within state government.

The legislature seeks to encourage thrift in the use of energy, and to maximize use of energy-efficient systems, thereby reducing the rate of growth of energy consumption, prudently conserving energy resources, and assuring statewide environmental protection consistent with an adequate, reliable supply of energy.

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

Subd. 2. “Agency” means the Minnesota energy agency as provided in this act.

Subd. 3. “Commission” means the legislative commission on energy.

Subd. 4. “Director” means the director of the Minnesota energy agency.

Subd. 5. “Large energy facility” means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any interstate high voltage transmission line with a capacity of 200 kilovolts or more and over 100 miles in length, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and over 50 miles in length used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and over 50 miles in length, any fa-

cility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to Minnesota Statutes, Section 84.57, any facility designed or capable of serving as a depot for coal transported into this state for use within the state or transshipment from the state and any petroleum refinery.

Subd. 6. "Petroleum supplier" means any petroleum refinery in the state and any entity engaged in transmission or wholesale distribution of more than 100,000 gallons of crude petroleum or petroleum fuels or oil or derivatives thereof annually in this state.

Subd. 7. "Coal supplier" means any entity engaged in this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state.

Subd. 8. "Utility" means any entity engaged in this state in the generation, transmission or distribution of electric energy and any entity engaged in this state in the transmission or distribution of natural or synthetic natural gas, including, but not limited to a private investor owned utility or a public or municipally owned utility.

Subd. 9. "Construction" means significant physical alteration of a site to install or enlarge a large energy facility, but not including activities incident to preliminary engineering or environmental studies.

Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the Minnesota energy agency.

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.

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. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. 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. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created a legislative commission on energy.

The commission shall be composed of three members from the senate, to be appointed by the committee on committees, three members from the house, to be appointed by the speaker and three public members to be appointed by the governor, no more than two to be of the same political party.

Subd. 2. The director of the office of legislative research shall serve as executive secretary of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) Submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) Review and evaluate policies adopted by the agency;

(c) Coordinate with the director of the agency and assist him in determining energy policies;

(d) Assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) Assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) Consult with the director and the agency on all matters regarding energy conservation;

(g) Routinely advise the director and the agency regarding the exercise of their other duties under this act;

- (h) Continuously evaluate the energy policies of the state;
- (i) Review and comment upon the other activities of the agency;
- (j) Re-evaluate the report of the agency submitted pursuant to section 10;
- (k) Recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;
- (l) Submit an annual report of its activities to the governor and the legislature; and
- (m) Include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy.

Subd. 4. The commission shall expire on July 1, 1975 unless renewed by the legislature.

Sec. 5. [CONFLICT OF INTEREST.] No person shall be eligible to continue in office as director unless he has within six months after being appointed divested himself of any interest except fully vested pension rights in any utility, coal or petroleum supplier, or manufacturer of any major component of a large energy facility doing business within or outside this state.

No person who is an employee of the agency shall participate in any manner in any decision or action of the agency where he has a direct or indirect financial interest.

Sec. 6. [JURISDICTION.] The agency has sole authority and responsibility for the administration of this act. Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration of this act. The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act. Any other department, agency or official of this state or political subdivision thereof which would in any way affect the administration or enforcement of this act shall cooperate and coordinate all such activities with the agency to assure orderly and efficient administration and enforcement of this act.

The director shall designate a liaison officer from the agency whose duty shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the division

and the other agencies that may be involved in energy. The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act.

Sec. 7. [DUTIES.] Subdivision 1. It shall be the duty of the director to:

(a) Manage the agency as the central repository within the state government for the collection of data on energy;

(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of this act;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of this act, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the ways in which persons can conserve energy;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve non-renewable energy resources while creating minimum environmental impact;

(l) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 8. [POWERS.] The director may:

(a) Adopt rules and regulations, pursuant to chapter 15 necessary to carry out the purposes of this act;

(b) Make all contracts pursuant to this act and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of this act. Notwithstanding any other law the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act.

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Distribute informational material at no cost to the public upon reasonable request.

Sec. 9. [ENERGY EMERGENCY ALLOCATION PLAN.]
Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use and in the event of an energy supply emergency, shall establish guidelines and criteria for allocation of fuels to priority users. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to individuals, institutions, agriculture and businesses which demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) Immediate allocations to individuals, institutions, agriculture and businesses be based on needs at energy conservation levels;

(2) Successive allocations to individuals, institutions, agriculture and businesses be based on needs after implementation of required action to increase energy conservation;

(3) Needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such cooperative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of Minnesota Statutes, Section 325.8017, Subdivision 2.

Subd. 3. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 4. At least once every five years and whenever construction of a new large energy facility is completed which affects the supply of energy in Minnesota, the director shall review and if necessary revise the emergency conservation and allocation plan.

Subd. 5. Upon a declaration of an energy supply emergency by the executive council or the legislature, the director shall request the division of civil defense to implement and enforce the emergency conservation allocation plan. The executive council and the legislative commission may terminate an energy supply emergency at any time, but no energy supply emergency may continue for longer than 30 days unless renewed by the executive council and the legislative commission. Each renewed energy supply emergency may not continue for longer than 30 days. Each person shall carry out the responsibilities specified in the emergency conservation allocation plan, and violation of any provision of such emergency conservation or allocation requirements shall be deemed a violation of this act and the rules or regulations promulgated thereunder for purposes of enforcement pursuant to section 15 hereof.

Sec. 10. [FORECASTS, STATISTICS AND INFORMATION.] Subdivision 1. In order to further the purposes of this act, the director shall develop and maintain an effective program of collection, compilation, and analysis of energy statistics. The statistical program shall be developed to insure a central state repository of energy data and so that the state may coordinate and cooperate with other governmental data collection and record keeping programs.

Subd. 2. In addition to supplying such current statistical and short range forecasting information as the director may require, each utility, coal supplier, petroleum supplier and large energy facility in the state shall prepare and transmit to the director by January 1, 1975, and every year thereafter, a report specifying in five, ten, and 20-year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the director and contain all information deemed relevant by the director.

Subd. 3. The director shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication.

Subd. 4. Reports issued pursuant to this section shall be available for public inspection in the office of the agency during normal business hours.

Subd. 5. The director shall review and evaluate forecasts of energy demands and resources as they relate to the most current population growth and development estimates, statewide and regional land use, transportation, and economic development programs and forecasts.

Sec. 11. [STATE ENERGY POLICY AND CONSERVATION REPORT.] Subdivision 1. Beginning January 1, 1976, and at least every two years thereafter, the director shall transmit to the governor and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and service area energy need. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 10 and the alternatives to meeting that demand;

(b) An estimate of statewide and geographical area energy need for the forthcoming five and ten year period which, in the judgment of the director, will reasonably balance requirements of state and service area growth and development, protection of public health and safety, preservation of environmental quality, and conservation of energy resources. Such forecasts established by the director shall serve as the basis for certification of large energy facilities in section 13;

(c) The anticipated level of statewide and geographical area energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The status of the department's ongoing studies;

(h) A description of the emergency allocation plan;

(i) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of this act.

Subd. 2. Prior to the preparation of a final report, the director shall issue a draft report to the legislative commission on energy, the environmental quality council and any person, upon request, and shall hold a public meeting. Notice of the public meeting shall be provided to each regional development commission.

Subd. 3. The director shall distribute the final report to any person upon request.

Sec. 12. [ENERGY CONSERVATION.] Subdivision 1. After consultation with the director and the commissioner of public safety, the commissioner of highways shall, pursuant to chapter 15, promulgate regulations establishing maximum energy use standards for street, highway and parking lot lighting. Such standards shall be consistent with overall protection of the public health, safety and welfare. No new highway, street or parking lot lighting shall be installed in violation of these regulations and existing lighting levels shall be reduced consistent with the regulations as soon as feasible and practical, consistent with overall energy conservation.

Subd. 2. The director may investigate promotional practices by energy suppliers and, pursuant to chapter 15, may promulgate regulations to limit such practices in order to reduce the rate of growth of energy demand.

Subd. 3. After July 1, 1974, no new natural gas outdoor lighting shall be installed in the state.

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and welfare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner of administration, in consultation with the director, shall, no later than April 1, 1975, and pursuant to Minnesota Statutes, Chapter 15, promulgate building design and construction standards regarding heat loss control, illumination and climate control. Such standards shall apply to all new buildings and remodeling affecting heat and loss control, illumination and climate control. Such standards shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. The standards shall become part of the state building code and be effective six months after promulgation.

Subd. 5. The director, in conjunction with the commissioner of administration, shall conduct studies of the state's purchase and use of supplies, automobiles and equipment having a significant impact on energy use in order to determine the potential for energy conservation. The director may promulgate regulations to insure that energy use and conservation will be considered in state purchasing and, where appropriate, to require certain minimum energy efficiency standards in purchased products and equipment. No state purchasing of equipment or material use shall occur that is not in conformity with these regulations.

Subd. 6. In consultation with the director, the commissioner of highways shall begin an efficiency study of the present traffic

flow system within the state. The study shall consider the feasibility of a computer-coordinated traffic system and other measures for increasing the efficiency of present traffic loads.

Subd. 7. The commissioner of administration shall begin a study of expanding the state telecommunication system to reduce travel between all state departments and agencies.

Subd. 8. The tax study commission shall study the feasibility of encouraging car pools and private busing through the use of tax incentives.

Subd. 9. In conjunction with the motor vehicle services division, the director shall study the feasibility of modifying motor vehicle license fees to reflect energy consumption.

Sec. 13. [CERTIFICATE OF NEED.] Subdivision 1. Within six months after the submission of the first biennial report the director shall, pursuant to chapter 15 and this act, promulgate assessment of need criteria to be used in the determination of need for large energy facilities pursuant to this section.

Subd. 2. After promulgation of the assessment of need criteria, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to this act and consistent with the criteria for assessment of need.

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the director shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under this act or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments.

Subd. 4. After promulgation of the criteria for assessment of need, any utility, coal supplier or petroleum supplier shall apply for a certificate of need to construct a new large energy facility. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing pursuant to chapter 15.

Subd. 5. Within six months of the submission of an application, the director shall approve or deny a certificate of need for the facility. Such approval or denial of the certificate shall be accompanied by a statement of the reasons for the decision. Issuance of the certificate may be made contingent upon modifications required by the director.

Subd. 6. Any application for a certificate of need shall be accompanied by a fee not to exceed \$50,000. The director shall establish by regulation pursuant to chapter 15 and this act, a schedule of fees based on the output or capacity of the facility and the difficulty of assessment of need. Funds collected in this manner shall be credited to the general fund of the state treasury.

Subd. 7. Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the director and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in Laws 1973, Chapter 342 and Chapter 412, Section 4, Subdivision 9.

Subd. 8. This section shall not apply in any case where the director shall determine after being advised by the attorney general that its application has been preempted by federal law.

Sec. 14. [SUBPOENA POWER.] The director shall have the power, for the purposes of this act, to issue subpoenas for production of books, records, correspondence and other information and to require attendance of witnesses. Such subpoenas may be served anywhere in the state by any person authorized to serve processes of courts of record. If a person does not comply with a subpoena, the director may apply to the district court of Ramsey county and the court shall compel obedience to the sub-

poena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Sec. 15. [ENFORCEMENT, PENALTIES.] Subdivision 1. Any person who violates this act or any rule or regulation promulgated hereunder or knowingly submits false information in any report required by this act shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

Subd. 2. The provisions of this act or any rules or regulations promulgated hereunder may be enforced by injunction, action to compel performance or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the director, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Subd. 3. When the court finds that any person has violated this act or any rule or regulation thereunder, has knowingly submitted false information in any report required by this act, or has violated any court order issued under this act, the court may impose a civil penalty of not more than \$10,000 for each violation. These penalties shall be paid to the general fund in the state treasury.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the Minnesota energy agency*, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor.

Sec. 17. [APPROPRIATIONS.] The agency is hereby authorized positions either permanent or temporary upon approval by the legislative advisory committee of the agency's work program, priorities and proposed job assignments. There is appropriated to the director of the energy agency from the general fund the sum of \$30,000 for preliminary organization of the agency upon passage of this act. Such other financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of personnel. There is hereby appropriated to the general contingent account for fiscal year 1974-1975 from the general fund the sum of \$320,000. There is hereby appropriated to the legislative commission on energy from the general fund the sum of \$30,000 for fiscal year 1974-1975.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following final enactment.

Sec. 19. [EXPIRATION DATE.] The provisions of this act shall expire December 31, 1979 unless renewed by the legislature."

Further, amend the title in line 2 by striking "a" and in line 3 by striking "department of energy" and inserting in lieu thereof "the Minnesota energy agency".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: WILLARD M. MUNGER, WILLIAM N. KELLY, and RICHARD A. ANDERSEN.

Senate Conferees: GEORGE R. CONZEMIUS, WINSTON W. BORDEN, and HARMON T. OGDahl.

Munger moved that the report of the Conference Committee on H. F. No. 2675 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2675, A bill for a act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 92, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Fugina	Knickerbocker	McMillan
Andersen, R.	Connors	Graba	Knoll	Menke
Anderson, G.	Culhane	Grove	Kostohryz	Miller, D.
Anderson, I.	Cummiskey	Hanson	Laidig	Miller, M.
Belisle	Dahl	Haugerud	LaVoy	Moe
Bell	Dieterich	Jacobs	Lemke	Mueller
Bennett	Dirlam	Jaros	Lindstrom, J.	Munger
Berg	Eken	Johnson, C.	Lombardi	Nelson
Berglin	Enebo	Johnson, D.	Mann	Newcome
Braun	Faricy	Jude	McArthur	Norton
Brinkman	Ferderer	Kahn	McCarron	Ojala
Carlson, A.	Forsythe	Kelly	McCauley	Parish
Carlson, L.	Fudro	Kempe	McEachern	Patton

Pavlak, R.	Resner	Sherwood	Swanson	Wohlwend
Pehler	Rice	Sieben, H.	Tomlinson	Wolcott
Peterson	Ryan	Sieben, M.	Ulland	Mr. Speaker
Pleasant	St. Onge	Smith	Vento	
Prahl	Sarna	Spanish	Voss	
Quirin	Schreiber	Stanton	Wenzel	

Those who voted in the negative were :

Adams, S.	Erdahl	Hook	Lindstrom, E.	Samuelson
Becklin	Erickson	Johnson, J.	Long	Savelkoul
Biersdorf	Esau	Johnson, R.	Myrah	Skaar
Carlson, D.	Fjoslien	Jopp	Niehaus	Stangeland
Cleary	Graw	Klaus	Ohnstad	Vanasek
Clifford	Hagedorn	Kvam	Pavlak, R. L.	Weaver
DeGroat	Heinitz	Larson	Pieper	Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1866

March 22, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1866, report that we have agreed upon the items in dispute and recommend as follows :

Strike everything after the enacting clause and insert in lieu thereof :

“Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the terms defined in this section shall have the meanings given them.

Subd. 2. “Supplemental security income” means benefits paid under the federal program of supplemental security income for the aged, blind, and disabled, Title XVI of the Social Security Act, as enacted by section 301 of the Social Security Amendments of 1972.

Subd. 3. “Applicant for supplemental security income” means an individual who has applied for supplemental security income and who, but for excess income or resources, would be a recipient of supplemental security income.

Subd. 4. “Supplemental aid” means state and county payments to eligible applicants for or recipients of supplemental se-

curity income, in accordance with the provisions of this act and rules and regulations promulgated by the commissioner of welfare.

Subd. 5. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 6. "Department" means the department of public welfare.

Subd. 7. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multicounty welfare boards or departments where those have been established in accordance with law.

Subd. 8. "Income" means earned and unearned income from any source whatsoever, reduced by amounts paid for federal and state personal income taxes and federal social security taxes.

Sec. 2. [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 state and the county shall each pay one half 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.

Subd. 2. An individual eligible for supplemental aid under this section may renounce his or her rights to aid under this section and become eligible for supplemental aid under the provisions of section 3 of this act; or, the individual may retain eligibility under this section and have the amount of his or her supplemental aid recalculated pursuant to the provisions of section 4 of this act.

Sec. 3. [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 2 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 the supplemental aid to which the individual is entitled under this section.

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 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.

Sec. 4. [RECALCULATION OF SUPPLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.] A recipient of supplemental aid may, if his or her circumstances change substantially after becoming a recipient of supplemental aid, have the amount of his or her aid recalculated in accordance with the standards set forth in section 3.

Sec. 5. [FISCAL AND ADMINISTRATIVE PROCEDURES.] The commissioner of public welfare shall supervise county administration of supplemental aid, and shall, by rule and regulation, establish necessary administrative and fiscal procedures. The procedures may include, but not be limited to:

(a) Procedures for processing claims of the counties for reimbursement by the state for expenditures made by the counties;

(b) Procedures by which county liability for supplemental aid may be deducted from state liability to the county under any other public assistance program authorized by law;

(c) Procedures by which the local agencies may contract with the commissioner of public welfare for state administration of supplemental aid.

Sec. 6. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by an order or determination of the local agency may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 7. [RULES AND REGULATIONS.] The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act; and may enter into any contracts and agreements necessary for the administration of supplemental aid.

Sec. 8. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effective date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor relief, general assistance, aid to dependent children, *county share of county and state supplemental aid to supplemental security income applicants or recipients*, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 10. Except as otherwise provided in section 3, this act shall be effective April 1, 1974; provided, however, that payments authorized under section 2 shall be made retroactive to January 1, 1974.”.

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

“A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063.”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: M. J. McCAULEY, THOMAS H. RESNER, and DON SAMUELSON.

Senate Conferees: ROGER D. MOE, WILLIAM G. KIRCHNER, and ROBERT J. TENNESSEN.

Samuelson moved that the report of the Conference Committee on H. F. No. 1866 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1866, A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Johnson, R.	Miller, M.	Sarna
Andersen, R.	Eckstein	Jopp	Moe	Savelkoul
Anderson, G.	Eken	Jude	Mueller	Schreiber
Anderson, I.	Enebo	Kahn	Munger	Sherwood
Becklin	Erdahl	Kelly	Myrah	Sieben, H.
Belisle	Erickson	Kempe	Nelson	Sieben, M.
Bell	Esau	Klaus	Newcome	Skaar
Bennett	Faricy	Knickerbocker	Niehaus	Spanish
Berg	Ferderer	Knoll	Norton	Stangeland
Berglin	Fjoslien	Kostohryz	Ohnstad	Stanton
Biersdorf	Forsythe	Kvam	Ojala	Swanson
Braun	Fudro	Laidig	Parish	Tomlinson
Brinkman	Fugina	Larson	Patton	Ulland
Carlson, A.	Graba	LaVoy	Pavlak, R.	Vanasek
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Vento
Carlson, D.	Grove	Lindstrom, E.	Pehler	Voss
Carlson, L.	Hagedorn	Lombardi	Peterson	Wenzel
Casserly	Hanson	Long	Pieper	Wigley
Cleary	Haugerud	Mann	Pleasant	Wohlwend
Clifford	Heinitz	McArthur	Prahl	Wolcott
Connors	Hook	McCarron	Quirin	Mr. Speaker
Culhane	Jacobs	McCauley	Resner	
Cummiskey	Jaros	McEachern	Rice	
Dahl	Johnson, C.	McMillan	Ryan	
DeGroat	Johnson, D.	Menke	St. Onge	

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

PATRICK E. FLAHAVER, Secretary of the Senate

Vento moved that the House refuse to concur in the Senate amendments to H. F. No. 452, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 452:

Vento, Faricy, and Forsythe.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2051, A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

H. F. No. 2163, A bill for an act relating to register of deeds; fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

H. F. No. 3105, A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

H. F. No. 3340, A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3398, A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee shares therefrom and transfer such shares to the highway patrolmen's retirement fund.

H. F. No. 3479, A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

H. F. No. 3544, A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3317, A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2377, A bill for an act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3, and by adding a subdivision.

H. F. No. 2589, A bill for an act relating to professional corporations; including podiatrists and psychologists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House Files, herewith returned :

H. F. No. 2900, A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

H. F. No. 3670, A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 2236, A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

The Senate has appointed as such committee Messrs. Thorup, Jensen, Josefson, Wegener and Moe.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

The Senate has appointed as such committee Messrs. Novak, Ashbach and Tennesen.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2866, 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 urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sections 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

The Senate has appointed as such committee Messrs. North, Coleman and O'Neill.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3023, A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

The Senate has appointed as such committee Messrs. Chenoweth, Stokowski and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing

grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1759

March 21, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. 1759, report that we have agreed upon the items in dispute and recommend as follows:

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

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [PURPOSE.] The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 10, the terms defined in this section have the meanings given them.

Subd. 2. “Metropolitan area” means the area comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. “Metropolitan Council” or “council” means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. “Park district” means a park district created under Minnesota Statutes, Chapter 398.

Subd. 5. "Regional recreation open space" means the land and water areas determined by the metropolitan council to be of regional significance in providing for a balance system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks, and large recreation parks.

Subd. 6. "Policy plan" means a plan adopted by the Council pursuant to Section 4 generally describing the extent, type and location of regional recreation open space needed for the metropolitan area and the timing of its acquisition and development.

Subd. 7. "Master plan" means a plan describing the boundaries of specific parks or other regional recreation open space and the nature of their development and use.

Subd. 8. "Commission" means the Metropolitan Parks and Open Space Commission created by Section 3 of this act.

Subd. 9. "Municipality" means any city or town exercising municipal powers located in the metropolitan area, except where there exists in a city of the first class an elected park and recreation board having control of this act, that board shall be considered a municipality.

Sec. 3. [METROPOLITAN PARKS AND OPEN SPACE COMMISSION] Subdivision 1. [GENERAL.] A metropolitan parks and open space commission is established as an agency of the council and shall be organized and structured as provided in this section.

Subd. 2. [MEMBERSHIP.] The commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the council. One member shall be appointed from each of the following commission precincts:

- (1) Precinct A, consisting of council districts 1 and 2;
- (2) Precinct B, consisting of council districts 3 and 14;
- (3) Precinct C, consisting of council districts 4 and 13;
- (4) Precinct D, consisting of council districts 5 and 6;
- (5) Precinct E, consisting of council districts 7 and 8;
- (6) Precinct F, consisting of council districts 9 and 11;
- (7) Precinct G, consisting of council districts 10 and 12, and
- (8) Precinct H, consisting of council districts 15 and 16.

Subd. 3. [CHAIRMAN.] The chairman of the commission shall be appointed by the council and shall be the ninth member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the council for a four year term. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. The commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] Each member shall be a resident of the precinct for which he is appointed and shall not during his terms of office as a commission member hold the office of metropolitan council member, or be a member of the metropolitan transit commission, metropolitan sewer board, or metropolitan airports commission; or any other metropolitan agency, board, or commission hereafter established by the legislature or hold any judicial office.

Subd. 5. [TERMS, REMOVAL.] Commencing in April 1974 the terms of members of the commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1977, members representing precincts E, F, G, and H, and the chairman, for terms ending the first Monday in January 1979. Thereafter the term of each member and the chairman shall be for a term of four years and until his successor is appointed and qualified. If the office of any commission member or the chairman becomes vacant, the vacancy shall be filled by appointment in the same manner the original appointment was made.

Sec. 4. [REGIONAL RECREATION OPEN SPACE SYSTEM POLICY PLAN.] Subdivision 1. The metropolitan council after consultation with the commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt not later than January 1, 1975, a long range system policy plan for regional recreation open space as part of the council's metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commis-

sion. The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development.

Subd. 2. [PROCEDURE.] Before adopting the policy plan, the council shall submit the proposed plan to the commission for its review, and the commission shall report its comments to the council within 60 days. The council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and hearing, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to the policy plan may be proposed by the council or by the commission. At least every four years the council shall engage in a comprehensive review of the policy plan, Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council.

Sec. 5. [MASTER PLAN.] Subdivision 1. [ADOPTION.] Each park district located wholly or partially within the metropolitan area, and each county in the metropolitan area not wholly within a park district, shall prepare, after consultation with all affected municipalities, and submit to the metropolitan council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's policy plan.

Subd. 2. [COUNCIL REVIEW.] The metropolitan council shall review with the advice of the commission, each master plan to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the municipalities, park district or county for revision and resubmittal.

Sec. 6. [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agen-

cies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to Minnesota Statutes, 1973 Supplement, Sections 117.50 to 117.56. No more than 80 percent of the funds available under this act shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.

Subd. 2. In order to avoid further delays in acquisition and development of regional recreational open spaces heretofore identified by the council and within existing metropolitan development guidelines, the metropolitan council is authorized to immediately make grants to acquire or develop such areas. The existing development guide sections on regional recreation open space shall continue in force and effect and shall constitute the policy plan until the adoption of revisions or modifications pursuant to Section 4.

Sec. 7. [SALES OF BONDS.] Subdivision 1. The metropolitan council may by resolution authorize the issuance of general obligation bonds of the council such that the amount outstanding and undischarged at any time shall not exceed \$40,000,000, for which its full faith and credit and taxing powers shall be pledged, for the acquisition and betterment of regional recreation open space in accordance with this act. The metropolitan council may also issue general obligation bonds for the purpose of refunding outstanding obligations issued hereunder. The amount of refunding bonds that may be issued from time to time shall not be subject to the dollar limitation contained in this subdivision nor shall such refunding bonds be included in computing the amount of bonds that may be issued within such dollar limitation.

Subd. 2. The metropolitan council shall sell and issue such bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that law, except that the approval of a majority of the electors shall not be required and the net debt limitations therein shall not apply. The terms of each series of such bonds shall be fixed so that the amount of principal and interest on all outstanding and undischarged bonds, together with the bonds proposed to be issued, due in any year shall not exceed .5 mills times the assessed value of all taxable property in the metropolitan area as last finally equalized prior to a proposed issue. The bonds shall be secured in accordance with Minnesota Statutes, Section 475.61, Subdivision 1, and any taxes required for their payment shall be levied by the council, shall not affect the amount or rate of taxes which may be levied by the council for other purposes, shall be spread against all taxable property in the metropolitan area and shall not be subject to limitation as to rate or amount. Any taxes certified by the council to the county auditors for collection shall be reduced by the amount received by the council from the state auditor or the federal government for the purpose of paying the principal and interest on

bonds to which the levy relates. The council shall certify the fact and amount of all money so received to the county auditors, and the auditors shall reduce the levies theretofor made for such bonds in the manner and to the extent provided in Minnesota Statutes, Section 475.61, Subdivision 3.

Subd. 3. [IMMEDIATE LOANS.] The metropolitan council shall have the power, after the authorization of bonds pursuant to this section, to provide funds immediately required for the purposes of this act, by effecting temporary loans upon such terms as it shall by resolution determine, evidenced by notes due in not exceeding 24 months from the date thereof, payable to the order of the lender or to the bearer, to be repaid with interest from the proceeds of such bonds when issued and delivered to the purchaser thereof. Such temporary loans may be made without public advertisement.

Subd. 4. In the event that the full faith and credit pledge of the metropolitan council for the payment of principal and interest on the bonds issued under this section is superseded and replaced by the full faith and credit pledge of the state of Minnesota, by binding and irrevocable legislation, such action shall extinguish the full faith and credit pledge theretofore made for all bonds and the interest thereon issued pursuant to this section.

Subd. 5. [INTERIM APPROPRIATION.] From the funds appropriated by Laws 1973, Chapter 720, Section 43, Subdivision 2, Paragraph h, which could be used for grants in aid for recreational and natural areas located within the jurisdiction of the council, not committed for such purposes on April 1, 1974, the amount needed but not to exceed \$2,000,000 is hereby reappropriated to the council for the fiscal year commencing July 1, 1974, to pay principal and interest coming due in such fiscal year on bonds issued pursuant to this section.

Sec. 8. [LOCAL ACQUISITION.] Any park district or municipality wholly or partially within the metropolitan area, and any county in the metropolitan area not wholly within a park district, may acquire, develop and manage any land or water area, or any interests, easements or other rights therein, comprising regional recreation open space in the same manner as it is authorized to do for other park and recreation purposes, and such area or other rights shall constitute a part of the park and recreation system of the acquiring agency.

Sec. 9. [COUNCIL ACQUISITION.] The metropolitan council shall have the same powers as a county under Minnesota Statutes, Section 398.32, Subdivision 1, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified; provided that the council shall not have the power of eminent domain. Before proceeding

with the acquisition of any such area or other rights, the council shall by resolution offer a grant covering the full cost of acquisition to the municipality, park district or county in which the area or other rights are situated. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within 12 months after the adoption of the resolution, the council may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the council may direct the commission to proceed with acquisition. The council may, in its discretion, direct the commission to contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The council shall direct the commission to manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The council shall convey such areas to a municipality, park district or county for development and operation consistent with an approved recreation open space master plan.

Sec. 10. [TAX EQUIVALENTS.] In each of the four years after the metropolitan council or park district, county or municipality acquires fee simple title to any real property included in the regional recreation open space system, the metropolitan council shall pay to the municipality or township in which the property is situated an amount equal to the total amount of the taxes levied thereon for municipal or township purposes for collection in the year in which title passed, diminished by 20 percent for each subsequent year to and including the year of payment; provided that for any year in which taxes on the property, or on the privilege of using or possessing it, are paid this tax equivalent shall not be paid. All amounts paid pursuant to this section are costs of acquisition of the property with respect to which they are paid.

Sec. 11. [EFFECTIVE DATE.] This act is effective the day following enactment.”.

Further, amend by striking the title and insert in lieu thereof:

“A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; authorizing the metropolitan council to issue bonds therefor and levy taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; authorizing a tax levy therefor and appropriating money.”.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOHN CHENOWETH, JOHN KEEFFE, and DAVID SCHAAF.

House Conferees: JAMES CASSERLY, RICHARD ANDERSEN, and GORDON VOSS.

Casserly moved that the report of the Conference Committee on S. F. No. 1759 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	McEachern	Ryan
Andersen, R.	Dieterich	Johnson, D.	McMillan	St. Onge
Anderson, D.	Dirlam	Johnson, J.	Menke	Samuelson
Anderson, G.	Eckstein	Jude	Miller, D.	Sarna
Anderson, I.	Eken	Kahn	Miller, M.	Schreiber
Belisle	Enebo	Kelly	Moe	Searle
Bell	Erdahl	Kempe	Mueller	Sherwood
Bennett	Erickson	Knickerbocker	Munger	Sieben, H.
Berg	Faricy	Knoll	Nelson	Sieben, M.
Berglin	Ferderer	Kostohryz	Newcome	Skaar
Biersdorf	Fjoslien	Kvam	Norton	Smith
Brinkman	Forsythe	Laidig	Ojala	Stangeland
Carlson, A.	Fudro	Larson	Parish	Stanton
Carlson, B.	Fugina	LaVoy	Patton	Swanson
Carlson, L.	Graba	Lemke	Pavlak, R.	Tomlinson
Casserly	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Cleary	Hagedorn	Lindstrom, J.	Pehler	Vento
Clifford	Hanson	Long	Peterson	Voss
Connors	Haugerud	Mann	Pleasant	Wenzel
Culhane	Hook	McArthur	Quirin	Wohlwend
Cummiskey	Jacobs	McCarron	Resner	Wolcott
Dahl	Jaros	McCauley	Rice	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Heinitz	Myrah	Prahl	Weaver
Becklin	Jopp	Niehaus	Vanasek	Wigley
Carlson, D.	Klaus	Ohnstad		
Graw	Lombardi	Pieper		

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2576

March 22, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2576, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, as amended to read:

Subd. 6. "Official control" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a

municipality or a county or any part thereof or any detail thereof, and are the means of translating into (REGULATIONS AND) ordinances all or any part of the general objectives of the comprehensive plan, such official controls may include but are not limited to ordinances establishing zoning, subdivision (CONTROL, PLATTING) controls, site plan regulations, sanitary codes, building codes, housing codes, and (THE ADOPTION OF DETAILED) official maps.

Sec. 2. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 7. "Conditional use" means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that (1) certain conditions as detailed in the zoning ordinance exist, and (2) the use or development conforms to the comprehensive land use plan of the county and (3) is compatible with the existing neighborhood.

Sec. 3. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 8. "Nonconformity" means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Sec. 4. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 9. "Comprehensive plan" means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Sec. 5. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 10. "Variance" means any modification or variation of official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause unnecessary hardship.

Sec. 6. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. "Town" means any town, including those with the powers of a statutory city pursuant to law.

Sec. 7. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 12. "Official map" means a map adopted in accordance with section 44 of this act which may show existing county roads and county state aid highways, proposed future county roads and highways and the area needed for widening existing county roads and highways. An official map may also show the location of existing public land and facilities and other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities. When requested in accordance with section 394.32, subdivision 3, an official map may include existing and planned public land uses within incorporated areas.

Sec. 8. Minnesota Statutes 1971, Section 394.23, is amended to read:

394.23 [COMPREHENSIVE PLAN.] The board shall have the power and authority to prepare and adopt by ordinance, a comprehensive plan (FOR THE ORDERLY FUTURE PHYSICAL DEVELOPMENT OF THE AREA OF THE COUNTY OR PARTS THEREOF OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. THE PLAN, WHICH MAY INCLUDE TEXT AND MAPS, SHALL BE APPROVED AND CERTIFIED BY THE BOARD AND WHEN SO CERTIFIED SHALL BE REFERRED TO AS THE COMPREHENSIVE PLAN. THE PLAN MAY THEREAFTER BE AMENDED OR ADDED TO BY THE BOARD). A comprehensive plan or plans when adopted by ordinance shall be the basis for official controls adopted under the provisions of sections 394.21 to 394.37.

Sec. 9. Minnesota Statutes 1971, Section 394.24, Subdivision 1, is amended to read:

394.24 [OFFICIAL CONTROLS.] ~~Subdivision 1.~~ Official controls which shall further the purpose and objectives of the comprehensive plan and parts thereof shall be adopted by (RESOLUTION BY THE BOARD) ordinance.

Sec. 10. Minnesota Statutes 1971, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board shall apply to and be binding upon (ONLY THAT AREA OR) the county or any parts thereof (OUTSIDE) including areas within the incorporated limits of a (CITY, VILLAGE, OR BOROUGH) municipality, when requested by the municipality under section 394.32.

Sec. 11. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 3. For the area within which official controls adopted by the board are effective, such controls shall apply to the use of land for both private and public purposes, provided that the need for adequate, timely and convenient public and semi-public services and facilities must receive due consideration in the formulation, administration and enforcement of all official controls and no land owned or leased by the federal or state government shall be subject to official controls of the county. With respect to the use of land for public purposes, the provisions of this subdivision shall not apply in the metropolitan area as described in Minnesota Statutes, Section 473B.01.

Sec. 12. Minnesota Statutes 1971, Section 394.25, Subdivision 1, is amended to read:

394.25 [FORMS OF CONTROL.] Subdivision 1. Official controls *shall be adopted by ordinance and may include but are not limited to the features set forth in this section.*

Sec. 13. Minnesota Statutes 1971, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. (THE ESTABLISHMENT OF) Zoning ordinances establishing districts within which (DISTRICTS) the use of land or the use of water or the surface of water pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32 for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, surface water drainage and removal, conservation of shorelands, as defined in section 105.485, and additional uses of land and of the surface of water pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32, may be by official controls encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan. Official controls may also be applied to wetlands preservation, open space, parks, sewage disposal, protection of ground water, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers as defined in section 104.33, protection of slope, soils, unconsolidated materials or bedrock from potentially damaging development, preservation of forests, woodlands and essential wildlife habitat, reclamation of non-metallic mining lands; and the preservation of agricultural lands.

Sec. 14. Minnesota Statutes 1971, Section 394.25, Subdivision 3, is amended to read:

Subd. 3. (FOR) Within each such district (A) zoning (ORDINANCE) ordinances or (MAP) maps (OR REGULATIONS OR PROVISIONS) may also be adopted designating or limiting

the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may (HEREAFTER) be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; *setback from existing roads and highways and roads and highways designated on an official map*; (SANITARY, SAFETY, AND) protective measures *necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke* (THAT SHALL BE REQUIRED FOR SUCH DWELLINGS, BUILDINGS, AND STRUCTURES); the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building throughout each district, but the provisions in one district may differ from those in other districts.

Sec. 15. Minnesota Statutes 1971, Section 394.25, Subdivision 4, is amended to read:

Subd. 4. (MAPS FOR) *Official maps as defined in section 7, of this act* (HIGHWAYS, ROADWAYS, PARKWAYS, ROADS, AND STREETS SHOWING THE EXACT ALIGNMENT, GRADIENTS, DIMENSIONS, AND OTHER PERTINENT FEATURES, AND INCLUDING SPECIFIC CONTROLS FOR SET BACKS FROM THE RIGHT OF WAY AGAINST ENCROACHMENT BY BUILDINGS OR OTHER PHYSICAL STRUCTURES OR FACILITIES).

Sec. 16. Minnesota Statutes 1971, Section 394.25, Subdivision 7, is amended to read:

Subd. 7. Specific (REGULATIONS AND) controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation *and dedication* of streets and land for other public purposes (REQUIRING FUTURE DEDICATION OR ACQUISITION) and *the* general design of physical improvement.

Sec. 17. Minnesota Statutes 1971, Section 394.25, Subdivision 8, is amended to read:

Subd. 8. Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code, *adopted by reference as part of the official control*. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or

model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. (ALL REQUIREMENTS OF STATUTES FOR THE PUBLICATION OR POSTING OF RESOLUTIONS SHALL BE SATISFIED IN SUCH CASE IF THE RESOLUTION INCORPORATING THE STATUTE, REGULATION, ORDINANCE OR CODE IS PUBLISHED OR POSTED IN THE REQUIRED MANNER AND IF,) Prior to (SUCH POSTING OR PUBLICATION,) *adoption* at least (THREE COPIES) *one copy* of the statute, rule, regulation, ordinance or code (ARE) *shall be* marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such (RESOLUTION) *ordinance* by reference shall be as much a part of the (RESOLUTION) *ordinance* as if they had been set out in full therein.

Sec. 18. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 9. Erosion and sediment controls with regard to clearing, grading, excavation, transporting and filling of lands. Erosion and sediment controls may include, but need not be limited to requiring the development of plans before any land is disturbed. Plans for disturbing land may be submitted to the appropriate soil and water conservation district for comment and review.

Sec. 19. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 10. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission.

Sec. 20. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 1a. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.

Sec. 21. Minnesota Statutes 1971, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, *except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the county. Written notice of public hearings regarding the application of official controls to specific properties, including conditional uses, variances and subdivisions, shall be sent to all property owners of record within 500 feet of the affected property, in incorporated areas, and one-half mile in unincorporated areas, the affected board of town supervisors, and the municipal council of any municipality within two miles of the affected property.*

Sec. 22. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 3a. The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in Minnesota Statutes, Section 375.51.

Sec. 23. Minnesota Statutes 1971, Section 394.27, Subdivision 1, is amended to read:

394.27 [CREATION AND DUTIES OF A BOARD OF ADJUSTMENT.] Subdivision 1. Whenever a board of county commissioners shall have adopted official controls it shall at the same time as the adoption of such controls create a board of adjustment (, PROVIDED THAT ANY COUNTY WHICH PRIOR TO THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559, HAS ADOPTED A ZONING ORDINANCE OR OFFICIAL CONTROLS SHALL CREATE A BOARD OF ADJUSTMENT WITHIN 90 DAYS OF THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559) *by ordinance.*

Sec. 24. Minnesota Statutes 1971, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of *at least three but not more than seven members, including at least one member from the unincorporated area of the county, whose ap-*

pointment, term of office, or removal from the board shall be as provided in the (RESOLUTION) ordinance creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. *In an ordinance creating a three member board of adjustment, provision may be made for one alternate member. The alternate board member shall, when directed by the chairman, attend all meetings of the board and participate fully in its activities but shall not vote on any issue unless authorized to do so by the chairman. The chairman shall authorize the alternate board member to vote on an issue when a regular member is absent, physically incapacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting thereon shall be decided by majority vote of all regular board members except the member who is being challenged. In the ordinance establishing the board of adjustment provision may be made for removal of any member for nonperformance of duty or misconduct in office and for the filling of vacancies for any unexpired term. The regular and alternate members of such board of adjustment (SHALL SERVE WITHOUT COMPENSATION BUT) may be paid compensation in an amount determined by the county board and may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.*

Sec. 25. Minnesota Statutes 1971, Section 394.27, Subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall (ACT UPON ALL QUESTIONS AS THEY MAY ARISE IN THE ADMINISTRATION OF ANY ORDINANCE OR OFFICIAL CONTROL, INCLUDING THE INTERPRETATION OF ZONING MAPS, AND IT SHALL) *have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by (AN) any administrative official charged with enforcing any ordinance adopted pursuant to the provision of sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state.*

Sec. 26. Minnesota Statutes 1971, Section 394.27, Subdivision 6, is amended to read:

Subd. 6. (SUCH) *An appeal from any order, requirement, decision, or determination of any administrative official shall be*

taken in such time as shall be prescribed by the ordinance creating the board of adjustment (BY GENERAL RULE,) by filing with the board of adjustment a notice of appeal specifying the grounds thereof. The board of adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within a reasonable time which shall be defined in the ordinance establishing the board of adjustment. An appeal stays all proceedings in furtherance of the action appealed from unless the board of adjustment to whom the appeal is taken certifies that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. The board of adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from (AS IN ITS OPINION OUGHT TO BE MADE IN THE PREMISES) and to that end shall have all the powers of the officer from whom the appeal was taken and may (ISSUE OR) direct the issuance of a permit. The reasons for the board's decision shall be stated in writing. (THE DECISION OF SUCH BOARD SHALL NOT BE FINAL AND ANY PERSON HAVING AN INTEREST AFFECTED BY SUCH ORDINANCE SHALL HAVE THE RIGHT TO APPEAL TO THE DISTRICT COURT IN THE COUNTY IN WHICH THE LAND IS LOCATED ON QUESTIONS OF LAW AND FACT.)

Sec. 27 Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 7. The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the comprehensive plan. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.

Sec. 28. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 8. A certified copy of any order issued by the board of adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, shall be filed with the register of deeds or registrar of titles for record. The order issued by the board of adjustment shall include the legal description of the property involved. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of this subdivision.

Sec. 29. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 9. All decisions by the board of adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any aggrieved person or persons, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within 30 days, after receipt of notice of the decision, to the district court in the county in which the land is located on questions of law and fact.

Sec. 30. Minnesota Statutes 1971, Section 394.29, is amended to read:

394.29 [MAY EMPLOY DIRECTOR AND STAFF.] To carry out the purposes of sections 394.21 to 394.37 the board may employ a planning director (AND INSPECTOR OR EITHER OF THEM) and such staff as it deems necessary (;) to assist the planning director in carrying out his assigned responsibilities, including but not limited to a zoning administrator, sanitary inspector and a building official. If no planning director is appointed, the board shall designate a chief administrative officer who shall administer the official controls. (OR) The board may employ or contract with a planning (AGENCY,) authority(,) or commission, any agency of the state or federal government, a regional development commission or with planning consultants, or with other specialists for such services as it requires.

Sec. 31. Minnesota Statutes 1971, Section 394.30, Subdivision 1, is amended to read:

394.30 [PLANNING COMMISSION.] Subdivision 1. (THE) Any board of county commissioners (WHICH HAS ADOPTED A RESOLUTION INDICATING ITS INTENT TO AVAIL ITSELF OF THE AUTHORITY GRANTED BY SECTIONS 394.21 TO 394.37) may (AT THAT TIME OR ANY SUBSEQUENT TIME) by ordinance appoint a planning (ADVISORY) commission composed of not less than five nor more than eleven members appointed by the chairman of the board. (FOUR MEMBERS OF SUCH COMMISSION SHALL BE CHOSEN FROM THE ELECTORS OF THE COUNTY PROVIDED THAT NOT LESS THAN THREE SHALL BE RESIDENTS OF THE PORTION OF THE COUNTY LYING OUT-

SIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. ONE MEMBER OF SUCH COMMISSION SHALL BE A MEMBER OF THE BOARD.) *At least two members shall be residents of the portion of the county outside the corporate limits of municipalities. The manner of appointment and terms of office of the members shall be as provided in the ordinance. No more than one voting member of the commission shall be an officer or employee of the county. No voting member of the commission shall have received, during the two years prior to appointment, any substantial portion of his income from business operations involving the development of land within the county for urban and urban related purposes. (IN ADDITION) In the ordinance establishing the planning commission the board may designate any county officer or employee as an ex officio member of such commission. The term of office and removal of any member for nonperformance of duty or misconduct in office as well as filling vacancies on the board shall be as provided in the (RESOLUTION) ordinance creating the commission.*

Sec. 32. Minnesota Statutes 1971, Section 394.30, Subdivision 3, is amended to read:

Subd. 3. The members of (SUCH) *the commission (SHALL SERVE WITHOUT COMPENSATION BUT) may be compensated in an amount determined by the county board and may be paid their necessary expenses in attending meetings of the commission and in the conduct of the business of the commission.*

Sec. 33. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 4. *The planning commission shall elect a chairman and secretary from among its members and cooperate with the planning director and other employees of the county in preparing and recommending to the board for adoption a comprehensive plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto. In all instances in which the planning commission is not the final authority, as authorized in subdivision 5, the commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the board.*

Sec. 34. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 5. *The board may by ordinance assign additional duties and responsibilities to the planning commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land, and the authority to approve some or all categories of planned unit developments. The planning commission may be required by the board to review any comprehensive*

plans and official controls and any plans for public land acquisition and development sent to the county for that purpose by any local unit of government or any state or federal agency and shall report thereon in writing to the board.

Sec. 35. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.301] [CONDITIONAL USE PERMITS.] *Subdivision*

1. *The board may by ordinance designate certain types of developments, including planned unit developments and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved upon a showing by an applicant that standards and criteria stated in the ordinance will be satisfied. Such standards and criteria shall include both general requirements for all conditional uses and, insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. Conditional use permits shall be issued by the officer administering the official controls only upon the order of the board or the planning commission as designated by ordinance as the approval authority for one or more categories of conditional uses. The planning commission shall in all instances have an opportunity to review conditional uses prior to any final decision by the designated approval authority. Public hearings shall be held in accordance with section 394.26. In connection with ordering the issuance of a conditional use permit the designated approval authority may impose such additional restrictions or conditions as it deems necessary to protect the public interest, including but not limited to matters relating to appearance, lighting, hours of operation and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Subd. 3. A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses.

Subd. 4. A certified copy of any conditional use permit shall be filed with the register of deeds or registrar of titles for record. The conditional use permit shall include the legal description of the property involved. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of the subdivision.

Sec. 36. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.312] [RELATION TO OTHER COUNTY AUTHORITY.] *All official controls in effect on the effective date of this*

act shall remain in full force and effect until amended or repealed whether such controls were adopted by resolution of the board or by ordinance and whether or not comprehensive plans had been adopted before the official controls were adopted. Any official controls and any procedures for the administration of official controls which are in existence on the effective date of this act shall be brought into compliance with this act within three years from the effective date of this act.

Sec. 37. Minnesota Statutes 1971, Section 394.32, Subdivision 2, is amended to read:

Subd. 2. The contract between the governing body of the municipality and the board may provide among other things for joint county-municipal planning activities, or it may designate (A COUNTY PLANNING AGENCY) *the board* as the planning agency for the municipality.

Sec. 38. Minnesota Statutes 1971, Section 394.32, Subdivision 3, is amended to read:

Subd. 3. The governing body of any municipality may request a county (PLANNING AGENCY) *board* to submit to such governing body a comprehensive plan for the municipality setting forth such provisions as the (PLANNING AGENCY) *board* deems applicable to the municipality and for its best interests, or to include the area within the municipality in a county-wide comprehensive plan, or to prepare official controls to apply to the area within the municipality. Notwithstanding the adoption of the comprehensive plan and recommendations for the municipality the plan and recommendations shall not be binding until official controls are adopted by the municipality in accordance with the plan *or until the county adopts official controls for the areas within the incorporated limits of the municipality when requested by the governing body of the municipality. After the county adopts official controls for areas within a municipality, the county shall enforce the controls unless the county and municipality provided otherwise by agreement. A municipality may at any time, by resolution of its governing body, take over planning functions, including adoption and enforcement of official controls, with respect to areas within its corporate limits for which a county has adopted official controls.*

Sec. 39. Minnesota Statutes 1971, Section 394.33, is amended to read:

394.33 [RELATIONS WITH TOWNS.] *Subdivision 1. The governing body of any town including any town with the powers of a statutory city pursuant to law may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no town shall enact or*

enforce official controls inconsistent with or less restrictive than the standards prescribed in the official (CONTROL) controls adopted by the board. Nothing in this section shall limit any town's power to (ZONE) adopt official controls, including shore-land regulations which are more (RESTRICTIVELY) restrictive than provided in the controls adopted by the county. Upon the adoption or amendment of any official controls the governing body of the town shall file a certified copy thereof with the register of deeds or registrar of titles for record. A certified copy of any official controls of any town which are in effect on the effective date of this act shall also be filed by the governing body of the town with the register of deeds or registrar of titles for record within one year from the effective date of this act.

Subd. 2. The board of supervisors of any town which has adopted or desires to adopt building and zoning regulations and restrictions pursuant to law shall have the authority granted the governing body of any municipality as provided in section 394.32.

Sec. 40. Minnesota Statutes 1971, Section 394.35, is amended to read:

394.35 [FILING WITH REGISTER OF DEEDS.] Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as part thereof, the county auditor shall file a certified copy thereof with the register of deeds for record. *Ordinances, resolutions, maps or regulations filed with the register of deeds or registrar of titles pursuant to sections 394.21 to 394.37 to not constitute encumbrances on real property.*

Sec. 41. Minnesota Statutes 1971, Section 394.36, Subdivision 1, is amended to read:

394.36 [NONCONFORMITIES.] Subdivision 1. *Any nonconformity including the lawful use or occupation of land or premises existing at the time of the adoption of an official control hereunder may be continued, except as regulated, terminated or acquired by the board as provided in subdivisions 2 or 3, although such use or occupation does not conform to the provisions thereof, but if such (NONCONFORMING USE) nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.*

Sec. 42. Minnesota Statutes 1971, Section 394.36, Subdivision 2, is amended to read:

Subd. 2. The board may by (RESOLUTION AS HEREIN PROVIDED PRESCRIBE) *ordinance adopt such regulations not contrary to law as it deems desirable or necessary to classify,*

regulate and control, (OR) reduce the number or extent of (OR) *and provide for the gradual elimination of (NONCONFORMING USES) nonconformities and occupancies, including requiring nonconformities to conform with the official controls of the county or terminate within a reasonable time as specified in the official controls. The board may by ordinance impose upon nonconformities additional regulations relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke.*

Sec. 43. Minnesota Statutes 1971, Section 394.36, is amended by adding a subdivision to read:

Subd. 3. A nonconformity that is determined by the board to be detrimental to the achievement of the goals and objectives of the comprehensive plan may be acquired by the board by purchase.

Sec. 44. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.361] [OFFICIAL MAP.] *Subdivision 1. Land that is needed for future street and highway purposes and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish.*

Subd. 2. The planning commission may develop and recommend for adoption by the board official maps and amendments thereto covering all or any portion of the unincorporated area of the county. Public hearings on proposed official maps and amendments thereto shall be held in accordance with section 394.26. The official map may be adopted and amended by ordinance by the board.

All official maps shall be prepared in sufficient detail to permit the establishment of future acquisition lines on the ground. In unplatted areas a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by the county surveyor. Copies of official maps and amendments shall be filed in accordance with section 394.35. One copy of the official map shall be furnished to the town clerk of each affected town.

Subd. 3. After an official map has been adopted and filed, the issuance of building permits by the county shall be subject to the provisions of this section. Whenever any street or highway is widened or improved or any new street is opened, or interests in lands for other public purposes are acquired by the county, it is not required in such proceedings to pay for any building or structure placed without a permit or in violation of conditions of a permit within the limits of the mapped street or highway or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes. The adoption of official maps does not give the county any right, title or interest in areas identified for public purposes thereon, but the adoption of a map does authorize the county to acquire such interests without paying compensation for buildings or structures erected in such areas without a permit or in violation of the conditions of a permit. The provisions of this subdivision shall not apply to buildings or structures in existence prior to the filing of the official map.

Subd. 4. If a permit for a building in such location is denied, the board of adjustment shall have the power, upon appeal by the owner of the land to authorize the issuance of a permit for building in such location in any case in which the board finds, upon the evidence and the arguments presented to it, (a) that the entire property of the appellant of which such area identified for public purposes forms a part cannot be put to a reasonable use by the owner unless such a permit is granted, and (b) that balancing the interest of the county in preserving the integrity of the official map and the comprehensive plan and interest of the owner of the property in the use of his property and in the benefits of ownership, the issuance of such permit is required by considerations of justice and equity. Prior to reaching a decision upon the appeal, public hearings shall be held in accordance with section 394.26. If the board of adjustment authorizes the issuance of a permit the board shall have six months from the date of the decision of the board of adjustment to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible shall issue a permit in accordance with the conditions stated in the authorization specifying the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

Sec. 45. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.362] *Subdivision 1. The applicant for a variance which, in the opinion of the board of adjustment, may result in a material adverse effect on the environment may be requested by the board to demonstrate the nature and extent of the effect.*

Subd. 2. The applicant for a conditional use permit which, in the opinion of the planning commission, may result in a mate-

rial adverse effect on the environment may be requested by the board to demonstrate the nature and extent of the effect.

Sec. 46. Minnesota Statutes 1971, Section 394.37, Subdivision 1, is amended to read:

394.37 [ENFORCEMENT.] Subdivision 1. The board shall provide for the enforcement of sections 394.21 to 394.37 and of ordinances (, RESOLUTIONS,) and regulations made thereunder, and may impose enforcement duties on any officer, department, agency, or employee of the county. (IN A COUNTY IN WHICH SUBDIVISION REGULATIONS OR CONTROLS ARE IN FORCE AND HAVE BEEN FILED OR RECORDED AS PROVIDED IN SECTION 394.35, NO CONVEYANCE OF LAND TO WHICH THE REGULATIONS ARE APPLICABLE SHALL BE FILED OR RECORDED IF THE LAND IS DESCRIBED IN THE CONVEYANCE BY METES AND BOUNDS OR BY REFERENCE TO AN UNAPPROVED REGISTERED LAND SURVEY MADE AFTER JUNE 4, 1971, OR TO AN UNAPPROVED PLAT MADE AFTER SUCH REGULATIONS HAVE BECOME EFFECTIVE. THE FOREGOING PROVISION DOES NOT APPLY TO A CONVEYANCE IF THE LAND DESCRIBED:)

((1) WAS A SEPARATE PARCEL OF RECORD ON THE DATE OF ADOPTION OF SUBDIVISION REGULATIONS UNDER SECTIONS 394.12 TO 394.37, OR)

((2) WAS THE SUBJECT OF A WRITTEN AGREEMENT TO CONVEY ENTERED INTO PRIOR TO SUCH TIME, OR)

((3) WAS A SEPARATE PARCEL OF NOT LESS THAN TWO AND ONE-HALF ACRES IN AREA AN 300 FEET.)

(IN ANY CASE IN WHICH COMPLIANCE WITH THE FOREGOING RESTRICTIONS WILL CREATE AN UNNECESSARY HARDSHIP AND FAILURE TO COMPLY DOES NOT INTERFERE WITH THE PURPOSE OF THE SUBDIVISION REGULATIONS, THE BOARD MAY WAIVE SUCH COMPLIANCE BY ADOPTION OF A RESOLUTION TO THAT EFFECT AND THE CONVEYANCE MAY THEN BE FILED OR RECORDED. ANY OWNER OR AGENT OF THE OWNER OF LAND WHO CONVEYS A LOT OR PARCEL IN VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL FORFEIT AND PAY TO THE COUNTY A PENALTY OF NOT LESS THAN \$100 FOR EACH LOT OR PARCEL SO CONVEYED. A COUNTY MAY ENJOIN SUCH CONVEYANCE OR MAY RECOVER SUCH PENALTY BY A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.)

Sec. 47. Minnesota Statutes 1971, Section 375.51, Subdivision 1, is amended to read:

375.51 [ORDINANCES; ENACTMENT, PUBLICATION.]
 Subdivision 1. [ENACTMENT.] In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted in the manner hereinafter prescribed except as otherwise provided by law. *A public hearing shall be held prior to the enactment of any ordinance adopting or amending a comprehensive plan or official control as defined in section 394.22.* Every county ordinance shall be enacted by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style: "The county board of County ordains:".

Sec. 48. Minnesota Statutes 1971, Section 375.51, Subdivision 2, is amended to read:

Subd. 2. [NOTICE OF INTENTION.] No ordinance of a county shall be enacted unless a notice of the intention to enact such ordinance has been published in the official newspaper of the county not less than ten days before the meeting *or public hearing required by subdivision 1* at which the ordinance is to be considered. *Public hearings may be continued from time to time and additional hearings may be held.* The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Sec. 49. Minnesota Statutes 1971, Section 375.51, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county,

or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances, or ordinances which include charts or maps, the ordinance need not be published in its entirety if the title of the ordinance and a summary of the ordinance is included in the publication of the proceedings of the meeting at which the ordinance was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, regulation, ordinance or code is published in the required manner and if, prior to such publication, at least (THREE COPIES) *one copy* of the entire ordinance or of the statute, rule, regulation or code are marked as *the official (COPIES) copy* and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus incorporated in such ordinance by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 50. Minnesota Statutes 1971, Section 599.13, is amended to read:

599.13 [MUNICIPAL AND COUNTY ORDINANCES.] Copies of the ordinances, bylaws, resolutions, and regulations of any city, village, (OR) borough, *or county*, certified by the mayor or president of the council, and the clerk thereof, under its seal *or by the county auditor or chairman of the county board*, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or village, *or county board*, shall be prima facie evidence thereof and, after three years from the compilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

Sec. 51. Minnesota Statutes 1971, Sections 394.06; 394.07; 394.08; 394.09; 394.10; 394.11; 394.12; 394.13; 394.14; 394.15; 394.16, as amended by Laws 1973, Chapter 35, Section 68; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; 396.01; 396.02; 396.03; 396.04; 396.05; 396.051; 396.06; 396.07; 396.08; 396.09; 396.10; 396.11; 396.12; 396.13; 396.14; 396.15; 396.16; 396.17; 396.18; 396.19; 396.20; and 396.21, are repealed."

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

"A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.15; 394.16, as amended; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JERALD C. ANDERSON, ROBERT DUNN, and GERALD L. WILLET.

House Conferees: GLEN SHERWOOD, JOHN C. LINDSTROM, and ARLAN STANGELAND.

Sherwood moved that the report of the Conference Committee on S. F. No. 2576 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Johnson, R.	Moe	Savelkoul
Adams, S.	Cummiskey	Jude	Munger	Searle
Andersen, R.	Dahl	Kahn	Myrah	Sherwood
Anderson, G.	Dieterich	Kelly	Nelson	Sieben, H.
Anderson, I.	Eken	Kempe	Newcome	Sieben, M.
Becklin	Enebo	Knickerbocker	Norton	Smith
Belisle	Erdahl	Knoll	Ojala	Stangeland
Bell	Faricy	Kostohryz	Parish	Stanton
Bennett	Ferderer	Laidig	Patton	Swanson
Berg	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Berglin	Fudro	Lemke	Pavlak, R. L.	Ulland
Biersdorf	Graba	Lindstrom, E.	Pehler	Vanasek
Braun	Growe	Lindstrom, J.	Peterson	Vento
Brinkman	Hanson	Lombardi	Pleasant	Voss
Carlson, A.	Hangerud	Mann	Prahl	Wenzel
Carlson, B.	Heinitz	McArthur	Quirin	Wohlwend
Carlson, D.	Hook	McCarron	Resner	Wolcott
Carlson, L.	Jacobs	McCauley	Rice	Mr. Speaker
Casserly	Jaros	McMillan	Ryan	
Cleary	Johnson, C.	Menke	St. Onge	
Clifford	Johnson, D.	Miller, D.	Samuelson	
Connors	Johnson, J.	Miller, M.	Sarna	

Those who voted in the negative were:

Anderson, D.	Erickson	Klaus	McEachern	Skaar
DeGroat	Fjoslien	Kvam	Niehaus	Weaver
Dirlam	Hagedorn	Larson	Ohnstad	Wigley
Eckstein	Jopp	Long	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2367

March 22, 1974

Honorable Alec G. Olson
 President of the Senate
 Honorable Martin O. Sabo
 Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2367, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accedes to the amendments of the House.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOSEPH T. O'NEILL, NICHOLAS D. COLEMAN, and BILL MCCUTCHEON.

House Conferees: ROBERT L. PAVLAK, FRED C. NORTON, NEIL B. DIETERICH, BRUCE F. VENTO, and JOHN D. TOMLINSON.

Pavlak, R. L., moved that the report of the Conference Committee on S. F. No. 2367 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Eken	Haugerud	Kostohryz
Adams, S.	Carlson, A.	Enebo	Heinitz	Kvam
Andersen, R.	Carlson, B.	Erdahl	Jacobs	Laidig
Anderson, D.	Carlson, D.	Erickson	Jaros	Larson
Anderson, G.	Carlson, L.	Esau	Johnson, C.	LaVoy
Anderson, I.	Casserly	Ferderer	Johnson, D.	Lemke
Becklin	Clifford	Fjoslien	Johnson, J.	Lindstrom, E.
Belisle	Connors	Forsythe	Jopp	Lindstrom, J.
Bell	Culhane	Fudro	Jude	Long
Bennett	Dahl	Fugina	Kahn	Mann
Berg	DeGroat	Graba	Kelly	McArthur
Berglin	Dieterich	Graw	Klaus	McCarron
Biersdorf	Dirlam	Growe	Knickerbocker	McCauley
Braun	Eckstein	Hagedorn	Knoll	McMillan

Menke	Ojala	Quirin	Sieben, H.	Vento
Miller, D.	Parish	Resner	Sieben, M.	Voss
Miller, M.	Patton	Rice	Skaar	Weaver
Moe	Pavlak, R.	Ryan	Smith	Wenzel
Munger	Pavlak, R. L.	Samuelson	Stangeland	Wigley
Myrah	Pehler	Sarna	Stanton	Wohlwend
Nelson	Peterson	Savelkoul	Swanson	Wolcott
Newcome	Pieper	Schreiber	Tomlinson	Mr. Speaker
Norton	Pleasant	Searle	Ulland	
Ohnstad	Prahl	Sherwood	Vanasek	

Those who voted in the negative were:

Hook	Johnson, R.	Kempe	Lombardi	Niehaus
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The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2818, A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2818

March 21, 1974

Honorable Alec G. Olson
 President of the Senate
 Honorable Martin O. Sabo
 Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2818, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: WAYNE OLHOFT, BALDY HANSEN, and ROGER HANSON.

House Conferees: DAVE CLEARY, HARRY A. SIEBEN, and GARY W. LAIDIG.

Cleary moved that the report of the Conference Committee on S. F. No. 2818 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2818, A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	Sarna
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Savelkoul
Andersen, R.	Eckstein	Jopp	Miller, M.	Schreiber
Anderson, D.	Eken	Jude	Moe	Searle
Anderson, G.	Enebo	Kahn	Munger	Sherwood
Anderson, I.	Erdahl	Kelly	Myrah	Sieben, H.
Becklin	Erickson	Kempe	Nelson	Sieben, M.
Belisle	Esau	Klaus	Newcome	Skaar
Bell	Faricy	Knickerbocker	Niehaus	Smith
Bennett	Ferderer	Knoll	Norton	Stangeland
Berg	Fjoslien	Kostohryz	Ohnstad	Stanton
Berglin	Forsythe	Kvam	Ojala	Swanson
Biersdorf	Fudro	Laidig	Patton	Tomlinson
Braun	Fugina	Larson	Pavlak, R.	Ulland
Brinkman	Graba	LaVoy	Pavlak, R. L.	Vanasek
Carlson, A.	Graw	Lemke	Pehler	Vento
Carlson, B.	Grove	Lindstrom, E.	Peterson	Voss
Carlson, D.	Hagedorn	Lindstrom, J.	Pieper	Weaver
Carlson, L.	Hanson	Lombardi	Pleasant	Wenzel
Casserly	Haugerud	Long	Prahl	Wigley
Cleary	Heintz	Mann	Quirin	Wohlwend
Clifford	Hook	McArthur	Resner	Wolcott
Connors	Jacobs	McCarron	Rice	Mr. Speaker
Culhane	Jaros	McCauley	Ryan	
Cummiskey	Johnson, C.	McEachern	St. Onge	
Dahl	Johnson, D.	McMillan	Samuelson	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3311, A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3311

March 21, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3311, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOHN C. CHENOWETH, JOSEPH T. O'NEILL, and BILL MCCUTCHEON.

House Conferees: JOHN D. TOMLINSON and ROBERT J. FERDERER.

Tomlinson moved that the report of the Conference Committee on S. F. No. 3311 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3311, A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 114, and nays 13, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	Miller, D.	Sarna
Adams, S.	Dirlam	Johnson, J.	Miller, M.	Savelkoul
Andersen, R.	Eckstein	Johnson, R.	Moe	Searle
Anderson, D.	Eken	Jopp	Mueller	Sherwood
Anderson, G.	Enebo	Jude	Munger	Sieben, H.
Anderson, I.	Erdahl	Kahn	Nelson	Sieben, M.
Becklin	Esau	Kelly	Newcome	Skaar
Belisle	Ferderer	Kempe	Norton	Smith
Bennett	Fjoslien	Knickerbocker	Ojala	Stangeland
Berg	Forsythe	Knoll	Parish	Stanton
Biersdorf	Fudro	Kostohryz	Patton	Swanson
Braun	Fugina	Laidig	Pavlak, R.	Tomlinson
Brinkman	Graba	LaVoy	Pavlak, R. L.	Ulland
Carlson, A.	Graw	Lemke	Pehler	Vanasek
Carlson, B.	Growe	Lindstrom, E.	Peterson	Vento
Carlson, D.	Hagedorn	Lombardi	Pieper	Voss
Carlson, L.	Hanson	Mann	Prahl	Weaver
Casserly	Hangerud	McArthur	Quirin	Wenzel
Cleary	Heinitz	McCarron	Resner	Wigley
Clifford	Hook	McCauley	Rice	Wohlwend
Connors	Jacobs	McEachern	Ryan	Wolcott
Culhane	Jaros	McMillan	St. Onge	Mr. Speaker
Dahl	Johnson, C.	Menke	Samuelson	

Those who voted in the negative were:

Bell	DeGroat	Klaus	Myrah	Pleasant
Berglin	Erickson	Larson	Niehaus	
Cummiskey	Faricy	Long	Ohnstad	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3123

March 21, 1974

Honorable Alec G. Olson
 President of the Senate
 Honorable Martin O. Sabo
 Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3123, 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. 3123 be amended as follows:

Page 3, line 28, strike "one year" and insert "18 months".

Page 4, line 3, strike "one year" and insert "18 months".

Page 4, line 28, strike "a breach of contract,".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: STEPHEN KEEFE, AL KOWALCZYK, and ALAN H. SPEAR.

House Conferees: RUSSELL P. STANTON, RODNEY N. SEARLE, and MIKE JAROS.

Stanton moved that the report of the Conference Committee on S. F. No. 3123 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Berg	Carlson, A.	Cleary
Adams, S.	Becklin	Berglin	Carlson, B.	Clifford
Andersen, R.	Belisle	Biersdorf	Carlson, D.	Connors
Anderson, D.	Bell	Braun	Carlson, L.	Culhane
Anderson, G.	Bennett	Brinkman	Casserly	Cummiskey

Dahl	Haugerud	Lemke	Ohnstad	Sherwood
Dieterich	Heinitz	Lindstrom, E.	Ojala	Sieben, H.
Dirlam	Hook	Lindstrom, J.	Parish	Sieben, M.
Eckstein	Jacobs	Lombardi	Patton	Skaar
Eken	Jaros	Long	Pavlak, R.	Smith
Enebo	Johnson, C.	Mann	Pehler	Stangeland
Erdahl	Johnson, D.	McArthur	Peterson	Stanton
Erickson	Johnson, J.	McCarron	Pieper	Swanson
Esau	Johnson, R.	McCauley	Pleasant	Tomlinson
Faricy	Jopp	McMillan	Prahl	Ulland
Ferderer	Jude	Menke	Quirin	Vanasek
Fjoslien	Kahn	Miller, D.	Resner	Vento
Forsythe	Kelly	Moe	Rice	Voss
Fudro	Kempe	Mueller	Ryan	Weaver
Fugina	Knickerbocker	Munger	St. Onge	Wenzel
Graba	Knoll	Myrah	Samuelson	Wigley
Graw	Kostohryz	Nelson	Sarna	Wohlwend
Growe	Kvam	Newcome	Savelkoul	Wolcott
Hagedorn	Laidig	Niehaus	Schreiber	Mr. Speaker
Hanson	LaVoy	Norton	Searle	

Those who voted in the negative were:

DeGroat Larson McEachern Miller, M.

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3246

March 22, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3246, 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. 3246 be amended as follows:

Strike everything after the enacting clause and insert:

Section 1. The county boards of Chisago county and Pine county, in order to implement the powers granted under Minnesota Statutes, 1973 Supplement, Section 378.31, may issue obligations and levy special assessments against property within the limits of their respective counties benefited by facilities constructed pursuant to that section in the manner provided by Minnesota Statutes, Chapter 429.

Sec. 2. In Chisago county, the authority of the county board to establish water or sewer or combined water and sewer systems pursuant to Minnesota Statutes, 1973 Supplement, Section 444.075, shall extend to areas of the county organized into cities when requested by resolution of the governing body of the affected city or when ordered by the Minnesota pollution control agency after notice and hearing. For the purpose of any petition filed or special assessment levied with respect to any system, the entire area to be served within any city shall be treated as if it were owned by a single person, and the governing body shall exercise all the rights and be subject to all the duties of an owner of the area, and shall have power to provide for the payment of all special assessments and other charges imposed upon the area with respect to the system by the appropriation of money, the collection of service charges, or the levy of taxes, which shall be deemed special levies within the meaning of Minnesota Statutes, Section 275.50, Subdivision 5, and shall be subject to no limitation of rate or amount.

Sec. 3. [DEFINITIONS.] Subdivision 1. For the purposes of sections 3 to 19 the terms defined in this section have the meanings given them.

Subd. 2. "Moose Lake and Windemere area sanitary sewer district" and "district" mean the area over which the sanitary sewer board has jurisdiction which shall include all of the town of Moose Lake in Carlton county and the town of Windemere in Pine county.

Subd. 3. "Sanitary sewer board" or "board" means the sanitary sewer board established for the Moose Lake and Windemere area sanitary sewer district as provided in section 2.

Subd. 4. "Person" means any individual, partnership, corporation, cooperative or other organization or entity, public or private.

Subd. 5. "Local government unit" or "government unit" means the town of Moose Lake and the town of Windemere.

Subd. 6. "Acquisition" and "betterment" shall have the meanings given to them in Minnesota Statutes, Chapter 475.

Subd. 7. "Agency" means the Minnesota pollution control agency created and established by Minnesota Statutes, Chapter 116.

Subd. 8. "Sewage" means all liquid or water-carried waste products from whatever sources derived, together with such ground water infiltration and surface water as may be present.

Subd. 9. "Pollution of water" and "sewer system" shall have the meanings given them in Minnesota Statutes, Section 115.01.

Subd. 10. "Treatment works" and "disposal system" shall have the meanings given them in Minnesota Statutes, Section 115.01.

Subd. 11. "Interceptor" means any sewer and necessary appurtenances thereto, including but not limited to, mains, pumping stations, and sewage flow regulating and measuring stations, which is designed for or used to conduct sewage originating in more than one local government unit, or which is designed or used to conduct all or substantially all the sewage originating in a single local government unit from a point of collection in that unit to an interceptor or treatment works outside that unit, or which is determined by the board to be a major collector of sewage used or designed to serve a substantial area in the district.

Subd. 12. "District disposal system" means any and all of the interceptors or treatment works owned, constructed or operated by the board unless designated by the board as local sanitary sewer facilities.

Subd. 13. "Municipality" means any city or town.

Subd. 14. "Total costs of acquisition and betterment" and "costs of acquisition and betterment" mean all acquisition and betterment expenses which are permitted to be financed out of bond proceeds issued in accordance with sections 13, whether or not the expenses are in fact financed out of the bond proceeds.

Subd. 15. "Current costs of acquisition, betterment and debt service" means interest and principal estimated to be due during the budget year on bonds issued to finance said acquisition and betterment and all other costs of acquisition and betterment estimated to be paid during the year from funds other than bond proceeds and federal or state grants.

Sec. 4. [SANITARY SEWER BOARD.] Subdivision 1. [ESTABLISHMENT.] A sewer district is established for the towns of Moose Lake in Carlton county and Windemere in Pine county, to be known as the Moose Lake and Windemere area sanitary sewer district. The sewer district shall be under the control and management of a sanitary sewer board. The board is established as a public corporation and political subdivision of the state with perpetual succession and all the rights, powers, privileges, immunities, and duties which may be validly granted to or imposed upon a municipal corporation, as provided in this act.

Subd. 2. [MEMBERS AND SELECTION.] The board shall be composed of five members selected as follows: The town boards of the government units shall meet jointly to appoint the members of the board and each town board member shall have one vote. The town boards at the joint meeting shall also designate the term of the first board members according to subdivision 5.

Subd. 3. [TIME LIMITS FOR SELECTION.] The board members shall be selected as provided in subdivision 2 within 60 days after this act becomes effective. The successor to each board member shall be selected at any time within 60 days before the expiration of his term in the same manner as his predecessor was selected. Any vacancy on the board shall be filled within 60 days after its occurs.

Subd. 4. [VACANCIES.] If the office of any board member becomes vacant, the vacancy shall be filled for the unexpired term in like manner as provided for selection of the member who vacated the office. The office shall be deemed vacant under the conditions specified in Minnesota Statutes, Section 351.02.

Subd. 5. [TERMS OF OFFICE.] The term of each of the first board members shall expire on January 1 in a calendar year to be determined in accordance with subdivision 2 by the governing body selecting the member, provided that the term shall not expire any later than January 1, 1978. Succeeding terms of all board members shall be for one, two, three or four years to be determined in accordance with subdivision 2, except that each member shall serve until his successor has been duly selected and qualified.

Subd. 6. [REMOVAL.] A board member may be removed by the unanimous vote of the governing body appointing him, with or without cause, or by the governor for malfeasance or nonfeasance in the performance of his official duties as provided by Minnesota Statutes, Sections 351.03 and 351.04.

Subd. 7. [QUALIFICATIONS.] Each board member shall be a resident of the district and may but need not be an elected public official.

Subd. 8. [CERTIFICATES OF SELECTION; OATH OF OFFICE.] A certificate of selection of every board member selected under subdivision 2 stating the term for which he was selected, shall be made by the respective town clerks. The certificates, with the approval appended by other authority, if required, shall be filed with the secretary of state. Counterparts thereof shall be furnished to the board member and the secretary of the board. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 8. The oath, duly certified by the official administering the same, shall be filed with the Secretary of state and the secretary of the board.

Subd. 9. [BOARD MEMBERS' COMPENSATION.] Each board member, except the chairman, shall be paid a per diem compensation of \$35 for meetings and for other services as are specifically authorized by the board, not to exceed \$1,000 in any one year. The chairman shall be paid a per diem compensation of \$45 for meetings and for such other services as are specifically authorized by the board, not to exceed \$1,500 in any one year. All members of the board shall be reimbursed for all reasonable expenses incurred in the performance of their duties as determined by the board.

Sec. 5. [GENERAL PROVISIONS FOR ORGANIZATION AND OPERATION OF BOARD.] Subdivision 1. [ORGANIZATION; OFFICERS; MEETINGS; SEAL.] After the selection and qualification of all board members, they shall meet to organize the board at the call of any two board members, upon seven days notice by registered mail to the remaining board members, at a time and place within the district specified in the notice. A majority of the members shall constitute a quorum at that meeting and all other meetings of the board, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members. At the first meeting the board shall select its officers as hereinafter provided and conduct such other organizational business as may be necessary. Thereafter the board shall meet regularly at such time and place as the board shall by resolution designate. Special meetings may be held at any time upon call of the chairman or any two members, upon written notice sent by mail to each member at least three days prior to the meeting, or upon such other notice as the board by resolution may provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Except as otherwise provided in this act, any action within the authority of the board may be taken by the affirmative vote of a majority of the board and may be taken by regular or adjourned regular meeting or at a duly held special meeting, but in any case only if a quorum is present. All meetings of the board shall be open to the public. The board may adopt a seal, which shall be officially and judicially noticed, to authenticate instruments executed by its authority, but omission of the seal shall not affect the validity of any instrument.

Subd. 2. [CHAIRMAN.] The board shall elect a chairman from its membership. The term of the first chairman of the board shall expire on January 1, 1976, and the terms of successor chairmen shall expire on January 1 of each succeeding year. The chairman shall preside at all meetings of the board, if present, and shall perform all other duties and functions usually incumbent upon such an officer, and all administrative functions assigned to him by the board. The board shall elect a vice chairman from its membership to act for the chairman during his temporary absence or disability.

Subd. 3. [SECRETARY AND TREASURER.] The board shall select a person or persons who may but need not be a member or members of the board, to act as its secretary and treasurer. The secretary and treasurer shall hold office at the pleasure of the board, subject to the terms of any contract of employment which the board may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the board, and shall be custodian of all books and records of the board except such as the board shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the board except such as the board shall entrust to the custody of a designated employee. The board may appoint a deputy to perform any and all functions of either the secretary or the treasurer. No secretary or treasurer who is not a member of the board or a deputy of either shall have any right to vote.

Subd. 4. [EXECUTIVE DIRECTOR.] The board shall appoint an executive director who shall be selected solely upon the basis of his training, experience and other qualifications and who shall serve at the pleasure of the board and at a compensation to be determined by the board. The executive director need not be a resident of the district. He may also be selected by the board to serve as either secretary or treasurer, or both, of the board. As executive director, he shall attend all meetings of the board, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the board are enforced.

(b) He shall appoint and remove, upon the basis of merit and fitness, all subordinate officers and regular employees of the board except the secretary and the treasurer and their deputies.

(c) He shall present to the board plans, studies and other reports prepared for board purposes and recommend to the board for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the board, or the efficient administration of the affairs of the board.

(d) He shall keep the board fully advised as to its financial condition, and he shall prepare and submit to the board, and to the governing bodies of the local government units, the board's annual budget and other financial information as the board may request.

(e) He shall recommend to the board for adoption such rules and regulations as he deems necessary for the efficient operation of the district disposal system.

(f) He shall perform such other duties as may be prescribed by the board.

Subd. 5. [PUBLIC EMPLOYEES.] The executive director and all persons employed by him shall be public employees, and shall have all the rights and duties conferred on public employees under Minnesota Statutes, Sections 179.61 to 179.76. The board may elect to have employees become members of either the public employees retirement association or the Minnesota state retirement system. The compensation and conditions of employment of the employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of Minnesota Statutes, Chapter 15A, unless the board so provides.

Subd. 6. [PROCEDURES.] The board shall adopt resolutions or bylaws establishing procedures for board action, personnel administration, keeping records, approving claims, authorizing or making disbursements, safekeeping funds, and audit of all financial operations of the board.

Subd. 7. [SURETY BONDS AND INSURANCE.] The board may procure surety bonds for its officers and employees and in amounts as are deemed necessary to assure proper performance of their duties and proper accounting for funds in their custody. It may procure insurance against risks to property and liability of the board and its officers, agents, and employees for personal injuries or death and property damage and destruction and in amounts as may be deemed necessary or desirable, with the force and effect stated in Minnesota Statutes, Chapter 466.

Sec. 6. [GENERAL POWERS OF BOARD.] Subdivision 1. The board shall have all powers which may be necessary or convenient to discharge the duties imposed upon it by law. The powers shall include those herein specified, but the express grant or enumeration of powers shall not be deemed to limit the generality or scope of the grant of power contained in this subdivision.

Subd. 2. The board may sue or be sued.

Subd. 3. The board may enter into any contract necessary or proper for the exercise of its powers or the accomplishment of its purposes.

Subd. 4. The board may adopt rules and regulations relating to the board's responsibilities and may provide penalties for the violation thereof not exceeding the maximum which may be specified for a misdemeanor, and the cost of prosecution may be added to the penalties imposed. Any rule or regulation prescribing a penalty for violation shall be published at least once in a newspaper having general circulation in the district. The violations may be prosecuted before any court in the district having jurisdiction of misdemeanors, and every court having misdemeanor jurisdiction shall have jurisdiction of the violations. Any constable or other peace officer of any government unit in the district may make arrests for violations committed anywhere in the district in like manner and with like effect as for violations of city ordinances or for statutory misdemeanors. All fines collected in cases arising under this subdivision shall be deposited in the treasury of the board, or may be allocated between the board and the government unit in which such prosecution occurs on such basis as the board and the government unit agree.

Subd. 5. The board may accept gifts, apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, enter into any agreement required in connection herewith, and hold, use and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto; and, with respect to any loans or grants of funds or real or personal property or other assistance from any state or federal government or any agency or instrumentality thereof, the board may contract to do and perform all acts and things required as a condition or consideration therefor pursuant to state or federal law or regulations, whether or not included among the powers expressly granted to the board in this act.

Subd. 6. The board may act under the provisions of Minnesota Statutes, Section 471.59, or any other appropriate law providing for joint or cooperative action between governmental units.

Subd. 7. The board may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with the design, construction and operation of the district disposal system.

Subd. 8. The board may employ on terms as it deems advisable, persons or firms performing engineering, legal or other services of a professional nature; require any employee to obtain and file with it an individual bond or fidelity insurance policy; and procure insurance in amounts as it deems necessary against liability of the board or its officers or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against

risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.

Subd. 9. The board may acquire by purchase, lease, condemnation, gift, or grant, any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain, and operate any interceptor, treatment works, or water facility determined to be necessary or convenient for the collection and disposal of sewage in the district. Any local government unit and the commissioners of highways and natural resources are authorized to convey to or permit the use of any of the abovementioned facilities owned or controlled by it, by the board, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation, without an election or approval by any other government unit or agency. All powers conferred by this subdivision may be exercised both within or without the district as may be necessary for the exercise by the board of its powers or the accomplishment of its purposes. The board may hold, lease, convey or otherwise dispose of the abovementioned property for its purposes upon terms and in a manner as it deems advisable. Unless otherwise provided, the right to acquire lands and property rights by condemnation shall be exercised in accordance with Minnesota Statutes, Sections 117.01 to 117.202, and shall apply to any property or interest therein owned by any local government unit; provided, that no property devoted to an actual public use at the time, or held to be devoted to such use within a reasonable time, shall be so acquired unless a court of competent jurisdiction shall determine that the use proposed by the board is paramount to the existing use. Except in case of property in actual public use, the board may take possession of any property on which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation.

Subd. 10. The board may construct or maintain its systems or facilities in, along, on, under, over, or through public waters, streets, bridges, viaducts, and other public rights of way without first obtaining a franchise from a county or municipality having jurisdiction over them; but the facilities shall be constructed and maintained in accordance with the ordinances and resolutions of the county or municipality relating to construction, installation, and maintenance of similar facilities on public properties and shall not unnecessarily obstruct the public use of such rights of way.

Subd. 11. The board may sell, lease or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property may be sold in the manner provided by Minnesota Statutes, Section 458.196, insofar as practical. The board may give notice of sale as it shall deem appropriate. When the board determines that any property or any part of the district disposal system

which has been acquired from a local government unit without compensation is no longer required but is required as a local facility by the government unit from which it was acquired, the board may by resolution transfer it to such government unit.

Subd. 12. The board may contract with the United States or any agency thereof, any state or agency thereof, or any regional public planning body in the state with jurisdiction over any part of the district, or any other municipal or public corporation, or governmental subdivision or agency or political subdivision in any state, for the joint use of any facility owned by the board or such entity, for the operation by such entity of any system or facility of the board, or for the performance on the board's behalf of any service, including but not limited to planning, on terms as may be agreed upon by the contracting parties. Unless designated by the board as a local sanitary sewer facility, any treatment works or interceptor jointly used, or operated on behalf of the board, as provided in this subdivision, shall be deemed to be operated by the board for purposes of including said facilities in the district disposal system.

Sec. 7. [COMPREHENSIVE PLAN.] Subdivision 1. [BOARD PLAN AND PROGRAM.] The board shall adopt a comprehensive plan for the collection, treatment and disposal of sewage in the district for a designated period the board deems proper and reasonable. The board shall prepare and adopt subsequent comprehensive plans for the collection, treatment and disposal of sewage in the district for each succeeding designated period as the board deems proper and reasonable. The first plan, as modified by the board, and any subsequent plan shall take into account the preservation and best and most economic use of water and other natural resources in the area; the preservation, use and potential for use of lands adjoining waters of the state to be used for the disposal of sewage; and the impact such a disposal system will have on present and future land use in the area affected thereby. The plans shall include the general location of needed interceptors and treatment works, a description of the area that is to be served by the various interceptors and treatment works, a long range capital improvements program and any other details as the board shall deem appropriate. In developing the plans, the board shall consult with persons designated for the purpose by governing bodies of any government unit within the district to represent the entities and shall consider the data, resources and input offered to the board by the entities and any planning agency acting on behalf of one or more of the entities. Each plan, when adopted, shall be followed in the district and may be revised as often as the board deems necessary.

Subd. 2. [COMPREHENSIVE PLANS; HEARING.] Before adopting any subsequent comprehensive plan the board shall hold a public hearing on the proposed plan at such time and place in the district as it shall determine. The hearing may be con-

tinued from time to time. Not less than 45 days before the hearing, the board shall publish notice thereof in a newspaper or newspapers having general circulation in the district, stating the date, time and place of the hearing, and the place where the proposed plan may be examined by any interested person. At the hearing, all interested persons shall be permitted to present their views on the plan.

Subd. 3. [GOVERNMENT UNIT PLANS AND PROGRAMS; COORDINATION WITH BOARD'S RESPONSIBILITIES.] Once the board's plan is adopted, no construction project involving the construction of new sewers or other disposal facilities shall be undertaken by the local government unit unless its governing body shall first find the project to be in accordance with the government unit's comprehensive plan and program as approved by the board. Prior to approval by the board of the comprehensive plan and program of any local government unit in the district, no sanitary sewer construction project shall be undertaken by the government unit unless approval of the project is first secured from the board as to those features of the project affecting the board's responsibilities as determined by the board.

Sec. 8. [SEWAGE COLLECTION AND DISPOSAL; POWERS.] Subdivision 1. [POWERS.] In addition to all other powers conferred upon the board in this act, it shall have the powers specified in this section.

Subd. 2. [DISCHARGE OF TREATED SEWAGE.] The board shall have the right to discharge the effluent from any treatment works operated by it into any waters of the state, subject to approval of the agency if required and in accordance with any effluent or water quality standards lawfully adopted by the agency, any interstate agency or any federal agency having jurisdiction.

Subd. 3. [UTILIZATION OF DISTRICT SYSTEM.] The board may require any person or local government unit to provide for the discharge of any sewage, directly or indirectly, into the district disposal system, or to connect any disposal system or a part thereof with the district disposal system wherever reasonable opportunity therefore is provided; may regulate the manner in which such connections are made; may require any person or local government unit discharging sewage into the disposal system to provide preliminary treatment therefor; may prohibit the discharge into the district disposal system of any substance which it determines will or may be harmful to the system or any persons operating it; and may require any local government unit to discontinue the acquisition, betterment, or operation of any facility for the unit's disposal system wherever and so far as adequate service is or will be provided by the district disposal system.

Subd. 4. [SYSTEM OF COST RECOVERY TO COMPLY WITH APPLICABLE REGULATIONS.] Any charges, connection fees or other cost recovery techniques imposed on persons discharging sewage directly or indirectly into the district disposal system shall comply with applicable state and federal law, including but not limited to state and federal regulations governing grant applications.

Sec. 9. [BUDGET.] The board shall prepare and adopt, on or before October 1, 1974 and on or before October 1, 1975, and each year thereafter, a budget showing for the following calendar year or other fiscal year determined by the board, sometimes referred to in this act as the budget year, estimated receipts of money from all sources, including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for:

(1) costs of operation, administration and maintenance of the district disposal system;

(2) cost of acquisition and betterment of the district disposal system; and

(3) debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 13, and any money judgments entered by a court of competent jurisdiction. Expenditures within these general categories, and any other categories as the board may from time to time determine, shall be itemized in detail as the board shall prescribe. The board and its officers, agents and employees shall not spend money for any purpose other than debt service without having set forth the expense in the budget nor in excess of the amount set forth in the budget therefor, and no obligation to make an expenditure of the abovementioned type shall be enforceable except as the obligation of the person or persons incurring it; provided that the board may amend the budget at any time by transferring from one purpose to another any sums except money for debt service and bond proceeds or by increasing expenditures in any amount by which cash receipts during the budget year actually exceed the total amounts designated in the original budget. The creation of any obligation pursuant to section 13 or the receipt of any federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget.

Sec. 10. [ALLOCATION OF COSTS.] Subdivision 1. [DEFINITION OF CURRENT COSTS.] The estimated cost of administration, operation, maintenance and debt service of the district disposal system to be paid by the board in each fiscal year and the estimated costs of acquisition and betterment of

the system which are to be paid during the year from funds other than state or federal grants and bond proceeds and all other previously unallocated payments made by the board pursuant to this act to be allocated in the fiscal year are referred to as current costs and shall be allocated by the board as hereinafter provided in the budget for such year.

Subd. 2. [METHOD OF ALLOCATION OF CURRENT COSTS.] All current costs shall be allocated in the district on an equitable basis as the board may from time to time determine by resolution to be in the best interests of the district. The adoption or revision of any method of allocation used by the board shall be by the affirmative vote of at least two thirds the members of the board.

Sec. 11. [TAX LEVIES.] To accomplish any duty imposed on it the board may, in addition to the powers granted in this act and in any other law or charter, exercise the powers granted any municipality by Minnesota Statutes, Chapters 117, 412, 429, 475, Sections 115.46, 444.075 and 471.59 with respect to the area in the district. In addition, the board may levy taxes upon all taxable property in the district for all or a part of the amount payable to the board, pursuant to section 10, to be assessed and extended as a tax upon such taxable property by the county auditor for the next calendar year, free from any limitation of rate or amount imposed by law or charter. The tax shall be collected and remitted in the same manner as other general taxes.

Sec. 12. [PUBLIC HEARING AND SPECIAL ASSESSMENTS.] Subdivision 1. [PUBLIC HEARING REQUIREMENT ON SPECIFIC PROJECT.] Before the board orders any project involving the acquisition or betterment of any interceptor or treatment works, all or a part of the cost of which will be allocated pursuant to section 10 as current costs, the board shall hold a public hearing on the proposed project following two publications in a newspaper or newspapers having general circulation in the district, stating the time and place of the hearing, the general nature and location of the project, the estimated total cost of acquisition and betterment, that portion of costs estimated to be paid out of federal and state grants, and that portion of costs estimated to be allocated. The two publications shall be a week apart and the hearing shall be at least three days after the last publication. Not less than 45 days before the hearing, notice thereof shall also be mailed to each clerk of all local government units in the district, but failure to give mailed notice or any defects in the notice shall not invalidate the proceedings. The project may include all or part of one or more interceptors or treatment works. No hearing shall be held on any project unless the project is within the area covered by the comprehensive plan adopted by the board pursuant to section 7 except that the hearing may be held simultaneously with a hearing on a comprehensive plan. A hearing is not required with respect to a proj-

ect, no part of the costs of which are to be allocated as the current costs of acquisition, betterment and debt service.

Subd. 2. [NOTICE TO BENEFITTED PROPERTY OWNERS.] If the board proposes to assess against benefitted property within the district all or any part of the allocable costs of the project as provided in subdivision 5, the board shall, not less than ten days prior to the hearing provided for in subdivision 1 cause mailed notice thereof to be given to the owner of each parcel within the area proposed to be specially assessed and shall also give one week's published notice of the hearing. The notice of hearing shall contain the same information provided in the notice published by the board pursuant to subdivision 1, and in addition, a description of the area proposed to be assessed. For the purpose of giving mailed notice, owners shall be those shown to be on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. However, as to properties which are tax exempt or subject to taxation on a gross earnings basis and are not listed on the records of the county auditor or the county treasurer, the owners thereof shall be ascertained by any practicable means and mailed notice shall be given them as herein provided. Failure to give mailed notice or any defects in the notice shall not invalidate the proceedings of the board.

Subd. 3. [BOARD PROCEEDINGS PERTAINING TO HEARING.] Prior to adoption of the resolution calling for a hearing brought pursuant to this section the board shall secure from the district engineer or some other competent person of the board's selection a report advising it in a preliminary way as to whether the proposed project is feasible and as to whether it should best be made as proposed or in connection with some other project and the estimated costs of the project as recommended; but no error or omission in the report shall invalidate the proceeding. The board may also take such other steps prior to the hearing, as will in its judgment provide helpful information in determining the desirability and feasibility of the project, including but not limited to preparation of plans and specifications and advertisement for bids thereon. The hearing may be adjourned from time to time and a resolution ordering the project may be adopted at any time within six months after the date of hearing. In ordering the project the board may reduce but not increase the extent of the project as stated in the notice of hearing and shall find that the project as ordered is in accordance with the comprehensive plan and program adopted by the board pursuant to section 7.

Subd. 4. [EMERGENCY ACTION.] If the board by resolution adopted by the affirmative vote of not less than two thirds of its members determines that an emergency exists requiring the immediate purchase of materials or supplies or the making of emergency repairs, it may order the purchase of such supplies

and materials and the making of such repairs prior to any hearing required under this section, provided that the board shall set as early a date as practicable for such hearing at the time it declares such emergency. All other provisions of this section shall be followed in giving notice of and conducting such hearing. Nothing herein shall be construed as preventing the board or its agents from purchasing maintenance supplies or incurring maintenance costs without regard to the requirements of this section.

Subd. 5. [POWER OF THE BOARD TO SPECIALLY ASSESS.] The board may specially assess all or any part of the costs of acquisition and betterment as herein provided, of any project ordered pursuant to this section. The special assessments shall be levied in accordance with the provisions of Minnesota Statutes, Sections 429.051 to 429.081, except as otherwise provided in this subdivision. No other provisions of Minnesota Statutes, Chapter 429 shall apply. For purposes of levying the special assessments, the hearing on the project required in subdivision 1 shall serve as the hearing on the making of the original improvement provided for by Minnesota Statutes, Section 429.051. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the project provided for in subdivision 2.

Sec. 13. [BONDS, CERTIFICATES AND OTHER OBLIGATIONS.] Subdivision 1. [BUDGET ANTICIPATION CERTIFICATES OF INDEBTEDNESS.] At any time after adoption of its annual budget and in anticipation of the collection of tax and other revenues estimated and set forth by the board in the budget, except in the case of:

- (a) Deficiency taxes levied pursuant to this subdivision, and
- (b) Taxes levied for the payment of certificates issued pursuant to subdivision 2, the board may, by resolution, authorize the issuance, negotiation and sale, in accordance with subdivision 4 in the form and manner and upon terms as it may determine, of its negotiable general obligation certificates of indebtedness in aggregate principal amounts not exceeding 50 percent of the total amount of tax collections and other revenues and maturing not later than three months after the close of the budget year in which issued. The proceeds of the sale of the certificates shall be used solely for the purposes for which the tax collections and other revenues are to be expended pursuant to the budget.

All the tax collections and other revenues included in the budget for the budget year, after the expenditure of the tax collections and other revenues in accordance with the budget, shall be irrevocably pledged and appropriated to a special fund to pay the principal and interest on the certificates when due. If for any reason the tax collections and other revenues are insufficient to pay the certificates and interest when due, the board shall levy a tax in the amount of the deficiency on all taxable property in

the district and shall appropriate this amount when received to the special fund.

Subd. 2. [EMERGENCY CERTIFICATES OF INDEBTEDNESS.] If in any budget year the receipts of tax and other revenues should for some unforeseen cause become insufficient to pay the board's current expenses, or if any calamity or other public emergency should subject it to the necessity of making extraordinary expenditures, the board may by resolution authorize the issuance, negotiation, and sale, in accordance with subdivision 4 in the form and manner and upon such terms and conditions as it may determine, of its negotiable general obligation certificates of indebtedness in an amount sufficient to meet the deficiency, and the board shall forthwith levy on all taxable property in the district a tax sufficient to pay the certificates and interest thereon and shall appropriate all collections of the tax to a special fund created for the payment of the certificates and the interest thereon. Certificates issued under this subdivision shall mature not later than April 1 in the year following the year in which such tax is collectible.

Subd. 3. [GENERAL OBLIGATION BONDS.] The board may by resolution authorize the issuance of general obligation bonds for the acquisition or betterment of any part of the district disposal system, including but without limitation the payment of interest during construction and for a reasonable period thereafter, or for the refunding of outstanding bonds, certificates of indebtedness, or judgments. The board shall pledge its full faith and credit and taxing power for the payment of the bonds and shall provide for the issuance and sale and for the security of the bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that law, except that no election shall be required and the debt limitations of Minnesota Statutes, Chapter 475, shall not apply to the bonds. The board may also pledge for the payment of such bonds and deduct from the amount of any tax levy required under Minnesota Statutes, Section 475.61, Subdivision 1, and any revenues receivable under any state and federal grants anticipated by the board and may covenant to refund such bonds if and when and to the extent that for any reason such revenues, together with other funds properly available and appropriated for such purpose, are not sufficient to pay all principal and interest due or about to become due thereon, provided that such revenues have not been anticipated by the issuance of certificates under subdivision 1.

Subd. 4. [MANNER OF SALE AND ISSUANCE OF CERTIFICATES.] Certificates issued under subdivisions 1 and 2 may be issued and sold by negotiation, without public sale, and may be sold at a price equal to the percentage of the par value thereof, plus accrued interest, and bearing interest at a rate as may be determined by the board. No election shall be required to authorize the issuance of the certificates. The certificates shall bear the same rate of interest after maturity as before and

the full faith and credit and taxing power of the board shall be pledged to the payment of such certificates.

Sec. 14. [DEPOSITORIES.] The board shall from time to time designate one or more national or state banks, or trust companies authorized to do a banking business, as official depositories for money of the board, and thereupon shall require the treasurer to deposit all or a part of the money in such institutions. The designation shall be in writing and shall set forth all the terms and conditions upon which the deposits are made, and shall be signed by the chairman and treasurer, and made a part of the minutes of the board. A bank or trust company so designated shall qualify as a depository by furnishing a corporate surety bond or collateral in the amounts required by Minnesota Statutes, Section 118.01. However, no bond or collateral shall be required to secure any deposit insofar as it is insured under federal law.

Sec. 15. [MONEYS, ACCOUNTS AND INVESTMENTS.]
Subdivision 1. [RECEIPT AND APPLICATION.] All money received by the board shall be deposited or invested by the treasurer and disposed of as the board may direct in accordance with its budget; provided that any moneys that have been pledged or dedicated by the board to the payment of obligations or interest thereon or expenses incident thereto, or for any other specific purpose authorized by law, shall be paid by the treasurer into the fund to which they have been pledged.

Subd. 2. [FUNDS AND ACCOUNTS.] The board's treasurer shall establish funds and accounts as may be necessary or convenient to handle the receipts and disbursements of the board in an orderly fashion.

Subd. 3. [DEPOSIT AND INVESTMENT.] The money on hand in said funds and accounts may be deposited in the official depositories of the board or invested as hereinafter provided. The amount thereof not currently needed or required by law to be kept in cash on deposit may be invested in obligations authorized for the investment of municipal sinking funds by Minnesota Statutes, Section 475.66. Such moneys may also be held under certificates of deposit issued by any official depository of the board.

Subd. 4. [BOND PROCEEDS.] The use of proceeds of all bonds issued by the board for the acquisition and betterment of the district disposal system, and the use, other than investment, of all money on hand in any sinking fund or funds of the board, shall be governed by the provisions of Minnesota Statutes, Chapter 475, the provisions of this act, and the provisions of resolutions authorizing the issuance of such bonds. The bond proceeds when received shall be transferred to the treasurer of the board for safekeeping, investment and payment of the costs for which they were issued.

Subd. 5. [AUDIT.] The board shall provide for and pay the cost of an independent annual audit of its official books and records by the state auditor or a public accountant authorized to perform such a function under Minnesota Statutes, Section 214.33.

Sec. 16. [SERVICE CONTRACTS WITH GOVERNMENTAL ENTITIES OUTSIDE THE JURISDICTION OF THE BOARD.] The board may contract with the United States or any agency thereof, any state or any agency thereof, or any municipal or public corporation, governmental subdivision or agency or political subdivision in any state, outside the jurisdiction of the board, for furnishing to the above mentioned entities services, including but not limited to planning for and the acquisition, betterment, operation, administration and maintenance of any or all interceptors, treatment works and local sanitary sewer facilities, provided that the board may further include as one of the terms of the contract that the entity also pay to the board an amount as may be agreed upon as a reasonable estimate of the proportionate share properly allocable to the entity of costs of acquisition, betterment and debt service previously allocated in the district. When payments are made by entities to the board, they shall be applied in reduction of the total amount of costs thereafter allocated in the district, on an equitable basis as the board deems to be in the best interests of the district, applying so far as practicable and appropriate the criteria set forth in section 10, subdivision 2. Any municipality in the state of Minnesota may enter into such contract and perform all acts and things required as a condition or consideration therefor consistent with the purposes of this act, whether or not included among the powers otherwise granted to such municipality by law or charter.

Sec. 17. [CONTRACTS FOR CONSTRUCTION, MATERIALS, SUPPLIES, AND EQUIPMENT.] Subdivision 1. [PLANS AND SPECIFICATIONS.] When the board orders a project involving the acquisition or betterment of a part of the district disposal system, it shall cause plans and specifications of the project to be made, or if previously made, to be modified, if necessary, and to be approved by the agency if required, and after any required approval by the agency, one or more contracts for work and materials called for by the plans and specification may be awarded as provided in this section.

Subd. 2. [CONTRACTS IN EXCESS OF \$5,000.] No contract for any construction work, or for the purchase of materials, supplies, or equipment, estimated to cost more than \$5,000 shall be made by the board without publishing once in a newspaper having general circulation in the district and once in a trade paper or legal newspaper published in any city of the first class, not less than 14 days before the last day for submission of bids, notice that bids or proposals will be received. The notice shall state the nature of the work or purchase, the terms and con-

ditions upon which the contract is to be awarded, and the time and place where such bids will be received, opened, and read publicly. After the bids have been duly received, opened, read publicly, and recorded, the board shall within a reasonable time award such contract to the lowest responsible bidder or it may reject all bids and readvertise. Each contract shall be duly executed in writing and the party to whom the contract is awarded shall give sufficient bond or security to the board for the faithful performance of the contract as required by law. If the board by an affirmative vote of not less than two thirds of its members declares that an emergency exists requiring the immediate purchase of materials or supplies or in making emergency repairs, at a cost estimated to be in excess of \$5,000, it shall not be necessary to advertise for bids.

Subd. 3. [CONTRACTS OR PURCHASES FOR \$5,000 OR LESS.] The board may, without advertising for bids, enter into any contract or purchase any materials, supplies or equipment of the type referred to in subdivision 2 the cost of which is estimated to be \$5,000 or less, or it may in the alternative authorize the executive director to enter into a contract on behalf of the board for such work or to make such purchases without prior approval of the board and without advertising for bid.

Subd. 4. [UNIFORM MUNICIPAL CONTRACTING LAW.] Except as otherwise provided in this section, Minnesota Statutes, Section 471.345 shall apply.

Sec. 18. [PROPERTY EXEMPT FROM TAXATION.] Any properties, real or personal, owned, leased, controlled, used, or occupied by the sanitary sewer board for any purpose under this act are declared to be acquired, owned, leased, controlled, used and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that the properties shall be subject to special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement. No possible use of any properties in any manner different from their use as part of a disposal system at the time shall be considered in determining the special benefit received by the properties. All assessments shall be subject to final approval by the board, whose determination of the benefits shall be conclusive upon the political subdivision levying the assessment. All bonds, certificates of indebtedness or other obligations of the board, and the interest thereon, shall be exempt from taxation by the state or any political subdivision of the state.

Sec. 19. [RELATION TO EXISTING LAWS.] The provisions of this act shall be given full effect notwithstanding the provisions of any law or charter inconsistent therewith. The powers conferred on the board under this act shall in no way diminish or supersede the powers conferred on the agency by Minnesota Statutes, Chapters 115 and 116.

Sec. 20. Subdivision 1. This act is effective as to the county of Chisago when approved by the county board and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. This act is effective as to the county of Pine when approved by the county board and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 3. This act is effective as to the towns of Moose Lake and Windemere when approved by the town boards of each town and upon compliance with Minnesota Statutes, Section 645.021.

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

"A bill for an act relating to local government in Chisago and Pine county and the towns of Moose Lake in Carlton County and Windemere in Pine county; authorizing the county boards of Chisago and Pine counties to issue obligations and levy special assessments for improvements to bodies of water; authorizing the county board of Chisago county to establish water or sewer or combined water and sewer systems within cities; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JERALD C. ANDERSON, FLORIAN CHMIELEWSKI, and LEW LARSON.

House Conferees: DOUGLAS CARLSON, BERNARD CARLSON, and HARRY PETERSON.

Carlson, D., moved that the report of the Conference Committee on S. F. No. 3246 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	St. Onge
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jopp	Miller, M.	Sarna
Anderson, D.	Eken	Jude	Moe	Savelkoul
Anderson, G.	Enebo	Kahn	Mueller	Schreiber
Anderson, I.	Erdahl	Kelly	Munger	Searle
Becklin	Erickson	Kempe	Myrah	Sherwood
Belisle	Esau	Klaus	Nelson	Sieben, H.
Bell	Faricy	Knickerbocker	Newcome	Sieben, M.
Bennett	Ferderer	Knoll	Niehaus	Skaar
Berg	Fjoslien	Kostohryz	Norton	Smith
Berglin	Forsythe	Kvam	Ohnstad	Spanish
Biersdorf	Fudro	Laidig	Ojala	Stangeland
Braun	Fugina	Larson	Parish	Stanton
Brinkman	Graba	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lindstrom, J.	Pehler	Vanasek
Carlson, L.	Hanson	Lombardi	Peterson	Vento
Casserly	Haugerud	Long	Pieper	Voss
Cleary	Heinitz	Mann	Pleasant	Weaver
Clifford	Hook	McArthur	Prahl	Wenzel
Connors	Jacobs	McCarron	Quirin	Wigley
Culhane	Jaros	McCauley	Resner	Wohlwend
Cummiskey	Johnson, C.	McEachern	Rice	Wolcott
Dahl	Johnson, D.	McMillan	Ryan	Mr. Speaker

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3350

March 23, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3350, 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. 3350 be further amended as follows:

Page 1, line 12, delete "\$7,000,000" and insert "\$5,600,000".

Page 2, following line 1, insert:

"Sec. 4. Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4, is amended to read:

Subd. 4. The authority, acting through its board of directors, may contract with the governing body (OR OFFICIALS) and the owners of the Ramsey county hospital and of any other hospital or institution, for the joint maintenance and operation of the Gillette children's hospital in conjunction with existing or contemplated facilities at the Ramsey county hospital. Contracts may include agreements for the joint employment and utilization of personnel, the joint purchase of supplies and equipment, and joint construction, acquisition, or leasing of space for offices, outpatient facilities, operating rooms, and other medical facilities for use in training in the care and treatment of crippled and handicapped children, the operation of a brace shop, and the conduct of patient education programs. No contract shall however, provide for the expenditure of funds for additional patient bed capacity. The authority shall be subject to the certificate of need act provided in sections 145.71 to 145.83. In any case where in a certificate of need is required, the authority shall, at the time of application, notify the house committee on appropriations and the senate finance committee, whose opinion shall be advisory only."

Page 2, line 4, delete "Chapter" and insert "Section".

Renumber the remaining section.

Further, amend the title in line 7 after "authority" by inserting "; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOSEPH T. O'NEILL and JEROME M. HUGHES.

House Conferees: FRED C. NORTON and ROBERT C. BELL.

Norton moved that the report of the Conference Committee on S. F. No. 3350 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 64, and nays 60, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kahn	Munger	Ryan
Andersen, R.	Enebo	Kelly	Nelson	St. Onge
Anderson, I.	Fudro	Knoll	Norton	Sherwood
Bell	Fugina	Lemke	Ojala	Sieben, H.
Berg	Graba	Lindstrom, J.	Parish	Sieben, M.
Berglin	Growe	Mann	Patton	Smith
Brinkman	Hanson	McCarron	Pavlak, R.	Stangeland
Carlson, B.	Haugerud	McEachern	Pavlak, R. L.	Stanton
Casserly	Jacobs	McMillan	Pehler	Swanson
Cummiskey	Jaros	Menke	Peterson	Vento
Dahl	Johnson, C.	Miller, D.	Prahl	Wenzel
Dieterich	Johnson, D.	Miller, M.	Quirin	Mr. Speaker
Eckstein	Jude	Moe	Rice	

Those who voted in the negative were:

Adams, S.	Culhane	Hook	Lindstrom, E.	Savelkoul
Anderson, D.	DeGroat	Johnson, J.	Lombardi	Schreiber
Becklin	Dirlam	Johnson, R.	Long	Searle
Belisle	Erdahl	Jopp	McArthur	Skaar
Bennett	Erickson	Kempe	McCauley	Tomlinson
Biersdorf	Esau	Klaus	Myrah	Ulland
Braun	Faricy	Knickerbocker	Newcome	Vanasek
Carlson, A.	Ferderer	Kostohryz	Niehaus	Voss
Carlson, D.	Forsythe	Kvam	Ohnstad	Weaver
Cleary	Graw	Laidig	Pieper	Wigley
Clifford	Hagedorn	Larson	Pleasant	Wohlwend
Connors	Heinitz	LaVoy	Resner	Wolcott

The motion prevailed.

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 88, and nays 36, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	DeGroat	Ferderer
Andersen, R.	Berg	Casserly	Dieterich	Fjoslien
Anderson, G.	Brinkman	Clifford	Eckstein	Fudro
Anderson, I.	Carlson, A.	Culhane	Eken	Fugina
Belisle	Carlson, B.	Cummiskey	Enebo	Graba
Bell	Carlson, D.	Dahl	Erickson	Growe

Hagedorn	Laidig	Miller, D.	Pavlak, R. L.	Smith
Hanson	Larson	Miller, M.	Pehler	Stangeland
Haugerud	Lemke	Moe	Peterson	Stanton
Heinitz	Lindstrom, E.	Myrah	Prahl	Swanson
Jacobs	Lindstrom, J.	Nelson	Quirin	Tomlinson
Johnson, C.	Mann	Niehaus	Rice	Ulland
Johnson, D.	McArthur	Norton	Ryan	Vento
Johnson, J.	McCarron	Ohnstad	St. Onge	Wenzel
Jude	McCauley	Ojala	Searle	Wohlwend
Kahn	McEachern	Parish	Sherwood	Mr. Speaker
Kelly	McMillan	Patton	Sieben, H.	
Knoll	Menke	Pavlak, R.	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Erdahl	Klaus	Newcome	Vanasek
Anderson, D.	Esau	Knickerbocker	Pieper	Voss
Becklin	Forsythe	Kostohryz	Pleasant	Weaver
Biersdorf	Graw	Kvam	Resner	Wigley
Braun	Hook	LaVoy	Samuelson	
Cleary	Johnson, R.	Lombardi	Savelkoul	
Connors	Jopp	Long	Schreiber	
Dirlam	Kempe	Munger	Skaar	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2360, A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, B., moved that the House refuse to concur in the Senate amendments to H. F. No. 2360, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2129, A bill for an act relating to labor; regulating the employment of child labor; prescribing penalties; repealing

Minnesota Statutes 1971, Sections 181.18 to 181.27; 181.31 to 181.51; 181.69; and 181.72.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 2129 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2129, A bill for an act relating to labor; regulating the employment of child labor; prescribing penalties; repealing Minnesota Statutes 1971, Sections 181.18 to 181.27; 181.31 to 181.51; 181.69; and 181.72.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Adams, S.	Dirlam	Johnson, R.	Miller, M.	Sarna
Andersen, R.	Eckstein	Jopp	Moe	Savelkoul
Anderson, D.	Eken	Jude	Mueller	Schreiber
Anderson, G.	Enebo	Kahn	Munger	Searle
Anderson, I.	Erdahl	Kelly	Myrah	Sherwood
Becklin	Erickson	Kempe	Nelson	Sieben, H.
Belisle	Esau	Knickerbocker	Newcome	Sieben, M.
Bell	Faricy	Knoll	Niehaus	Skaar
Bennett	Ferderer	Kostohryz	Norton	Smith
Berg	Fjoslien	Kvam	Ohnstad	Stangeland
Berglin	Forsythe	Laidig	Ojala	Stanton
Biersdorf	Fudro	Larson	Parish	Swanson
Braun	Fugina	LaVoy	Patton	Tomlinson
Brinkman	Graba	Lemke	Pavlak, R.	Ulland
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, B.	Grove	Lindstrom, J.	Pehler	Vento
Carlson, D.	Hagedorn	Lombardi	Peterson	Weaver
Carlson, L.	Hanson	Long	Pieper	Wenzel
Casserly	Haugerud	Mann	Pleasant	Wigley
Clifford	Heinitz	McArthur	Prahl	Wohlwend
Connors	Hook	McCarron	Quirin	Wolcott
Culhane	Jacobs	McCauley	Resner	Mr. Speaker
Cummiskey	Jaros	McEachern	Rice	
Dahl	Johnson, C.	McMillan	Ryan	
DeGroat	Johnson, D.	Menke	St. Onge	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 2323, A bill for an act relating to travel expenses of the state board of education; amending Minnesota Statutes 1971, Section 121.02, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 2323 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2323, A bill for an act relating to travel expenses of the state board of education; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Sections 121.02, Subdivision 1; and 197.09.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McMillan	Samuelson
Adams, S.	Dieterich	Johnson, J.	Menke	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Savelkoul
Anderson, D.	Eckstein	Jopp	Miller, M.	Schreiber
Anderson, G.	Eken	Jude	Munger	Searle
Anderson, I.	Enebo	Kahn	Myrah	Sherwood
Becklin	Erdahl	Kelly	Nelson	Sieben, H.
Belisle	Erickson	Kempe	Newcome	Sieben, M.
Bell	Esau	Klaus	Niehaus	Skaar
Bennett	Faricy	Knickerbocker	Norton	Smith
Berg	Ferderer	Knoll	Ohnstad	Stangeland
Berglin	Fjoslien	Kostohryz	Ojala	Stanton
Biersdorf	Forsythe	Kvam	Parish	Swanson
Braun	Fudro	Laidig	Patton	Tomlinson
Brinkman	Fugina	Larson	Pavlak, R.	Ulland
Carlson, A.	Graba	LaVoy	Pavlak, R. L.	Vanasek
Carlson, B.	Graw	Lemke	Pehler	Vento
Carlson, D.	Growe	Lindstrom, E.	Peterson	Weaver
Carlson, L.	Hagedorn	Lindstrom, J.	Pieper	Wenzel
Casserly	Hanson	Lombardi	Pleasant	Wigley
Cleary	Haugerud	Long	Prahl	Wohlwend
Clifford	Heinitz	Mann	Quirin	Wolcott
Connors	Hook	McArthur	Resner	Mr. Speaker
Culhane	Jacobs	McCarron	Rice	
Cummiskey	Jaros	McCauley	Ryan	
Dahl	Johnson, C.	McEachern	St. Onge	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Stokowski, Chenoweth, McCutcheon, Kirchner and Ogdahl have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Tomlinson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3059. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Chenoweth, North and Kirchner have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVER, Secretary of the Senate

Tomlinson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2703. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3059:

Salchert, Tomlinson, Faricy, Bell, and Sieben, H.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2703:

Salchert, Tomlinson, and Andersen, R.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2360:

Carlson, B.; Kvam; and Sieben, H.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 102, A bill for an act relating to public employment; providing for leave of absence for employees who serve in the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Faricy moved that the House concur in the Senate amendments to H. F. No. 102 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 102, A bill for an act relating to the legislature; providing for the continuation in or return of members to their employment after legislative sessions; providing for restoration to their position of employment and all other rights incident to employment; providing for enforcement; amending Minnesota Statutes 1971, Section 3.087; and Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085; and 3.086.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 114, and nays 8, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	Miller, M.	Samuelson
Adams, S.	DeGroat	Johnson, D.	Moe	Sarna
Andersen, R.	Dieterich	Johnson, R.	Munger	Savelkoul
Anderson, D.	Dirlam	Jude	Myrah	Schreiber
Anderson, I.	Eckstein	Kahn	Nelson	Sherwood
Becklin	Eken	Kelly	Newcome	Sieben, H.
Belisle	Enebo	Kempe	Niehaus	Sieben, M.
Bell	Erdahl	Knickerbocker	Norton	Skaar
Berg	Erickson	Knoll	Ohnstad	Smith
Berglin	Esau	Kostohryz	Ojala	Stangeland
Biersdorf	Faricy	Kvam	Parish	Stanton
Braun	Forsythe	Laidig	Patton	Swanson
Brinkman	Fudro	LaVoy	Pavlak, R.	Tomlinson
Carlson, A.	Fugina	Lemke	Pehler	Ulland
Carlson, B.	Graba	Long	Peterson	Vanasek
Carlson, D.	Graw	Mann	Pieper	Vento
Carlson, L.	Growe	McArthur	Pleasant	Voss
Casserly	Hagedorn	McCarron	Prahl	Weaver
Cleary	Hanson	McCauley	Quirin	Wenzel
Clifford	Haugerud	McEachern	Resner	Wigley
Connors	Heinitz	McMillan	Rice	Wohlwend
Culhane	Jacobs	Menke	Ryan	Mr. Speaker
Cummiskey	Jaros	Miller, D.	St. Onge	

Those who voted in the negative were:

Anderson, G.	Hook	Klaus	Lindstrom, E.	Lombardi
Fjoslien	Johnson, J.	Larson		

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 2848, A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCarron moved that the House concur in the Senate amendments to H. F. No. 2848 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2848, A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Section 204.19, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Jaros	McEachern	Rice
Adams, S.	Dahl	Johnson, C.	McMillan	Ryan
Andersen, R.	DeGroat	Johnson, D.	Menke	St. Onge
Anderson, D.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Anderson, G.	Dirlam	Johnson, R.	Miller, M.	Sarna
Anderson, I.	Eckstein	Jude	Munger	Savelkoul
Becklin	Eken	Kahn	Myrah	Schreiber
Belisle	Enebo	Kelly	Nelson	Sherwood
Bell	Erdahl	Kempe	Newcome	Sieben, H.
Bennett	Erickson	Knickerbocker	Niehaus	Sieben, M.
Berg	Esau	Knoll	Norton	Skaar
Berglin	Faricy	Kostohryz	Ohnstad	Smith
Biersdorf	Forsythe	Kvam	Ojala	Stangeland
Braun	Fudro	Laidig	Parish	Stanton
Brinkman	Fugina	Larson	Patton	Swanson
Carlson, A.	Graba	LaVoy	Pavlak, R.	Tomlinson
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Ulland
Carlson, D.	Growe	Lindstrom, E.	Pehler	Vanasek
Carlson, L.	Hagedorn	Lombardi	Peterson	Vento
Cassery	Hanson	Long	Pieper	Voss
Cleary	Haugerud	Mann	Pleasant	Wenzel
Clifford	Heinitz	McArthur	Prahl	Wigley
Connors	Hook	McCarron	Quirin	Wohlwend
Culhane	Jacobs	McCauley	Resner	Mr. Speaker

Those who voted in the negative were:

Fjoslien Klaus

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2125, A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 2125 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2125, A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 105, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Ryan
Adams, S.	Eckstein	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Enebo	Jude	Moe	Sarna
Anderson, G.	Erickson	Kahn	Mueller	Savelkoul
Anderson, I.	Faricy	Kelly	Munger	Schreiber
Becklin	Ferderer	Klaus	Nelson	Sherwood
Bell	Fjoslien	Knickerbocker	Newcome	Sieben, H.
Bennett	Forsythe	Knoll	Norton	Sieben, M.
Berg	Fudro	Kostohryz	Ohnstad	Smith
Berglin	Fugina	Laidig	Ojala	Stanton
Braun	Graba	LaVoy	Parish	Swanson
Brinkman	Graw	Lemke	Patton	Tomlinson
Carlson, A.	Growe	Lindstrom, E.	Pavlak, R.	Ulland
Carlson, B.	Hanson	Lombardi	Pavlak, R. L.	Vanasek
Carlson, D.	Haugerud	Mann	Pehler	Vento
Carlson, L.	Heinitz	McArthur	Peterson	Weaver
Casserly	Hook	McCarron	Pleasant	Wenzel
Clifford	Jacobs	McCauley	Prahl	Wigley
Culhane	Jaros	McEachern	Quirin	Wohlwend
Cummiskey	Johnson, C.	McMillan	Resner	Wolcott
Dahl	Johnson, D.	Menke	Rice	Mr. Speaker

Those who voted in the negative were:

Belisle	Cleary	DeGroat	Eken	Kempe
Biersdorf	Connors	Dirlam	Erdahl	Kvam

Larson Myrah Niehaus Pieper St. Onge
Long

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jacobs moved that the House concur in the Senate amendments to H. F. No. 2974 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Casslerly	Fudro	Kelly	McEachern
Adams, S.	Cleary	Fugina	Kempe	McMillan
Andersen, R.	Clifford	Graba	Klaus	Menke
Anderson, D.	Connors	Graw	Knickerbocker	Miller, D.
Anderson, G.	Culhane	Grove	Knoll	Miller, M.
Anderson, I.	Cummiskey	Hagedorn	Kostohryz	Moe
Becklin	Dahl	Hanson	Kvam	Mueller
Belisle	DeGroat	Haugerud	Laidig	Munger
Bell	Dieterich	Heinitz	Larson	Myrah
Bennett	Dirlam	Hook	LaVoy	Nelson
Berg	Eckstein	Jacobs	Lemke	Newcome
Berglin	Eken	Jaros	Lindstrom, E.	Niehaus
Biersdorf	Enebo	Johnson, C.	Lindstrom, J.	Norton
Braun	Erdahl	Johnson, D.	Lombardi	Ohnstad
Brinkman	Erickson	Johnson, J.	Long	Ojala
Carlson, A.	Esau	Johnson, R.	Mann	Parish
Carlson, B.	Farcy	Jopp	McArthur	Patton
Carlson, D.	Fjoslien	Jude	McCarron	Pavlak, R.
Carlson, L.	Forsythe	Kahn	McCauley	Pavlak, R. L.

Pehler	Ryan	Sieben, H.	Tomlinson	Wigley
Peterson	St. Onge	Sieben, M.	Ulland	Wohlwend
Pieper	Samuelson	Skaar	Vanasek	Wolcott
Pleasant	Sarna	Smith	Vento	Mr. Speaker
Quirin	Savelkoul	Stangeland	Voss	
Resner	Schreiber	Stanton	Weaver	
Rice	Sherwood	Swanson	Wenzel	

The bill was repassed, as amended by the Senate, and its title agreed to.

Ferderer was excused between the hours of 3:15 p.m. and 4:15 p.m.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2680, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the crime of prostitution; creating a cause of action for solicitation or inducement into prostitution; amending Minnesota Statutes 1971, Sections 540.07; and 609.32, Subdivisions 2 and 4.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 2680 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2680, A bill for an act relating to the crime of prostitution; amending Minnesota Statutes 1971, Section 609.32, Subdivisions 2 and 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Carlson, B.	Cummiskey	Erickson
Adams, S.	Bennett	Carlson, D.	Dahl	Esau
Andersen, R.	Berg	Carlson, L.	Dieterich	Faricy
Anderson, D.	Berglin	Casserly	Dirlam	Fjoslien
Anderson, G.	Biersdorf	Cleary	Eckstein	Forsythe
Anderson, I.	Braun	Clifford	Eken	Fudro
Becklin	Brinkman	Connors	Enebo	Fugina
Belisle	Carlson, A.	Culhane	Erdahl	Graba

Graw	Kempe	McEachern	Pavlak, R.	Sieben, M.
Growe	Klaus	McMillan	Pavlak, R. L.	Skaar
Hagedorn	Knickerbocker	Menke	Pehler	Smith
Hanson	Knoll	Miller, D.	Peterson	Stangeland
Haugerud	Kostohryz	Miller, M.	Pieper	Stanton
Heinitz	Kvam	Moe	Prahl	Swanson
Hook	Laidig	Mueller	Quirin	Tomlinson
Jacobs	LaVoy	Munger	Resner	Ulland
Jaros	Lemke	Myrah	Rice	Vanasek
Johnson, C.	Lindstrom, E.	Nelson	Ryan	Vento
Johnson, D.	Lindstrom, J.	Newcome	St. Onge	Weaver
Johnson, J.	Lombardi	Njehaus	Samuelson	Wenzel
Johnson, R.	Long	Norton	Sarna	Wigley
Jopp	Mann	Ohnstad	Savelkoul	Wohlwend
Jude	McArthur	Ojala	Schreiber	Wolcott
Kahn	McCarron	Parish	Sherwood	Mr. Speaker
Kelly	McCauley	Patton	Sieben, H.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 234, A bill for an act relating to taxation; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dieterich moved that the House concur in the Senate amendments to H. F. No. 234 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 234, A bill for an act relating to taxation; increasing the rate of interest penalties on delinquent real estate taxes; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Sections 279.01, and 297B.01, Subdivision 7.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 109, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, I.	Belisle	Bennett
Adams, S.	Anderson, D.	Becklin	Bell	Biersdorf

Braun	Faricy	Kelly	Munger	Savelkoul
Brinkman	Forsythe	Kempe	Nelson	Schreiber
Carlson, A.	Fudro	Klaus	Newcome	Sherwood
Carlson, B.	Fugina	Knickerbocker	Norton	Sieben, H.
Carlson, D.	Graba	Knoll	Ojala	Sieben, M.
Carlson, L.	Graw	Kostohryz	Parish	Smith
Casserly	Grove	Kvam	Patton	Stangeland
Cleary	Hagedorn	Laidig	Pavlak, R.	Stanton
Clifford	Hanson	LaVoy	Pavlak, R. L.	Swanson
Connors	Haugerud	Lemke	Pehler	Tomlinson
Cummiskey	Heinitz	Lindstrom, E.	Peterson	Ulland
Dahl	Hook	Lindstrom, J.	Pieper	Vanasek
DeGroat	Jacobs	Lombardi	Prahl	Vento
Dieterich	Jaros	Mann	Quirin	Weaver
Dirlam	Johnson, C.	McArthur	Resner	Wenzel
Eckstein	Johnson, D.	McCarron	Rice	Wigley
Eken	Johnson, J.	McEachern	Ryan	Wohlwend
Enebo	Jopp	McMillan	St. Onge	Wolcott
Erdahl	Jude	Menke	Samuelson	Mr. Speaker
Esau	Kahn	Miller, D.	Sarna	

Those who voted in the negative were:

Anderson, G.	Culhane	Long	Moe	Ohnstad
Berg	Erickson	McCauley	Myrah	Skaar
Berglin	Fjoslien	Miller, M.	Niehaus	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2191, A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 2191 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2191, A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	McMillan	St. Onge
Adams, S.	DeGroat	Johnson, D.	Menke	Samuelson
Andersen, R.	Dieterich	Johnson, J.	Miller, D.	Sarna
Anderson, D.	Dirlam	Jopp	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Jude	Moe	Schreiber
Anderson, I.	Eken	Kahn	Munger	Sherwood
Becklin	Enebo	Kelly	Myrah	Sieben, H.
Belisle	Erdahl	Kempe	Nelson	Sieben, M.
Bell	Erickson	Klaus	Newcome	Skaar
Bennett	Esau	Knickerbocker	Niehaus	Smith
Berg	Faricy	Kostohryz	Norton	Stangeland
Berglin	Fjoslien	Kvam	Ojala	Stanton
Biersdorf	Forsythe	Laidig	Parish	Swanson
Braun	Fudro	Larson	Patton	Tomlinson
Brinkman	Fugina	LaVoy	Pavlak, R.	Ulland
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Vanasek
Carlson, B.	Graw	Lindstrom, E.	Pehler	Vento
Carlson, D.	Grove	Lindstrom, J.	Peterson	Weaver
Carlson, L.	Hagedorn	Lombardi	Pieper	Weazel
Casserly	Hanson	Long	Pleasant	Wigley
Cleary	Haugerud	Mann	Prahl	Wohlwend
Clifford	Heinitz	McArthur	Quirin	Wolcott
Connors	Hook	McCarron	Resner	Mr. Speaker
Culhane	Jacobs	McCauley	Rice	
Cummiskey	Jaros	McEachern	Ryan	

Those who voted in the negative were:

Ohnstad

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2608, A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivision 13 and adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 2608 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2608, A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, by adding a subdivision; and 13.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	Menke	Ryan
Adams, S.	Dieterich	Johnson, J.	Miller, D.	St. Onge
Andersen, R.	Dirlam	Jopp	Miller, M.	Samuelson
Anderson, D.	Eckstein	Jude	Moe	Sarna
Anderson, G.	Eken	Kahn	Mueller	Savelkoul
Anderson, I.	Enebo	Kelly	Munger	Schreiber
Becklin	Erdahl	Kempe	Myrah	Sherwood
Belisle	Erickson	Klaus	Nelson	Sieben, H.
Bell	Esau	Knickerbocker	Newcome	Sieben, M.
Bennett	Faricy	Kostohryz	Niehaus	Skaar
Berg	Fjoslien	Kvam	Norton	Smith
Berglin	Forsythe	Laidig	Ohnstad	Spanish
Biersdorf	Fudro	Larson	Ojala	Stangeland
Braun	Fugina	LaVoy	Parish	Stanton
Brinkman	Graba	Lemke	Patton	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pavlak, R. L.	Ulland
Carlson, D.	Hagedorn	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Long	Peterson	Vento
Casserly	Haugerud	Mann	Pieper	Weaver
Clifford	Heinitz	McArthur	Pleasant	Wenzel
Connors	Hook	McCarron	Prahl	Wigley
Culhane	Jacobs	McCauley	Quirin	Wohlwend
Cummiskey	Jaros	McEachern	Resner	Wolcott
Dahl	Johnson, C.	McMillan	Rice	Mr. Speaker

Those who voted in the negative were:

Cleary

The bill was repassed, as amended by the Senate, and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Lemke and Savelkoul were excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker :

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1316, A bill for an act relating to the collection, security and dissemination of records and information by the state; providing penalties; amending Minnesota Statutes 1971, Chapter 16, by adding a section.

PATRICK E. FLHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 1316 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1316, A bill for an act relating to the collection, security and dissemination of records and information by the state and its political subdivisions; providing a civil cause of action; providing penalties.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 112, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Hook	McArthur	Ryan
Adams, S.	Cummiskey	Jacobs	McCarron	Samuelson
Andersen, R.	Dahl	Jaros	McCauley	Sarna
Anderson, D.	DeGroat	Johnson, C.	McEachern	Searle
Anderson, G.	Dieterich	Johnson, D.	McMillan	Sherwood
Anderson, I.	Dirlam	Johnson, J.	Menke	Sieben, H.
Becklin	Eken	Johnson, R.	Miller, M.	Skaar
Belisle	Enebo	Jopp	Moe	Smith
Bell	Erdahl	Jude	Nelson	Stangeland
Bennett	Erickson	Kahn	Newcome	Stanton
Berg	Esau	Kelly	Niehaus	Swanson
Berglin	Faricy	Klaus	Norton	Tomlinson
Biersdorf	Fjoslien	Knickerbocker	Ohnstad	Ulland
Braun	Forsythe	Knoll	Ojala	Vento
Brinkman	Fudro	Kostohryz	Parish	Voss
Carlson, A.	Fugina	Laidig	Pavlak, R.	Wenzel
Carlson, B.	Graba	Larson	Pavlak, R. L.	Wigley
Carlson, D.	Graw	LaVoy	Pehler	Wohlwend
Carlson, L.	Grove	Lindstrom, E.	Peterson	Wolcott
Casserly	Hagedorn	Lindstrom, J.	Pieper	Mr. Speaker
Cleary	Hanson	Lombardi	Pleasant	
Clifford	Haugerud	Long	Prahl	
Connors	Heinitz	Mann	Rice	

Those who voted in the negative were:

Patton

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1662, A bill for an act relating to pollution; providing for a deputy director of the Minnesota pollution control agency; removing certain exemptions from the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; abolishing the water pollution control advisory committee; amending Minnesota Statutes 1971, Sections 43.09, Subdivision 2; 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding a subdivision; 116.07, Subdivisions 2, 4, and 4a; 116.08, Subdivision 1; 116.081, Subdivision 1; 161.242, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hanson moved that the House concur in the Senate amendments to H. F. No. 1662 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1662, A bill for an act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Jacobs	McEachern	Sarna
Adams, S.	Culhane	Jaros	McMillan	Searle
Andersen, R.	Cummiskey	Johnson, C.	Menke	Sherwood
Anderson, D.	Dahl	Johnson, D.	Miller, M.	Sieben, H.
Anderson, G.	DeGroat	Johnson, J.	Moe	Sieben, M.
Anderson, I.	Dieterich	Johnson, R.	Nelson	Skaar
Becklin	Dirlam	Jopp	Newcome	Stangeland
Belisle	Eken	Jude	Niehaus	Stanton
Bell	Enebo	Kahn	Norton	Swanson
Bennett	Erdahl	Kelly	Ojala	Tomlinson
Berg	Faricy	Kempe	Parish	Ulland
Berglin	Fjoslien	Knickerbocker	Patton	Vanasek
Biersdorf	Forsythe	Knoll	Pavlak, R.	Vento
Braun	Fudro	Kostohryz	Pavlak, R. L.	Voss
Brinkman	Fugina	Laidig	Pehler	Wenzel
Carlson, A.	Graba	LaVoy	Peterson	Wohlwend
Carlson, B.	Graw	Lindstrom, E.	Pieper	Wolcott
Carlson, D.	Growe	Lombardi	Pleasant	Mr. Speaker
Carlson, L.	Hagedorn	Long	Prahl	
Casserly	Hanson	Mann	Rice	
Cleary	Haugerud	McArthur	Ryan	
Clifford	Heinitz	McCarron	Samuelson	

Those who voted in the negative were:

Erickson	Esau	Klaus	Ohnstad	Wigley
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1834, A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 1834 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1834, A bill for an act relating to civil defense; changing the name of the division of civil defense to the division of emergency services; providing for the purchase of excess property by the state for civil defense purposes.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 102, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Jaros	McCarron	Samuelson
Andersen, R.	Cummiskey	Johnson, C.	McEachern	Sarna
Anderson, D.	Dahl	Johnson, D.	McMillan	Searle
Anderson, G.	DeGroat	Johnson, J.	Menke	Sherwood
Anderson, I.	Dieterich	Johnson, R.	Miller, M.	Sieben, H.
Becklin	Dirlam	Jopp	Moe	Sieben, M.
Belisle	Eken	Jude	Myrah	Skaar
Bell	Enebo	Kahn	Nelson	Smith
Bennett	Erdahl	Kelly	Newcome	Stangeland
Berg	Faricy	Kempe	Niehaus	Stanton
Berglin	Fjoslien	Knickerbocker	Norton	Swanson
Biersdorf	Forsythe	Knoll	Ojala	Tomlinson
Braun	Fudro	Kostohryz	Parish	Vanasek
Brinkman	Fugina	Laidig	Patton	Vento
Carlson, A.	Graba	LaVoy	Pavlak, R.	Wenzel
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Wohlwend
Carlson, L.	Growe	Lindstrom, J.	Pehler	Wolcott
Casserly	Hanson	Lombardi	Peterson	Mr. Speaker
Cleary	Haugerud	Long	Prahl	
Clifford	Heinitz	Mann	Resner	
Connors	Jacobs	McArthur	Ryan	

Those who voted in the negative were:

Erickson	Klaus	Pieper	Ulland	Wigley
Hagedorn	Ohnstad			

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2525, A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as

amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 2525 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2525, A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55,

as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372 and subsequent acts, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jaros	McEachern	Ryan
Andersen, R.	DeGroat	Johnson, C.	McMillan	Samuelson
Anderson, D.	Dieterich	Johnson, D.	Menke	Sarna
Anderson, G.	Dirlam	Johnson, J.	Miller, D.	Schreiber
Anderson, I.	Eken	Johnson, R.	Miller, M.	Searle
Becklin	Enebo	Jopp	Moe	Sherwood
Belisle	Erdahl	Jude	Nelson	Sieben, H.
Bell	Erickson	Kahn	Newcome	Sieben, M.
Bennett	Esau	Kelly	Niehaus	Skaar
Berg	Faricy	Kempe	Norton	Smith
Berglin	Ferderer	Klaus	Ohnstad	Stangeland
Biersdorf	Fjoslien	Knickerbocker	Ojala	Stanton
Braun	Forsythe	Knoll	Parish	Swanson
Brinkman	Fudro	Kostohryz	Patton	Tomlinson
Carlson, A.	Fugina	Kvam	Pavlak, R.	Ulland
Carlson, B.	Graba	Laidig	Pavlak, R. L.	Vanasek
Carlson, D.	Graw	Larson	Pehler	Vente
Carlson, L.	Growe	LaVoy	Peterson	Voss
Casserly	Hagedorn	Lindstrom, E.	Pieper	Wenzel
Cleary	Hanson	Lombardi	Pleasant	Wigley
Clifford	Haugerud	Long	Prahl	Wohlwend
Connors	Heinitz	Mann	Quirin	Wolcott
Culhane	Hook	McArthur	Resner	Mr. Speaker
Cummiskey	Jacobs	McCarron	Rice	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3030, A bill for an act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dahl moved that the House concur in the Senate amendments to H. F. No. 3030 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3030, A bill for an act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, D.	McEachern	Sarna
Andersen, R.	Dieterich	Johnson, J.	McMillan	Schreiber
Anderson, D.	Dirlam	Johnson, R.	Menke	Searle
Anderson, G.	Eken	Jopp	Miller, M.	Sherwood
Anderson, I.	Enebo	Jude	Moe	Sieben, H.
Becklin	Erdahl	Kahn	Nelson	Sieben, M.
Belisle	Erickson	Kelly	Newcome	Skaar
Bell	Esau	Kempe	Niehaus	Smith
Bennett	Faricy	Klaus	Norton	Spanish
Berg	Fjoslien	Knickerbocker	Ohnstad	Stangeland
Berglin	Forsythe	Knoll	Ojala	Stanton
Biersdorf	Fudro	Kostohryz	Parish	Swanson
Braun	Fugina	Kvam	Patton	Tomlinson
Carlson, A.	Graba	Laidig	Pavlak, R.	Ulland
Carlson, B.	Graw	Larson	Pavlak, R. L.	Vanasek
Carlson, D.	Growe	LaVoy	Pehler	Vento
Carlson, L.	Hagedorn	Lindstrom, E.	Peterson	Voss
Casserly	Hanson	Lindstrom, J.	Pieper	Wenzel
Cleary	Haugerud	Lombardi	Pleasant	Wigley
Clifford	Heinitz	Long	Prahl	Wohlwend
Connors	Hook	Mann	Resner	Wolcott
Culhane	Jacobs	McArthur	Rice	Mr. Speaker
Cummiskey	Jaros	McCarron	Ryan	
Dahl	Johnson, C.	McCauley	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3157, A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 3157 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3157, A bill for an act relating to real estate; disclosure of identity of owner and manager of rental property; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, M.	Schreiber
Andersen, R.	Eken	Jude	Moe	Searle
Anderson, D.	Enebo	Kahn	Mueller	Sherwood
Anderson, G.	Erdahl	Kelly	Myrah	Sieben, H.
Anderson, I.	Erickson	Kempe	Nelson	Sieben, M.
Becklin	Esau	Klaus	Newcome	Skaar
Belisle	Faricy	Knickerbocker	Niehaus	Smith
Bell	Fjoslien	Knoll	Norton	Spanish
Bennett	Forsythe	Kostohryz	Ohnstad	Stangeland
Berg	Fudro	Kvam	Ojala	Stanton
Berglin	Fugina	Laidig	Parish	Swanson
Biersdorf	Graba	Larson	Patton	Tomlinson
Braun	Graw	LaVoy	Pavlak, R.	Ulland
Brinkman	Growe	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, A.	Hagedorn	Lindstrom, J.	Pehler	Vento
Carlson, B.	Hanson	Lombardi	Peterson	Voss
Carlson, L.	Haugerud	Long	Pieper	Wenzel
Casserly	Heinitz	Mann	Pleasant	Wigley
Clifford	Hook	McArthur	Prahl	Wohlwend
Connors	Jacobs	McCarron	Quirin	Wolcott
Culhane	Jaros	McCauley	Resner	Mr. Speaker
Cummiskey	Johnson, C.	McEachern	Rice	
Dahl	Johnson, D.	McMillan	Ryan	
DeGroat	Johnson, J.	Menke	Samuelson	
Dieterich	Johnson, R.	Miller, D.	Sarna	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3129, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sherwood moved that the House concur in the Senate amendments to H. F. No. 3129 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3129, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to acquire conservation restrictions by gift, purchase or exchange.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Sarna
Andersen, R.	Dirlam	Jopp	Miller, M.	Schreiber
Anderson, D.	Eken	Jude	Moe	Searle
Anderson, G.	Enebo	Kahn	Mueller	Sherwood
Anderson, I.	Erdahl	Kelly	Myrah	Sieben, H.
Becklin	Erickson	Kempe	Nelson	Sieben, M.
Belisle	Esau	Klaus	Newcome	Skaar
Bell	Faricy	Knickerbocker	Niehaus	Smith
Bennett	Fjoslien	Knoll	Norton	Spanish
Berg	Forsythe	Kostohryz	Ohnstad	Stangeland
Berglin	Fudro	Kvam	Ojala	Stanton
Biersdorf	Fugina	Laidig	Parish	Swanson
Braun	Graba	Larson	Patton	Tomlinson
Brinkman	Graw	LaVoy	Pavlak, R.	Ulland
Carlson, A.	Growe	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, B.	Hagedorn	Lindstrom, J.	Pehler	Vento
Carlson, L.	Hanson	Lombardi	Peterson	Voss
Casserty	Hangerud	Long	Pieper	Wenzel
Cleary	Heinitz	Mann	Pleasant	Wigley
Clifford	Hook	McArthur	Prahl	Wohlwend
Connors	Jacobs	McCarron	Quirin	Wolcott
Culhane	Jaros	McCauley	Resner	Mr. Speaker
Cummiskey	Johnson, C.	McEachern	Rice	
Dahl	Johnson, D.	McMillan	Ryan	
DeGroat	Johnson, J.	Menke	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 2333 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of employment services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, D.	Sarna
Andersen, R.	Dirlam	Jopp	Miller, M.	Schreiber
Anderson, D.	Eken	Jude	Moe	Searle
Anderson, G.	Enebo	Kahn	Mueller	Sherwood
Anderson, I.	Erdahl	Kelly	Munger	Sieben, H.
Becklin	Erickson	Kempe	Myrah	Sieben, M.
Belisle	Esau	Knickerbocker	Nelson	Skaar
Bell	Faricy	Knoll	Newcome	Smith
Bennett	Fjoslien	Kostohryz	Niehaus	Spanish
Berg	Forsythe	Kvam	Norton	Stangeland
Berglin	Fudro	Laidig	Ohnstad	Stanton
Biersdorf	Fugina	Larson	Ojala	Swanson
Braun	Graba	LaVoy	Parish	Tomlinson
Brinkman	Graw	Lemke	Patton	Ulland
Carlson, A.	Growe	Lindstrom, E.	Pavlak, R.	Vanasek
Carlson, B.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Vento
Carlson, L.	Hanson	Lombardi	Pehler	Voss
Casserly	Haugerud	Long	Peterson	Wenzel
Cleary	Heinitz	Mann	Pieper	Wigley
Clifford	Hook	McArthur	Pleasant	Wohlwend
Connors	Jacobs	McCarron	Prahl	Wolcott
Culhane	Jaros	McCauley	Resner	Mr. Speaker
Cummiskey	Johnson, C.	McEachern	Rice	
Dahl	Johnson, D.	McMillan	Ryan	
DeGroat	Johnson, J.	Menke	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1839, A bill for an act relating to workmens compensation; adjusting certain schedules of and provisions for compensation benefits; relating to injuries occurring out of state and occupation diseases; amending Minnesota Statutes 1971, Sections 176.021, Subdivision 3; 176.041, Subdivision 3; 176.101, Subdivisions 2, 3, and 7; 176.662; Chapter 176, by adding a section; repealing Minnesota Statutes 1971, Section 176.041, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 1839 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1839, A bill for an act relating to workmens compensation; adjusting certain schedules of and provisions for compensation benefits; relating to injuries occurring out of state and occupation diseases; amending Minnesota Statutes 1971, Section 176.101, Subdivision 7; Chapter 176, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 176.021, Subdivision 3; and 176.101, Subdivisions 2 and 3; repealing Minnesota Statutes 1971, Section 176.041, Subdivision 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Johnson, C.	McMillan	Rice
Andersen, R.	DeGroat	Johnson, D.	Menke	Ryan
Anderson, D.	Dieterich	Johnson, J.	Miller, D.	Samuelson
Anderson, G.	Dirlam	Johnson, R.	Miller, M.	Schreiber
Anderson, I.	Eken	Jopp	Moe	Searle
Becklin	Enebo	Jude	Munger	Sherwood
Belisle	Erdahl	Kahn	Myrah	Sieben, H.
Bell	Erickson	Kelly	Nelson	Sieben, M.
Bennett	Esau	Kempe	Newcome	Skaar
Berg	Faricy	Knickerbocker	Niehaus	Smith
Berglin	Fjoslien	Kostohryz	Norton	Spanish
Biersdorf	Forsythe	Kvam	Ohnstad	Stangeland
Braun	Fudro	Laidig	Ojala	Swanson
Brinkman	Fugina	Larson	Parish	Tomlinson
Carlson, A.	Graba	LaVoy	Patton	Ulland
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R.	Vanasek
Carlson, D.	Grove	Lindstrom, J.	Pavlak, R. L.	Vento
Carlson, L.	Hagedorn	Lombardi	Pehler	Voss
Casserly	Hanson	Long	Peterson	Weaver
Cleary	Haugerud	Mann	Pieper	Wenzel
Clifford	Heinitz	McArthur	Pleasant	Wigley
Connors	Hook	McCarron	Prahl	Wohlwend
Culhane	Jacobs	McCauley	Quirin	Wolcott
Cummiskey	Jaros	McEachern	Resner	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2349, A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 2349 and that the bill be repassed as amended by the Senate.

Newcome moved that the House refuse to concur in the Senate amendments to H. F. No. 2349, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the Newcome motion and the roll being called, there were yeas 91, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Hanson	Mann	St. Onge
Andersen, R.	Culhane	Heinitz	McArthur	Sarna
Anderson, D.	Dahl	Hook	McCauley	Schreiber
Anderson, G.	DeGroat	Johnson, C.	McMillan	Searle
Anderson, I.	Dirlam	Johnson, J.	Menke	Sherwood
Becklin	Eckstein	Johnson, R.	Moe	Sieben, H.
Belisle	Eken	Jopp	Munger	Skaar
Bell	Enebo	Jude	Myrah	Smith
Bennett	Erdahl	Kelly	Newcome	Stangeland
Berg	Erickson	Kempe	Niehaus	Swanson
Berglin	Esau	Knickerbocker	Ohnstad	Weaver
Biersdorf	Faricy	Kostohryz	Parish	Wenzel
Braun	Perderer	Kvam	Pavlak, R. L.	Wigley
Brinkman	Fjoslien	Laidig	Pehler	Wohlwend
Carlson, A.	Forsythe	Larson	Peterson	Wolcott
Carlson, B.	Fudro	Lindstrom, E.	Pieper	
Carlson, D.	Graba	Lindstrom, J.	Pleasant	
Carlson, L.	Graw	Lombardi	Quirin	
Cleary	Hagedorn	Long	Ryan	

Those who voted in the negative were:

Casserly	Jaros	Miller, M.	Resner	Ulland
Connors	Johnson, D.	Nelson	Rice	Vanasek
Cummiskey	Kahn	Norton	Samuelson	Voss
Dieterich	Klaus	Ojala	Sieben, M.	Mr. Speaker
Fugina	LaVoy	Patton	Stanton	
Jacobs	McCarron	Prahl	Tomlinson	

The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3090, A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

PATRICK E. FLAHAVEN, Secretary of the Senate

Niehaus moved that the House refuse to concur in the Senate amendments to H. F. No. 3090, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2349:

Fugina, Newcome and Salchert.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3090:

Niehaus, Patton, and LaVoy.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1191, A bill for an act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.33; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; and 184.41; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Resner moved that the House concur in the Senate amendments to H. F. No. 1191 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1191, A bill for an act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; 184.41; and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	McEachern	Rice
Andersen, R.	Dieterich	Johnson, D.	McMillan	Ryan
Anderson, D.	Dirlam	Johnson, J.	Menke	St. Onge
Anderson, G.	Eckstein	Johnson, R.	Miller, M.	Samuelson
Anderson, I.	Eken	Jopp	Moe	Schreiber
Becklin	Enebo	Jude	Mueller	Searle
Belisle	Erdahl	Kahn	Munger	Sherwood
Bell	Erickson	Kelly	Myran	Sieben, H.
Bennett	Esau	Kempe	Nelson	Sieben, M.
Berg	Faricy	Klaus	Newcome	Skaar
Berglin	Ferederer	Knickerbocker	Niehaus	Smith
Biersdorf	Fjoslien	Knoll	Norton	Stangeland
Braun	Forsythe	Kostohryz	Ohnstad	Stanton
Brinkman	Fudro	Kvam	Ojala	Swanson
Carlson, A.	Fugina	Laidig	Parish	Tomlinson
Carlson, B.	Graba	Larson	Patton	Ulland
Carlson, D.	Graw	LaVoy	Pavlak, R.	Vanasek
Carlson, L.	Growe	Lindstrom, E.	Pavlak, R. L.	Vento
Casserly	Hagedorn	Lindstrom, J.	Pehler	Voss
Cleary	Hanson	Lombardi	Peterson	Weaver
Clifford	Haugerud	Long	Pieper	Wenzel
Connors	Heinitz	Mann	Pleasant	Wigley
Culhane	Hook	McArthur	Prahl	Wohlwend
Cummiskey	Jacobs	McCarron	Quirin	Wolcott
Dahl	Jaros	McCauley	Resner	Mr. Speaker

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2604 and 3306.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2604, A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law relating to the dependent care deduction, inheritance tax, and gift tax; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 26; 291.03, as amended; 291.05, as amended; 292.05, Subdivision 1, as amended; 292.07, Subdivision 3, as amended, and Subdivision 5, as amended.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 3306, A bill for an act relating to taxation; providing for a reduction of ad valorem taxes paid by certain persons; amending Minnesota Statutes, 1973 Supplement, Sections 273.011, Subdivisions 2 and 5; 273.012, Subdivision 2; Minnesota Statutes 1971, Chapter 273, by adding sections; and repealing Minnesota Statutes, 1973 Supplement, Section 290.066.

The bill was read for the first time and referred to the Committee on Taxes.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, March 27, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Wednesday, March 27, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FOURTEENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 27, 1974

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Jopp	Miller, D.	Salchert
Andersen, R.	Dirlam	Jude	Miller, M.	Samuelson
Anderson, D.	Eckstein	Kahn	Moe	Sarna
Anderson, G.	Eken	Kelly	Mueller	Savelkoul
Anderson, I.	Enebo	Kempe	Munger	Schreiber
Becklin	Erdahl	Klaus	Myrah	Schulz
Belisle	Erickson	Knickerbocker	Nelson	Searle
Bell	Esau	Knoll	Newcome	Sherwood
Bennett	Faricy	Kostohryz	Niehaus	Sieben, H.
Berg	Ferderer	Kvam	Norton	Sieben, M.
Berglin	Forsythe	Laidig	Ohnstad	Skaar
Eiersdorf	Fudro	Larson	Ojala	Smith
Braun	Fugina	LaVoy	Parish	Spanish
Brinkman	Graba	Lemke	Patton	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, B.	Grove	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hagedorn	Lombardi	Pehler	Ulland
Carlson, L.	Hanson	Long	Peterson	Vanasek
Casserly	Haugerud	Mann	Pieper	Vento
Cleary	Heinitz	McArthur	Pleasant	Voss
Clifford	Hook	McCarron	Prahl	Weaver
Connors	Jacobs	McCauley	Quirin	Wenzel
Culhane	Jaros	McEachern	Resner	Wigley
Cummiskey	Johnson, D.	McFarlin	Rice	Wohlwend
Dahl	Johnson, J.	McMillan	Ryan	Wolcott
DeGroat	Johnson, R.	Menke	St. Onge	Mr. Speaker

A quorum was present.

Adams, S.; Johnson, C.; and Stangeland were excused. Fjoslien was excused until 2:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Esau, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. Nos. 2604 and 3306 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 26, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 818, An act relating to elections; removing limitations on the transportation of voters to the polls; providing a penalty; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

H. F. No. 1409, An act relating to the policemen's relief association in the city of New Ulm, and membership in the public employees police and fire fund.

H. F. No. 1489, An act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

H. F. No. 2517, An act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

H. F. No. 2554, An act relating to counties; establishment and use of imprest cash funds in counties.

H. F. No. 2588, An act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Minnesota Statutes, 1973 Supplement, Section 352E.01, Subdivision 2.

H. F. No. 2699, An act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

H. F. No. 2883, An act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement, Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and Laws 1973, Chapter 650, Article XXIV, Section 6.

H. F. No. 2967, An act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

H. F. No. 3276, An act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

H. F. No. 3279, An act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

H. F. No. 3289, An act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

H. F. No. 3328, An act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; defining qualified home owner eligible for senior citizen property tax freeze; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivision 6 and 273.011, Subdivision 2.

H. F. No. 3395, An act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

H. F. No. 3422, An act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 26, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 3321, An act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2285		236	March 23	March 25
3331		237	March 25	March 25

Sincerely,

ARLEN I. ERDAHL
Secretary of State

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2950

March 21, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2950, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment adopted March 15, 1974, in the Senate amendment adopted March 18, 1974 on Mr. Humphrey's motion, and in the Senate amendment to page 4, lines 2 and 15 of the printed bill adopted March 18, 1974 on Mr. Coleman's motion.

That the Senate recede from the amendments adopted March 18, 1974 on the motions of Mr. A. G. Olson and Mr. Conzemius and from the amendment to page 7, line 18 of the printed bill adopted March 18, 1974 on the motion of Mr. Coleman.

That H. F. No. 2950, the typewritten bill, be further amended as follows:

Page 7, line 15, delete "*single family*".

Page 10, line 9, after "*body*" insert "*or reservation housing authority*".

Page 10, line 14, after the period insert:

"In the allocation of federal housing assistance funds provided pursuant to this subdivision, the agency shall give priority to programs which increase opportunities for low cost residential housing on or adjacent to the Indian reservations of this state."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: FRANKLIN J. KNOLL, E. W. QUIRIN, and GERALD KNICKERBOCKER.

Senate Conferees: HUBERT H. HUMPHREY, JOHN KEEFE, and WINSTON W. BORDEN.

Knoll moved that the report of the Conference Committee on H. F. No. 2950 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 102, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jopp	Miller, M.	Schreiber
Andersen, R.	DeGroat	Jude	Moe	Schulz
Anderson, D.	Dieterich	Kahn	Munger	Sherwood
Anderson, G.	Dirlam	Kelly	Nelson	Sieben, H.
Anderson, I.	Eckstein	Kempe	Newcome	Sieben, M.
Becklin	Eken	Knickerbocker	Parish	Smith
Belisle	Enebo	Knoll	Patton	Spanish
Bell	Esau	Kostohryz	Pavlak, R.	Stanton
Bennett	Faricy	Laidig	Pavlak, R. L.	Swanson
Berg	Ferderer	LaVoy	Pehler	Tomlinson
Berglin	Forsythe	Lemke	Peterson	Ulland
Biersdorf	Fudro	Lindstrom, J.	Pleasant	Vanasek
Brinkman	Graba	Lombardi	Prahl	Vento
Carlson, A.	Hanson	Mann	Quirin	Voss
Carlson, B.	Heinitz	McArthur	Resner	Wenzel
Carlson, D.	Hook	McCarron	Rice	Wohlwend
Carlson, L.	Jacobs	McEachern	Ryan	Wolcott
Clifford	Jaros	McFarlin	St. Onge	Mr. Speaker
Connors	Johnson, D.	McMillan	Salchert	
Culhane	Johnson, J.	Menke	Samuelson	
Cummiskey	Johnson, R.	Miller, D.	Sarna	

Those who voted in the negative were:

Erdahl	Kvam	Myrah	Searle	Weaver
Erickson	Larson	Niehaus	Skaar	Wigley
Hagedorn	Lindstrom, E.	Ohnstad		
Klaus	Long	Pieper		

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1810

March 23, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1810, report that we have agreed upon the items in dispute and recommend as follows:

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

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [DEVELOPMENT PROGRAM; PURPOSE.] It is found that there is a need for new development in areas of a municipality which are already built up to provide employment opportunities to improve the tax base and to improve the general economy of the state. Therefore, municipalities are authorized to develop a program for improving a district of the municipality to provide impetus for commercial development; to increase employment; to protect pedestrians from vehicle traffic and inclement weather; to provide the necessary linkage between peripheral parking facilities and places of employment and shopping; to provide off-street parking to serve the shoppers and employees of the district; to provide open space relief within the district; and to provide other facilities as are outlined in the development program adopted by the governing body. It is hereby declared by the legislature of the state of Minnesota that the actions required to assist the implementation of these development programs are a public purpose and that the execution and financing of such programs are a public purpose.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 14, the terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. “Municipality” means any city, however organized.

Subd. 3. A “development district” is a specific area within the corporate limits of any municipality which has been so designated and separately numbered by the governing body. No less than 60 percent of the area of any such district shall consist of land which has been platted and developed. The area of a district shall not be enlarged after five years following the date of designation of the district. At the time of the designation of the first

development district in any municipality, the governing body of that municipality shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, that municipality must use the same option for all succeeding development districts.

(a) The total acreage included in any one development district when designated shall not exceed one percent of the total acreage of the municipality, and when added to the total current acreage within development districts for which unrecovered cost of bonds remain shall not exceed three percent of the total acreage of the municipality.

(b) The total market value of taxable real property of any one development district when designated shall not exceed five percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor, and when added to the current total market value of taxable real property within development districts for which unrecovered cost of bonds remain shall not exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.

(c) No development district shall exceed six acres. At no time shall another development district be designated by the governing body of the municipality until all cost of bonds for the previously designated district has been paid.

Subd. 4. "Substantially residential development district" means any development district in which 40 percent or more of the land area, exclusive of streets and open space, is used for residential purposes at the time the district is designated by the governing body.

Subd. 5. A "development program" is a statement of objectives of the municipality for improvement of a development district which shall contain a complete statement as to the public facilities to be constructed within the district, the open space to be created, the environmental controls to be applied, the proposed reuse of private property, the proposed operations of the district after the capital improvements within the district has been completed.

Subd. 6. "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated aboveground, within and without the public right of way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, malls, elevators, escalators, heated canopies and accesses and all fixtures, furniture, signs, equipment, facilities, services, and appurtenances which in the judgment of the governing body of the municipality will enhance the movement, safety, security, convenience and en-

joyment of pedestrians and benefit the municipality and adjoining properties. The use of a public street or public right of way for pedestrian travel only constitutes a public use and shall not require a vacation of the street or right of way.

Subd. 7. "Special lighting systems" means lights or light displays of any type located within or without the public right of way.

Subd. 8. "Parking structure" means any building the principal use of which is designed for and intended for parking of motor vehicles. Open air parking on parking lots shall also be construed as parking structures for the purpose of this act.

Subd. 9. "Maintenance and operation" means all activities necessary to maintain facilities after they have been developed and all activities necessary to operate the facilities including but not limited to informational and educational programs, and safety and surveillance activities.

Subd. 10. Governing body means the duly elected council of a city, notwithstanding any contrary definition thereof contained in Chapter 475.

Sec. 3. [AUTHORITY GRANTED.] A municipality may after consultation with its planning agency or planning department and after public hearings, notice of which shall have been published in the official newspaper of the municipality, or if the municipality has no official newspaper, in a newspaper of general distribution within the municipality, designate development districts within the boundaries of the municipality. The municipality shall also provide for relocation pursuant to section 12 and consult with the advisory board created by section 11 before making this designation. Within these districts the municipality may adopt a development program consistent with which the municipality may acquire, construct, reconstruct, improve, alter, extend, operate, maintain, or promote developments aimed at improving the physical facilities, quality of life and quality of transportation. The municipality may acquire land or easements through negotiation or through powers of eminent domain. The municipal council may adopt ordinances regulating traffic in pedestrian skyway systems, public parking structures, and other facilities constructed within the development district. The municipal council may pass ordinances regulating access to pedestrian skyway systems and the conditions under which such access is allowed.

Traffic regulations may include but shall not be limited to direction and speed of traffic, policing of pedestrianways, hours that pedestrianways are open to the public, kinds of service activities that will be allowed in arcades, parks and plazas, fares to be charged on the people movers, and rates to be charged in the parking structures. The municipality shall have the power to

require private developers to construct buildings so as to accommodate and support pedestrian systems which are part of the program for the development district. When the municipality requires the developer to construct columns, beams or girders with greater strength than required for normal building purposes, the municipality shall reimburse the developer for the added expense from development district funds. The municipality shall have the authority to install special lighting systems, special street signs and street furniture, special landscaping of streets and public property; to install special snow removal systems; to acquire property for the district; to lease air rights over public buildings and to spend public funds for constructing the foundations and columns in the public buildings strong enough to support the buildings to be constructed on air rights; to lease all or portions of basement, ground and second floors of the public buildings constructed in the district; to negotiate the sale or lease of property for private development if the development is consistent with the development program for the district.

Sec. 4. [TAX STATUS.] The pedestrian skyway system, underground pedestrian concourse, the people mover system, and publicly owned parking structures are all declared to be public property to be used for essential public and governmental purposes which shall be exempt from all taxes and special assessments of city, county, state, or any political subdivision thereof. Taxes do not include charges for utilities and special services such as heat, water, electricity, gas, sewage disposal, or garbage removal.

Sec. 5. [GRANTS.] A municipality may accept grants or other financial assistance from the government of the United States or any other entity to do studies, construct and operate the pedestrian skyway system, underground pedestrian concourses, people mover systems, and other public improvements authorized by sections 1 to 14.

Sec. 6. [ISSUANCE OF BONDS.] The governing body of the municipality, may authorize, issue and sell general obligation bonds, which shall mature within 30 years from the date of issue, to finance the acquisition and betterment of real and personal property needed to carry out the development program within the development district together with all relocation costs incidental thereto in accordance with Minnesota Statutes, Sections 475.51, 475.53, 475.54, 475.55, 475.56, 475.60, 475.61, 475.62, 475.63, 475.65, 475.66, 475.69, 475.70, and 475.71. All tax increments received by the municipality pursuant to section 7 shall be pledged for the payment of these bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and the bonds shall not be included when computing the municipality's net debt.

Sec. 7. Subdivision 1. [TAX INCREMENT FINANCING PLAN.] A tax increment financing plan shall contain a statement of objectives of a municipality for improvement of a de-

velopment district. Such plan shall contain a complete statement as to the development program for the district. It shall also contain estimates of the following: cost of the development program; sources of revenue to finance these costs including estimates of tax increments; amount of bonded indebtedness to be incurred; and the duration of the program's existence. The plan shall also contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the district is located.

Subd. 2. [NOTICE, HEARING.] Before approving any tax increment financing plan, the governing body shall hold a public hearing thereon after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of hearing. This hearing may be a part of a hearing on the development program.

Subd. 3. [CONSULTATIONS WITH OTHER JURISDICTIONS.] Before formation of a development district the governing body shall provide a reasonable opportunity to the members of the county board of commissioners of any county in which any portion of the development district is located and to the members of the school board of any school district in which any portion of the development district is located to meet with the governing body. The governing body shall fully inform members of the county boards of commissioners and of the school boards of the fiscal and economic implications of the proposed development district. The members of the county boards of commissioners and of the school boards may present their recommendations at the public hearing on the tax increment financing plan. A governing body may enter into agreements with the county boards of commissioners, the school boards and the governing body of the municipality in which the district is located to share a portion of the captured assessed value of the district.

Subd. 4. [MODIFICATION OF PLAN.] A tax increment financing plan may be modified provided such modification shall be approved by the governing body upon such notice and after such public hearings and agreements as are required for approval of the original plan.

Sec. 8. [COMPUTATION OF TAX INCREMENT.] Subdivision 1. [ORIGINAL ASSESSED VALUE.] Upon or after formation of a development district, the auditor of the county in which it is situated shall upon request of the municipality certify the original assessed value of the real property within the boundaries of the development district as described in the tax increment financing plan. Property taxable at the time of the request shall be included in the original assessed value at its most recently determined valuation. Property exempt from taxation at the time of the request shall be included at zero unless it was taxable when the tax increment financing plan was approved in which case its most recently determined assessed valuation be-

fore it became exempt shall be included. Assessed valuation which is contributed to an area-wide tax base under Minnesota Statutes, Section 473F.08 shall not be included in the original assessed value. Each year thereafter, the auditor shall certify the amount by which the assessed value has increased or decreased from the original assessed value. The auditor shall also certify the proportion which any such increase or decrease bears to the total assessed value of the real property in that district for that year.

Subd. 2. [CAPTURED ASSESSED VALUE.] Any amount by which the current assessed value of a development district exceeds the original assessed value, other than the portion thereof to be contributed to an area-wide tax base under Minnesota Statutes, Section 473F.08, is referred to as the captured assessed value. The county auditor shall certify the amount of the captured assessed value to the municipality each year thereafter.

(a) A municipality may choose to retain any part or all of the captured assessed value for purposes of tax increment financing according to one of the two following options:

(1) If the plan provides that all the captured assessed value is necessary to finance the development program the municipality may retain the full captured assessed value.

(2) If the plan provides that only a portion of the captured assessed value is necessary to finance the development program of the district only that portion shall be set aside and the remainder shall be distributed among the affected taxing districts by the county auditor.

(b) The portion of captured assessed value that a municipality intends to use for purposes of tax increment financing must be clearly stated in the tax increment financing plan.

Subd. 3. [TAX INCREMENTS.] (a) In each subsequent year the county auditor shall compute assessed valuation, mill rates and tax increments according to the following method:

(1) If the municipality retains the full captured assessed value for the development district the county auditor shall include no more than the original assessed value of the real property in the development district for purposes of determining assessed value for local mill rates. He shall compute the mill rates of all taxes levied by the state, the county, the municipality or town, the school district and every other taxing district in which the district is located on the aforementioned assessed value. He shall extend all mill rates against the current assessed value, including the captured assessed value. In each year for which the current assessed value exceeds the original assessed value the county treasurer shall remit to the municipality that propor-

tion of all taxes paid that year on real property in the district which the captured assessed value bears to the total current assessed value. The amount so remitted each year is referred to in this section as the tax increment for that year.

(2) If the municipality retains only a portion of the captured assessed value for the development district and returns the remaining portion to the tax rolls of all affected taxing districts the county auditor shall include the original assessed value and that portion of the captured assessed value which is shared with all the affected taxing districts in determining the assessed value for computing mill rates. He shall compute the mill rates of all taxes levied by the state, county, municipality, school district, and every other taxing district in which the district is located on this aforementioned assessed value. He shall extend all mill rates against the total current assessed value including that portion of the captured assessed value which the municipality is retaining for the development district only. In each year for which the current assessed value exceeds the original assessed value the county treasurer shall remit to the municipality that proportion of all taxes paid on real property in the district that the retained captured assessed value bears to the total current assessed value in the district. The amount so remitted each year is referred to as the tax increment.

(b) In any year in which the current assessed value of the development district is equal to or less than the original assessed value the county auditor shall compute and extend taxes against the current value. Taxes shall be distributed from the affected property to each of the taxing authorities as determined by the current levy and there is no tax increment.

Subd. 4. [LIMITATION ON USE OF TAX INCREMENTS.] The municipality shall expend the tax increments received for any development program only in accordance with the tax increment financing plan. Revenues derived from tax increments shall be used only to pay off capital costs and administrative expenses incurred in developing the district. These revenues shall not be used to circumvent existing levy limit laws.

Subd. 5. [ANNUAL DISCLOSURE.] On or before July 1, of each year, the governing body shall submit to the governing body of the municipality, the county board and the school board a report on the status of the account. The report shall include the following information: the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the amount of principal and interest on any outstanding bonded indebtedness, the original assessed value of the district, the captured assessed value retained by the district, the captured assessed value shared with other taxing districts, the tax increments received and any additional information necessary to demonstrate compliance with the tax increment financing plan. An annual statement showing the tax increments received

and expended in that year, the original assessed value, captured assessed value, amount of outstanding bonded indebtedness, and any additional information the governing body deems necessary shall be published in a newspaper of general circulation in the municipality.

Sec. 9. [MAINTENANCE AND OPERATION.] Maintenance and operation of the pedestrian systems, special lighting systems, parking structures, and other public improvements constructed under provisions of sections 1 to 14 shall be under the supervision of the administrator as designated in section 10. The cost of maintenance and operation of the nonrevenue facilities together with the excess costs of operation and maintenance of revenue producing facilities, if any, shall be charged against the development district in which it is located. The amount of assessment against each property within the district shall be in proportion to the benefit to the several properties within the district. By July 1 of each year the administrator of the development district shall submit to the governing body of the municipality the maintenance and operating budget for the following year, and the prorata share of the budget to be charged to each property in the district. The governing body of the municipality shall certify the assessments to the county auditor for collection. The governing body shall levy these assessments in accordance with the procedures established in Minnesota Statutes 1971, Section 429.061.

Sec. 10. [ADMINISTRATION.] The governing body of a municipality may create a department or designate an existing department or office, or agency or municipal housing or redevelopment authority, to administer all districts authorized under the act. The head of this department may, subject to such rules and limitations as may be adopted by the governing body be granted the following powers:

- (a) To acquire property or easements through negotiation;
- (b) To enter into operating contracts on behalf of the municipality for operation of any of the facilities authorized to be constructed under the terms of this act;
- (c) To lease space to private individuals or corporations within the buildings constructed under the terms of this act;
- (d) To lease or sell land and to lease or sell air rights over structures constructed under the authority of this act;
- (e) To enter into contracts for construction of the several facilities or portion thereof authorized under this act;
- (f) Contract with the housing and redevelopment authority of the municipality for the administration of any or all of the provisions of this act;

(g) Certify to the governing body of the municipality for acquisition through eminent domain property that cannot be acquired by negotiation, but is required for implementation of the development program;

(h) Certify to the governing body of the municipality the amount of funds, if any, which must be raised through sale of bonds to finance the program for development districts;

(i) Apply for grants from the United States of America;

(j) Apply for grants from other sources.

Sec. 11. [ADVISORY BOARD.] Subdivision f. The governing body of the municipality may create an advisory board except in cities of the first class where the governing body shall create an advisory board. Except as provided in subdivision 2, a majority of the members shall be owners or occupants of real property located in or adjacent to the development district which they serve. The advisory board shall advise the governing body and the administrator on the planning, construction and implementation of the development program, and maintenance and operation of the district after the program has been completed.

Subd. 2. In a substantially residential development district the board shall be comprised of owners and occupants of real property within or adjacent to the district's boundaries. The board may be appointed or elected (except in the cities of Minneapolis and St. Paul where the board shall be elected) according to guidelines established by the governing body.

Subd. 3. The governing body shall by resolution delineate the respective powers and duties of the advisory board and the planning staff or agency. The resolution shall establish reasonable time limits for approval by the advisory board of the phases of the development program, and provide a mechanism for appealing to the governing body for a final decision when conflicts arise between the advisory board and the planning staff or agency, regarding the development program in its initial and subsequent stages.

Sec. 12. [RELOCATION.] Unless they desire otherwise, provision must be made for relocation of all persons who would be displaced by a proposed development district prior to displacement in accordance with the provisions of Minnesota Statutes, 1973 Supplement, Sections 117.50 to 117.56. Prior to undertaking any relocation of displaced persons, the governing body of a municipality shall insure that housing and other facilities of at least comparable quality be made available to the persons to be displaced.

Sec. 13. [EXISTING PROJECTS.] This law does not affect any project or program using tax increment financing which

was approved by a city council under Laws 1971, Chapters 548 or 677 or Laws 1973, Chapters 196, 761 or 764 prior to the effective date of this act and such projects or programs may be completed and financed in accordance with the provisions of the laws under which they were initiated notwithstanding any provision of this law. Provided, however, that Laws 1971, Chapters 548 and 677 and Laws 1973, Chapters 196, 761 and 764 are hereby specifically superseded, except as to those projects or programs which have been approved prior to the effective date of this act.

Sec. 14. [EFFECTIVE DATE.] The effective date of this act is July 1, 1974.”

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

“A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the use of eminent domain; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to finance development programs; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: DAVID R. CUMMISKEY, RAY O. PLEASANT, and HENRY J. SAVELKOUL.

Senate Conferees: GEORGE R. CONZEMIUS, JOHN KEEFE, WINSTON W. BORDEN, and MEL FREDERICK.

Cummiskey moved that the report of the Conference Committee on H. F. No. 1810 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1810, A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent

of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 89, and nays 32, as follows:

Those who voted in the affirmative were:

Andersen, R.	DeGroat	Knickerbocker	Miller, M.	Savelkoul
Anderson, G.	Dirlam	Kostohryz	Munger	Schulz
Anderson, I.	Ferderer	Laidig	Myrah	Sherwood
Becklin	Fudro	Larson	Newcome	Sieben, H.
Belisle	Fugina	LaVoy	Norton	Sieben, M.
Bennett	Graba	Lemke	Ohnstad	Smith
Biersdorf	Growe	Lindstrom, E.	Parish	Stanton
Brinkman	Hanson	Lindstrom, J.	Patton	Tomlinson
Carlson, A.	Haugerud	Lombardi	Pavlak, R.	Ulland
Carlson, B.	Heinitz	Mann	Peher	Vanasek
Carlson, D.	Hook	McArthur	Peterson	Vento
Carlson, L.	Jacobs	McCarron	Pleasant	Voss
Casserly	Jaros	McCauley	Prahl	Weaver
Cleary	Johnson, D.	McEachern	Quirin	Wenzel
Clifford	Johnson, J.	McFarlin	Resner	Wigley
Culhane	Johnson, R.	McMillan	Rice	Wohlwend
Cummiskey	Jude	Menke	St. Onge	Wolcott
Dahl	Kelly	Miller, D.	Sarna	

Those who voted in the negative were:

Adams, J.	Erdahl	Kempe	Nelson	Searle
Anderson, D.	Erickson	Klaus	Niehaus	Skaar
Bell	Esau	Knoll	Ojala	Swanson
Berg	Farcy	Kvam	Pavlak, R. L.	Mr. Speaker
Berglin	Graw	Long	Pieper	
Connors	Hagedorn	Moe	Samuelson	
Dieterich	Kahn	Mueller	Schreiber	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2866

March 26, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2866,

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

That the House accedes to the Senate amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: BRUCE F. VENTO, NEIL B. DIETERICH, and ROBERT L. PAVLAK.

Senate Conferees: ROBERT D. NORTH, NICHOLAS D. COLEMAN, and JOSEPH T. O'NEILL.

Vento moved that the report of the Conference Committee on H. F. No. 2866 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the adoption of the report and the roll being called, there were yeas 26, and nays 80, as follows:

Those who voted in the affirmative were:

Anderson, D.	Fugina	LaVoy	Ojala	Weaver
Bennett	Graba	McCarron	Patton	Wenzel
Berglin	Jaros	McEachern	Rice	
Carlson, B.	Johnson, D.	Moe	St. Onge	
Casserly	Jude	Munger	Sieben, M.	
Dieterich	Kostohryz	Norton	Vento	

Those who voted in the negative were:

Adams, J.	Eckstein	Jopp	Miller, M.	Samuelson
Andersen, R.	Eken	Kempe	Myrah	Sarna
Anderson, G.	Erdahl	Klaus	Nelson	Savelkoul
Becklin	Erickson	Knickerbocker	Newcome	Schreiber
Belisle	Esau	Kvam	Niehaus	Searle
Biersdorf	Faricy	Laidig	Ohnstad	Sieben, H.
Braun	Ferderer	Larson	Pavlak, R.	Skaar
Brinkman	Forsythe	Lindstrom, E.	Pehler	Smith
Carlson, A.	Graw	Lombardi	Peterson	Spanish
Carlson, D.	Hagedorn	Long	Pieper	Swanson
Cleary	Hanson	Mann	Pleasant	Tomlinson
Clifford	Heinitz	McArthur	Prahl	Ulland
Connors	Hook	McCauley	Quirin	Vanasek
Culhane	Jacobs	McFarlin	Resner	Voss
DeGroat	Johnson, J.	McMillan	Ryan	Wigley
Dirlam	Johnson, R.	Menke	Salchert	Wohlwend

The motion did not prevail and the report was not adopted.

Vento moved that the present House Conference Committee on H. F. No. 2866 be continued, and that the bill be returned to the Conference Committee. The motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2837, A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1866, A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2675, A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2120, A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

The Senate has appointed as such committee Messrs. O'Neill, Doty and Humphrey.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2360, A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

The Senate has appointed as such committee Messrs. Conzemius, Krieger and Coleman.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 974, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Swanson moved that the House refuse to concur in the Senate amendments to H. F. No. 974, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 974:

Swanson; Carlson, L.; and Heinitz.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Long and McFarlin were excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

The Senate has appointed as such committee Messrs. North, Chmielewski and Olson, J. L.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested :

H. F. No. 3512, A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vento moved that the House refuse to concur in the Senate amendments to H. F. No. 3512, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3512 :

Vento, Salchert, and Bell.

The following conference committee report was received :

CONFERENCE COMMITTEE REPORT ON H. F. NO. 951

March 23, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 951, 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. 951 be further amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 34, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Administrative action" means an action of a non-ministerial nature by any official, board, commission or agency of the executive branch.

Subd. 3. "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.

Subd. 4. "Business with which he is associated" means any association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 5. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include supreme court and district court judges of the state. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, has received contributions or made expenditures in excess of \$100, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his nomination for election or election to an office.

Subd. 6. "Commission" means the state ethics commission.

Subd. 7. "Contribution" means:

(a) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;

(b) A transfer of funds between political committees or political funds; or

(c) The payment of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.

“Contribution” does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund, or coverage by news media, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments.

Subd. 8. “Depository” means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 9. “Election” means a general, special, primary or special primary election, or a convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 10. “Expenditure” means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds.

“Expenditure” does not include: (a) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund; or (b) expenses incurred by a member of the legislature or a person holding constitutional office in the executive branch, in performing services for constituents. The commission shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision.

Subd. 11. “Lobbyist” means any:

(a) Individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated representatives of any person or association which has as a major purpose the influencing of

legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individual who spends more than \$250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials.

“Lobbyist” does not include:

(a) A public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is acting in a non-ministerial capacity;

(c) Individuals in the course of selling goods or services to be paid for by public funds; or

(d) News media or their employees or agents, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action.

(e) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding, but only while acting in the ordinary course of preparing or delivering testimony.

Subd. 12. “Major political party” means a political party as defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 13. “Minor political party” means any party other than a major political party which ran a candidate on the statewide or legislative ballot in the last general election or files a petition with the secretary of state containing the names of 2,000 persons registered to vote in Minnesota and declaring that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as a major political party. For the purposes of this act prior to the general election in 1974, all persons who are eligible to vote in areas where there is no registration shall be considered registered voters.

Subd. 14. “Non-ministerial action” means making rules, regulations or general policy and does not include the application or administration of those rules, regulations or policies in specific instances, except in cases of rate-setting, power plant siting, and others which the commission may specify.

Subd. 15. "Political committee" means any political party, association or person other than an individual which has as its major purpose to support or oppose any candidate or to influence the nomination for election or election of a candidate.

Subd. 16. "Political fund" means any accumulation of dues or voluntary donations by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 17. "Political party" means either a major political party or a minor political party.

Subd. 18. "Public official" means any:

- (a) Member of the legislature;
- (b) Person holding a constitutional office in the executive branch and his chief administrative deputy;
- (c) Member of a state board or commission which has rule making authority, as "rule" is defined in Minnesota Statutes, Section 15.0411, Subdivision 3;
- (d) Person employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher or attorney in the office of legislative research;
- (e) Person employed by the executive branch in any position specified in Minnesota Statutes, Section 15A.081; and
- (f) Member of the metropolitan council, metropolitan transit commission, metropolitan sewer board or metropolitan airports commission.

Sec. 2. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. Failure by either house to confirm the appointment of a commission member within 45 legislative days after his appointment shall be deemed to be a refusal to advise and consent and his appointment shall terminate immediately after 45 legislative days or non-confirmation, whichever is earlier. One member shall be a former state legislator from a political party different from that of the governor; one member shall be a former state legislator from the same political party as the governor; two members shall be persons who have not been public officials, held office in a political party other than precinct delegate, or been elected to public of-

fice for which party designation is required by statute in the three years prior to the time of their appointment; and the other two members shall not support the same political party. No more than three of the members of the commission shall support the same political party.

Subd. 2. The appointments shall be for a term of four years. One of the original six appointees shall serve for a one-year term, two shall serve a two-year term, one shall serve a three-year term, and two shall serve a four-year term, as determined by lot. All appointments to terms subsequent to the original term, except one made to fill a vacancy, shall be for terms of four years. Any appointment to fill a vacancy in an original or subsequent term shall be made only for the unexpired term of a member who is being replaced and shall be made within 60 days of the date on which a vacancy occurs and shall retain the same stated qualifications as the member being replaced.

Subd. 3. The concurring vote of four members of the commission shall be required to decide any matter before the commission.

Subd. 4. The commission shall hold an organizational meeting within 45 days after the effective date of this act at which time the members of the commission shall elect from among their members a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the commission. Meetings of the commission shall be at the call of the chairman or at the call of any four members of the commission acting together.

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 1 to 34, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. All administrative services such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state. Expenses of the commission shall be approved by the chairman or such other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid.

Subd. 6. Members of the commission shall receive \$35 for each day spent in the performance of their duties, and necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 7. All members and employees of the commission shall be subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the

commission shall be a candidate for, or holder of, (a) a national, state, congressional district, legislative district, county or precinct office in a political party, or (b) an elected public office for which party designation is required by statute.

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year. It may indicate apparent abuses and offer legislative recommendations;

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 34 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of sections 1 to 34;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) Preserve reports and statements for a period of six years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate; and

(h) Prepare and publish reports as it may deem appropriate.

Subd. 9. The executive director of the commission or his staff shall inspect all material filed with the commission as promptly as is necessary to comply with the provisions of sections 1 to 34. The executive director shall immediately notify the person required to file a document with the commission if a written complaint is filed with the commission by any registered voter alleging, or it otherwise appears, that a document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 34 or that a person has failed to file a document required by sections 1 to 34.

Subd. 10. The commission may make audits and investigations with respect to statements and reports which are filed or which should have been filed under the provisions of sections 1 to 34. In all matters relating to its official duties, the commission shall have the power to issue subpoenas and cause them to be served. If a person does not comply with a subpoena, the commission may apply to the district court of Ramsey county for issuance of an order compelling obedience to the subpoena. A person failing to obey the order is punishable by the court as for contempt.

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is or is not probable cause to conclude that a violation of this act or other campaign laws has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor. After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities.

Subd. 12. The commission may issue and publish advisory opinions on the requirements of sections 1 to 34 based upon real or hypothetical situations. An application for an advisory opinion may be made only by those who wish to use the opinion to guide their own conduct. The commission shall issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the commission agrees to extend the time limit.

Subd. 13. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission including the power to prescribe rules and regulations to carry out the purposes of sections 1 through 34.

Sec. 3. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within five days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the name and address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the name and address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears, and (d) a general description of the subject or subjects on which the lobbyist expects to lobby. If the lobbyist lobbies on behalf of an association the registration form shall include the name and address of the officers and directors of the association.

Sec. 4. [LOBBYING REPORTS.] Subdivision 1. Each lobbyist shall file reports of his activities with the commission as long as he lobbies.

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the commission by the following dates:

- (a) February 15
- (b) March 15
- (c) April 15
- (d) June 15
- (e) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 3 to 5 to the lobbyist no later than five days before the prescribed filing date.

Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) Each honorarium, gift or loan, excluding contributions to a candidate, equal in value to \$20 or more, given or paid to any public official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid; and

(c) Each original source of funds in excess of \$500 in any year used for the purpose of lobbying. The list shall include the name, address and employer, or, if self employed, the occupation and principal place of business, of each payer of funds in excess of \$500.

Subd. 5. The commission shall notify by registered mail any lobbyist who fails after five days after a filing date imposed by section 3 or 4 to file a report or statement required by section 3 or 4. A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 5. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 4, the executive director of the commission shall report to the governor, and the presiding officer of each house of the legislature, the names of the lobbyists registered who were not previously reported, the names of the persons or associations whom they represent as lobbyists and the subject or subjects on which they are lobbying.

Sec. 6. [CONTINGENT FEES PROHIBITED.] No person shall employ a lobbyist for compensation which is dependent upon the result or outcome of any legislative or administrative action. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

Sec. 7. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an action or make a decision which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, he shall deliver a copy of the statement to the presiding officer of the house in which he serves; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a legislator, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible, in a manner prescribed by the commission from influence over the action or decision in question. If the public official is a legislator, the house of which he is a member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 8. [REPRESENTATION DISCLOSURE.] Any public official who represents a client for a fee before any board or

commission which has rule making authority in a hearing conducted under Minnesota Statutes, Chapter 15, shall disclose his participation in the action to the commission within 14 days after his appearance.

Sec. 9. [STATEMENTS OF ECONOMIC INTEREST.]
Subdivision 1. Except for a candidate for elective office in the judicial branch, an individual shall file a statement of economic interest with the commission:

(a) Within 60 days of accepting employment as a public official; or

(b) Within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or

(c) In the case of a public official requiring the advice and consent of the senate, prior to the submission of his name to the senate, and in any event, within 60 days after he undertakes the duties of his office.

Subd. 2. The secretary of state or the appropriate county auditor upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public official required by this section to file a statement of economic interest, shall notify the commission of the name of the individual required to file a statement and the date of the affidavit, petition or nomination.

Subd. 3. The commission shall notify the secretary of state or the appropriate county auditor and, when necessary in the case of appointive office, the presiding officer of the house that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interest with the commission and the date on which the statement was filed.

Subd. 4. The commission shall notify by registered mail any candidate for elective office who fails within 14 days after filing for office to submit a statement of economic interest required by this section. A candidate who knowingly fails to submit a statement of economic interest within seven days after receiving notice from the commission is guilty of a misdemeanor.

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) A listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500. The filing shall indicate the municipality, if any, and the county wherein the property is located.

Subd. 6. Each individual who is required to file a statement of economic interest shall file a supplementary statement on April 15 of each year.

Subd. 7. All public officials in office on the effective date of this act shall file with the commission a statement of economic interest within 60 days after the date the commission issues statement of economic interest forms.

Subd. 8. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so by the prescribed deadline shall be suspended without pay by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15.

Sec. 10. [PENALTY FOR FALSE STATEMENTS.] A report or statement required to be filed by sections 2 to 9 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Sec. 11. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer. Nothing in this act shall prohibit them from being the same person.

Subd. 2. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of treasurer.

Subd. 3. The treasurer of a political committee may appoint as many deputy treasurers as necessary and shall be responsible for their accounts.

Subd. 4. The treasurer of a political committee may designate not more than two depositories in each county in which a campaign is conducted.

Subd. 5. No funds of a political committee shall be commingled with any personal funds of officers, members or associates of the committee.

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund, a

political committee shall be financed solely through voluntary donations by natural persons or political funds.

Subd. 7. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 12. [POLITICAL FUNDS.] Subdivision 1. No association shall make a transfer of funds to a candidate or political committee or make an expenditure which has as its purpose the influencing of the nomination for election or election or defeat of a candidate unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund.

Subd. 2. The contents of a political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund.

Subd. 3. Each association which has a political fund shall elect or appoint a treasurer of the political fund.

Subd. 4. No donations to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Subd. 5. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from that part of its treasury financed by dues or membership fees. Pursuant to section 20, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year.

Subd. 6. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 13. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep an account of:

(a) The sum of all contributions except any contribution in kind valued at less than \$20 made to or for the political committee or political fund;

(b) The name and address, if any, of any person making a contribution in excess of \$20, and the date and amount thereof; and

(c) All expenditures made by or on behalf of the committee or fund.

Any person who knowingly violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee or political fund of over \$100, and for any expenditure in a lesser amount if the aggregate amount of lesser expenditures to the same person during a year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 14. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the commission by filing a statement of organization no later than 14 days after the date upon which the committee or fund has received contributions or made expenditures in excess of \$100. However, in the first year of this act, treasurers shall file within 30 days after the commission issues political committee or political fund registration forms.

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name, address and position of the custodian of books and accounts;

(e) The name and address of the chairman, the treasurer, and any other principal officers including deputy treasurers, if any;

(f) The name, address, office sought, and party affiliation, if any, of each candidate whom the committee or political fund is supporting, or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

(h) A listing of all depositories or safety deposit boxes used; and

(i) A statement as to whether the committee is a principal campaign committee.

Subd. 3. Any change in information required in subdivision 2 shall be forwarded to the commission by the chairman or treasurer of the political committee or political fund within 14 days of the change.

Subd. 4. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Sec. 15. [CONTRIBUTIONS.] Subdivision 1. Any anonymous contribution in excess of \$20 shall not be retained by any political committee or political fund, but shall be forwarded to the commission and deposited to the general account of the state elections campaign fund.

Subd. 2. Every person who receives a contribution in excess of \$20 for a political committee or political fund shall, on demand of the treasurer, and in any event within 14 days after receipt of the contribution, inform the treasurer of the amount, the name and, if known, the address of the person making the contribution and the date it was received.

Subd. 3. All monetary contributions received by or on behalf of any candidate or political committee or political fund shall within 14 days after the receipt thereof, Sundays and holidays excepted, be deposited in a designated depository in an account designated "Campaign Fund of (name of committee or fund)".

Subd. 4. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 16. [EARMARKING.] Any person, political committee or political fund which receives contributions or transfers of funds from any person or association with the condition, express or implied, that those funds or any part of them be directed to a particular candidate shall disclose to the ultimate recipient of such funds and in the reports required by section 20, the original source of the funds, the fact that the funds were earmarked and the candidate to whom they are directed. The ultimate recipient of any funds so earmarked shall also disclose by report to the commission the original source of the funds, and the person, political committee, or political fund through which they were directed. This section applies only to those contributions required to be disclosed by section 20. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 17. [EXPENDITURES.] Subdivision 1. All expenditures shall be authorized by the treasurer or deputy treasurer of the committee or fund making that expenditure.

Subd. 2. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 25 and 27. All such expenditures shall be counted against the spending limitations of the candidate.

Subd. 3. The treasurer or deputy treasurer of a political committee may make an authorization for petty cash in any reporting period of not more than \$100 per week for statewide elections and \$20 per week in legislative elections to be used for miscellaneous expenditures.

Subd. 4. Each authorization shall state the amount and purpose of the expenditure and shall be signed by the treasurer or deputy treasurer of the committee making the expenditure and by the individual making the expenditure.

Subd. 5. Any political committee, political fund or person who solicits or accepts contributions or make expenditures on behalf of any candidate without the written authorization of the candidate shall publicly disclose its lack of authorization. In all written communications with those from whom it solicits or accepts contributions or to whom it makes expenditures, the committee, fund or person shall state in writing and in conspicuous type that it is not authorized by the candidate and that the candidate is not responsible for its activities. A similar oral statement shall be included in all oral communications. A similar written statement shall be included in conspicuous type on the front page of all literature and advertisements published or posted and a similar oral statement included at the end of all broadcast advertisements by committee, fund or person in connection with the candidate's campaign.

Subd. 6. Any person who knowingly violates the provisions of subdivisions 1, 2, 3 or 5 of this section or who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 18. [BILLS WHEN RENDERED AND PAID.] Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to so present the bill, charge or claim is a misdemeanor.

Sec. 19. [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. A candidate may at any time without cause remove and replace the chairman, treasurer, deputy treasurer or any other officer of the candidate's principal campaign committee.

Sec. 20. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section in any year it receives contributions or makes expenditures in excess of \$100.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

(1) January 7; and

(2) July 7;

(b) In years in which any candidate being supported does stand for election:

(1) January 7;

(2) July 7;

(3) Five days before any primary election in which the candidate stands for election;

(4) Five days before any general election in which the candidate stands for election; and

(5) 30 days after the last election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

(1) 30 days before the election; and

(2) Five days before the election.

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or, if self-employed, occupation of each person, political committee or political fund who has made one or more contributions to or for the political com-

mittee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year of each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

(d) The name and address of each political committee, political fund or candidate from which the reporting committee or fund received, or to which that committee made, any transfer of funds, together with the amounts and dates of all transfers. The lists shall be in alphabetical order;

(e) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the full names and mailing address, occupations and the principal places of business, if any, of the lender or endorsers, if any, and the date and amount of the loans;

(f) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (e);

(g) The total sum of all receipts by or for the political committee or political fund during the reporting period;

(h) The name, address, occupation and the principal place of business, if any, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made;

(i) The sum of individual expenditures which is not otherwise reported under clause (h);

(j) The name, address, occupation and the principal place of business, if any, of each person to whom an expenditure for personal services, salaries, and reimbursable expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date and purpose of the expenditure;

(k) The sum of individual expenditures for personal services, salaries and reimbursable expense which is not otherwise reported under (j);

(l) The total expenditures made by the political committee or political fund during the reporting period;

(m) The amount and nature of debts and obligations owed by or to the political committee or political fund, and a continuous reporting of their debts and obligations after the election until the debts and obligations are extinguished;

(n) The amount and nature of any contract, promise or agreement, in writing, whether or not legally enforceable, to make a contribution or expenditure;

(o) The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Subd. 4. The reports shall cover the time from the last day of the period covered by the last report to seven days prior to the filing date.

Subd. 5. In any statewide election any contribution or contributions from a person or association totaling \$2,000 or more, or in any legislative election any contribution of \$200 or more, received after the period covered in the last report prior to an election and prior to the election shall be reported to the commission by telegram within 48 hours after its receipt and in the next required report.

Subd. 6. Every person, other than a political committee or political fund, who makes expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the commission a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed.

Subd. 7. If no contribution is received or expenditure made by or on behalf of a candidate, political fund or political committee during a reporting period, the treasurer of the committee or fund shall file with the commission at the time required by this section a statement to that effect.

Subd. 8. The commission shall exempt any association or any of its members or contributors from the provisions of this section if disclosure would expose any or all of them to economic reprisals, loss of employment or threat of physical coercion.

An association may seek an exemption for all of its members or contributors only if it proves by clear and convincing evidence that a substantial number of its members or contributors would

suffer a restrictive effect on their freedom of association if members were required to seek exemptions individually.

Subd. 9. The commission shall exempt any individual from the provisions of this section who, by written request, demonstrates by clear and convincing evidence that disclosure would expose him to economic reprisals, loss of employment or threat of physical coercion.

The commission shall issue a written order to exempt the individual.

Subd. 10. A political committee or a political fund or any of its members or contributors shall have standing to seek an exemption. All applications by associations for exemption shall be treated as contested cases within the meaning of Minnesota Statutes, Chapter 15. The commission by rule shall establish a procedure so that any individual seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 9 were he to reveal his identity for the purposes of the hearing.

Subd. 11. No person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contributions or political activity. This subdivision shall not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bonafide occupational qualification of the employment. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 21. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be filed with the county auditor of each county in which the legislative district lies.

Subd. 2. The copies of reports filed with the county auditor need not be certified copies.

Subd. 3. Statements and reports filed with county auditor shall be available to the public in the manner prescribed by section 2, subdivision 8, clause (e) and retained until four years after the election to which they pertain.

Sec. 22. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 11 to 34 to be filed by a treasurer of a political committee or political fund, or by any other person, shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report

or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Subd. 2. Contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, such debts and other contracts, agreements and promises shall not be considered as part of the totals of receipts or expenditures until actual payment is made, but shall be reported according to section 20, subdivision 3, clause (n).

Subd. 3. Each contribution in kind shall be valued at fair market value and reported on the appropriate schedule of receipts, identified as to its nature and listed as "contribution in kind". The total amount of goods and services contributed in kind shall be deemed to have been consumed in the reporting period in which received. Each contribution in kind shall be declared as an expenditure at the same fair market value and reported on the appropriate expenditure schedule, identified as "contribution in kind".

Subd. 4. In determining the aggregate of a person's contributions, the treasurer shall list contributions from the same donor under the same name. In each instance when a contribution received from a person in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of section 20, the name, address and employer, or, if self-employed, occupation of that contributor shall then be listed on the prescribed reporting forms. A candidate may refuse to accept any contribution.

Subd. 5. A political committee or political fund making an expenditure, other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 6. Each person required to file any report or statement shall maintain records on the matters required to be reported, including vouchers, cancelled checks, bills, invoices, worksheets, and receipts, which will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness, and he shall keep the records available for audit, inspection, or examination by the commission or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections thereto. Any person who knowingly violates any provisions of this subdivision is guilty of a misdemeanor.

Subd. 7. The treasurer of a political committee or political fund shall not accept a contribution of more than \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement which meets the disclosure requirements imposed by section 20. This statement shall be certified as true and correct by an officer of the contributing committee or political fund. The provisions of this subdivision shall not apply when the national affiliate of any political party in this state transfers money to its state affiliate and that money is expended by the state political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation if that conversation mentions three or more candidates.

Subd. 8. The secretary of state shall cause one certified copy of each report or statement filed with him under section 309 of the federal election campaign act of 1971 to be delivered to the commission within 24 hours of the time he receives the report or statement.

Sec. 23. [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 24. [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts and filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Sec. 25. [LIMITS ON CAMPAIGN EXPENDITURES.]
Subdivision 1. For the purposes of sections 11 to 34 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which results

in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts:

(a) For governor and lieutenant governor, running jointly, 12 1/2 cents per capita or \$600,000, whichever is greater;

(b) For attorney general, 2 1/2 cents per capita or \$100,000, whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1 1/4 cents per capita or \$50,000, whichever is greater;

(d) For state senator, 20 cents per capita or \$15,000, whichever is greater;

(e) For state representative, 20 cents per capita or \$7,500, whichever is greater.

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a), prior to the time of endorsement. This money shall be in addition to the money which may be expended pursuant to subdivision 2, clause (a).

Subd. 4. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to the effective date of this act shall not be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a contested race in a primary election receives less than twice as many votes as any one of his opponents in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one-fifth of the applicable amount as set forth in subdivision 2 of this section, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. In a year in which a candidate does not stand for election, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Subd. 7. On or before January 15 of each year, the commissioner of health shall certify to the commission the population of the state of Minnesota for the last calendar year ending before the date of certification. In determining the per capita amounts for each office in section 25, subdivision 2, the commission shall use:

(a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total population of the state;

(b) In the case of the elections for state senator, 1/67 of the total population of the state;

(c) In the case of elections for state representative, 1/134 of the total population of the state.

Subd. 8. On or before January 31 of each year, the commission shall determine and publish the amount, rounded off to the nearest hundred dollars, of the limits on campaign expenditures in section 25, subdivision 2.

Subd. 9. An expenditure is made in the year in which the goods or services for which it was made are used or consumed.

Sec. 26. [TRANSFERS OF FUNDS EXCEPTED.] Any transfer of funds or anything of pecuniary value from any political committee, political fund or political party to a principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee, political fund or political party, but shall be reported as required by this act.

Sec. 27. [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf or in opposition to the opponent of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 25.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of 50 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 25.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation

mentions three or more candidates, shall not be subject to the limitations of section 25, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, precincts, and any legislative body.

Sec. 28. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 25 and 27 shall be subject to a fine equal to four times the amount by which its expenditure exceeded the limit. If the commission or county attorney has reason to believe that a person or association has made such excess expenditures, the commission or county attorney shall bring an action in the district court of Ramsey county or, in the case of a legislative candidate, the district court of a county within the legislative district, to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of state elections campaign fund.

Sec. 29. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 11 to 41 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 30. [STATE ELECTIONS CAMPAIGN FUND.] Subdivision 1. There is hereby established an account within the general fund of the state to be known as the "state elections campaign fund".

Subd. 2. Within the state elections campaign fund account there shall be maintained separate accounts for the candidates of each political party and a general account.

Sec. 31. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual whose income tax liability after personal credit for the taxable year is \$1 or more may designate that \$1 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability of \$2 or more, each spouse may designate that \$1 shall be paid.

Subd. 2. The taxpayer may designate that the \$1 be paid into the account of a political party or into the general account.

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2

if filing a joint return) to one of the following: (i) the major political parties; (ii) the name of any minor political party provided that if a petition is filed to qualify as a minor political party it be filed by June 1 of that taxable year; and (iii) distribution to all qualifying candidates as provided by this section.

Subd. 4. All moneys designated by individual taxpayers for the state elections campaign fund shall be credited to the appropriate account in the general fund of the state and shall be annually appropriated for distribution as set forth in subdivisions 5, 6 and 7.

Subd. 5. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 6 (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after the effective date of this act, 20 percent of the moneys in each account shall be set aside for candidates for state senate. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of primary election, the state treasurer shall distribute available funds in each account, other than the general account to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Subd. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after the effective date of this act, 40 percent of the moneys in each account shall be set aside for candidates for state representatives. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Sec. 32. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 25 and 27.

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by or on behalf of the candidate during his campaign.

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree that his principal campaign committee shall not accept contributions exceeding 105 percent of the difference between the amount which may legally be expended by or on behalf of that candidate, and the amount which the candidate receives from the state elections campaign fund.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for statewide office, state representative or state senator, the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Sec. 33. [APPLICATION.] The provisions of sections 30 to 32 shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions and caucuses of a political party.

Sec. 34. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 2 to 34 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. The commission or a county attorney may seek an injunction in the district court to enforce the provisions of sections 2 to 34.

Subd. 3. Unless otherwise provided, a violation of sections 2 to 34 is not a crime.

Sec. 35. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 11. Effective for taxable years commencing after December 31, 1973, in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under chapter 290 of 50 percent but not more than \$12.50 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$25. However, the taxpayer may take a credit for contributions of not more than \$5 in the case of an individual return or \$10 in the case of a joint return for contributions to a political party. For purposes of this subdivision, "candidate" means a candidate as defined in section 1, subdivision 5. Any taxpayer taking this credit shall attach to his individual income tax form a receipt or receipts substantiating his claim. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this act.

Sec. 36. Minnesota Statutes 1971, Chapter 211, is amended by adding a section to read:

[211.035] [ADVERTISING RATES.] *To the extent that any person sells advertising space used on behalf of any candidate, the charges made shall not exceed the charges made for any other comparable purpose or use according to the seller's rate schedule.*

Sec. 37. Minnesota Statutes 1971, Section 210.20, is amended to read:

210.20 [FAILURE BY CANDIDATE TO FILE STATEMENT.] Every candidate for nomination or election to any elective office *except governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative*, who *intentionally* fails to make and file the verified statement of moneys contributed, disbursed, expended, or promised by him, or by any other person, committee, or organization for him, so far as he can learn, in the manner, within the time, and with the details required by (LAW) *chapter 211*, or who enters upon the duties of any such office, or receives any salary or emolument therefrom, (BEFORE HE HAS SO FILED) *with knowledge that such statement has not been filed*, and every officer who issues a commission or certificate of election to any person (BEFORE) *with knowledge that such statement (SHALL HAVE) has not been so filed*, (SHALL BE) *is guilty of a gross misdemeanor.*

Sec. 38. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read:

Subd. 3. "Candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. *In sections 211.06, 211.16, 211.17, 211.19, 211.20, 211.21, 211.22, 211.25 and 211.32, "candidate" does not mean a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered for governor, state officer, state senator or membership in the house of representatives.*

Sec. 39. Minnesota Statutes 1971, Section 211.06, is amended to read:

211.06 [EXPENDITURES, LIMIT.] No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by any candidate or his personal campaign committee for any office under the (CONSTITUTION OR) laws of this state, or under the ordinance of any municipality of this state in his campaign for nomination and elec-

tion, which shall be in the aggregate in excess of the amounts herein specified:

(a) (FOR GOVERNOR, \$7,000, AND IN ADDITION, FIVE CENTS FOR EACH OF THE TOTAL NUMBER OF PERSONS WHO VOTED IN THE STATE AT THE LAST GENERAL ELECTION;)

((B) FOR OTHER STATE OFFICERS, \$3,500, AND IN ADDITION, FIVE CENTS FOR EACH OF THE TOTAL NUMBER OF PERSONS WHO VOTED IN THE STATE AT THE LAST GENERAL ELECTION;)

((C) FOR STATE SENATOR, \$800, AND IN ADDITION, FIVE CENTS FOR EACH OF THE TOTAL NUMBER OF PERSONS WHO VOTED IN THE DISTRICT AT THE LAST GENERAL ELECTION;)

((D) FOR MEMBER OF HOUSE OF REPRESENTATIVES, \$600, AND IN ADDITION, FIVE CENTS FOR EACH OF THE TOTAL NUMBER OF PERSONS WHO VOTED IN THE DISTRICT AT THE LAST GENERAL ELECTION;)

((E)) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one-third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

((F)) (b) The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.

Sec. 40. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election (, AS FOLLOWS):

(a) When the committee is organized to support a candidate for a federal (OR STATE-WIDE) office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a (LEGISLATIVE,) judicial district (,) or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 41. [EFFECTIVE DATE.] This act shall take effect the day following final enactment. The commission shall be appointed within 30 days of the effective date of this act and shall promulgate the rules within 30 days of its appointment. The commission has emergency power to issue rules and regulations through December 31, 1974. No statement or report required to be filed by this act need be filed until 30 days after the commission adopts and makes available the forms for the statements or reports.

Sec. 42. [APPROPRIATION.] There is appropriated to the state ethics commission from the general fund \$120,000 for the purposes of this act.

Sec. 43. Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92 are repealed."

Further, strike the title and insert:

"A bill for an act relating to conduct of public officers including campaigns for the offices; authorizing tax credits for campaign contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: TOM BERG, HARRY A. SIEBEN, JR., and HENRY J. SAVELKOUL.

Senate Conferees: STEPHEN KEEFE, ROBERT O. ASHBACH, and ROBERT J. TENNESSEN.

Berg moved that the report of the Conference Committee on H. F. No. 951 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

Cleary was excused for the remainder of today's session.

H. F. No. 951, A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 10, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Moe	Sarna
Andersen, R.	Dirlam	Jude	Mueller	Savelkoul
Anderson, D.	Eckstein	Kahn	Munger	Schreiber
Anderson, G.	Eken	Kelly	Nelson	Schulz
Anderson, I.	Enebo	Kempe	Newcome	Searle
Becklin	Erdahl	Knickerbocker	Niehaus	Sherwood
Belisle	Esau	Knoll	Norton	Sieben, H.
Bell	Faricy	Kostohryz	Ohnstad	Sieben, M.
Bennett	Ferderer	Kvam	Ojala	Smith
Berg	Fjoslien	Laidig	Parish	Spanish
Berglin	Forsythe	Larson	Patton	Stanton
Biersdorf	Fudro	LaVoy	Pavlak, R.	Swanson
Braun	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Graw	Lombardi	Peterson	Vanasek
Carlson, B.	Growe	Mann	Pieper	Vento
Carlson, D.	Hanson	McArthur	Prahl	Voss
Carlson, L.	Hangerud	McCarron	Quirin	Weaver
Casserly	Heinitz	McCauley	Resner	Wenzel
Connors	Hook	McEachern	Rice	Wohlwend
Culhane	Jacobs	McMillan	Ryan	Wolcott
Cummiskey	Jaros	Menke	St. Onge	Mr. Speaker
Dahl	Johnson, D.	Miller, D.	Salchert	
DeGroat	Johnson, J.	Miller, M.	Samuelson	

Those who voted in the negative were:

Clifford	Hagedorn	Klaus	Myrah	Skaar
Erickson	Jopp	Lindstrom, E.	Pleasant	Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 2349, A bill for an act relating to the city of Virginia ; authorizing one additional on-sale intoxicating liquor license.

The Senate has appointed as such committee Messrs. Perpich, G. ; Solon ; and Fitzsimons.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 3090, A bill for an act relating to towns ; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

The Senate has appointed as such committee Messrs. Dunn, Bernhagen and Willet.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File :

H. F. No. 974, A bill for an act relating to public health ; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it ; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1 ; 144.53 ; 144.60 ; 144.61 ; 144.802 ; 149.02 ; 149.03 ; 149.04 ; 149.08 ; 156A.03, Subdivision 2 ; 156A.07, Subdivisions 1 and 3 ;

157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

The Senate has appointed as such committee Messrs. Lewis, Conzemius and Brown.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2703

March 25, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2703, 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. 2703 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [METROPOLITAN TRANSIT COMMISSION; AUTOMATED SMALL VEHICLE FIXED GUIDEWAY SYSTEM; PLANNING.] Subdivision 1. The metropolitan transit

commission shall develop plans for an automated small vehicle fixed guideway system capable of development into a regional type system. In preparing its plans, the metropolitan transit commission shall include recent studies and developments in transit technology. The metropolitan council shall cooperate with the metropolitan transit commission and provide general policy guidance in developing the plans. The plans shall be subject to review by the metropolitan council in accordance with the provisions of section 3 of this act. The plans shall provide for demand activated origin to destination service, at least during non-peak or non-rush hour periods. "Demand activated" means, for the purpose of this section, that a vehicle is waiting or comes within a very short time for the use of one individual or party. "Origin to destination" means, for the purpose of this section, that the vehicle travels to any other station in the system without stops or transfers.

Subd. 2. The metropolitan transit commission shall issue written monthly reports to the metropolitan council and to members of the House and Senate metropolitan and urban affairs committees summarizing the status of the studies described in this section. After final approval by the council of the study design for the development of the plans, and before the study is begun or consultants are hired, the metropolitan transit commission shall present the study design to a joint meeting of the House and Senate committees on metropolitan and urban affairs at which public testimony shall be taken.

Subd. 3. The plans shall provide for a safe and reliable system which is compatible with local circulation routes and which is adaptable to carry freight as well as passengers. The plans shall have a positive impact on efforts to minimize urban sprawl.

Subd. 4. The system shall be flexible to allow for expansion and improvement in order to accommodate changes made possible by changes in technology. The system shall be designed so as to maximize compatibility with the environment, including, but not limited to, such techniques as tunneling, to the extent practically and economically feasible; and aboveground guideways, designed to be as small as possible and aesthetically coordinated with the surrounding community.

Subd. 5. The plans shall specify general routes, route mileage, vehicle size, vehicle type and other technical matters.

Subd. 6. The plans shall be in such form that direct, valid comparison can be made with the other mass transit options reported in metropolitan transit commission consultant report III-A-2 on the following factors: capital cost, operating cost, 30-year net present cost, number of riders, completion date, route miles, safety, reliability, environmental impact, effect on development in the metropolitan area, reduction of energy requirements, capacity to meet future passenger levels higher than

estimated, and technological feasibility. The final report of the commission required in section 3 shall be based on a thorough alternative systems analysis.

Sec. 2. [TAX LEVY; SMALL VEHICLE FIXED GUIDEWAY SYSTEM PLANNING.] Subdivision 1. The metropolitan transit commission shall levy for the planning program authorized by this act upon all taxable property within the metropolitan transit taxing district a tax in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area. The levy made for the purposes of sections 1 to 3 of this act shall not exceed one-twentieth of a mill on each dollar of assessed valuation of all taxable property in the metropolitan transit taxing district. The certification and collection of the tax levied pursuant to this section shall be accomplished in accordance with Minnesota Statutes, Section 473A.111, Subdivision 3.

Subd. 2. This section shall be effective for taxes assessed in 1974 and payable in 1975.

Sec. 3. [METROPOLITAN COUNCIL REVIEW.] The metropolitan transit commission shall submit its study design for the development of the plans to the metropolitan council for prompt review and approval. The commission shall not alter or revise the study design unless agreed to by the council. In addition, before any consultant is hired for the purposes of this act he shall have his contract for employment approved by the metropolitan council. The metropolitan transit commission shall submit a report to the metropolitan council and to the legislature by January 1, 1975, on the plans it has considered and its final recommendations. Based upon the plans developed according to section 1 of this act, the metropolitan council shall make a final report to the legislature on its findings and recommendations based upon the metropolitan council's development guide on or before February 1, 1975.

Sec. 4. Following the approval by the legislature of the council's final report required under section 3 of this act, the metropolitan transit commission shall prepare socioeconomic and environmental impact studies, and preliminary engineering studies for a transit development program based on the recommendations contained in the final report.

Sec. 5. This act is effective on the date following its final enactment."

Further amend by striking the title and inserting in lieu thereof:

"A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an auto-

mated small vehicle fixed guideway system; authorizing tax levies upon property within the metropolitan transit taxing district.”.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JOHN C. CHENOWETH, ROBERT D. NORTH, and WILLIAM G. KIRCHNER.

House Conferees: DICK ANDERSEN, JOHN TOMLINSON, and JOHN SALCHERT.

Tomlinson moved that the report of the Conference Committee on S. F. No. 2703 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 100, and nays 21, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Knickerbocker	Nelson	Schreiber
Andersen, R.	Faricy	Knoll	Newcome	Schulz
Anderson, I.	Ferderer	Kostohryz	Norton	Sherwood
Becklin	Fjoslien	Laidig	Ojala	Sieben, H.
Belisle	Forsythe	LaVoy	Parish	Sieben, M.
Bell	Fudro	Lemke	Patton	Skaar
Bennett	Fugina	Lindstrom, E.	Pavlak, R.	Smith
Berg	Graba	Lombardi	Pavlak, R. L.	Stanton
Berglin	Graw	Mann	Pehler	Swanson
Braun	Grove	McArthur	Peterson	Tomlinson
Brinkman	Hagedorn	McCarron	Pleasant	Ulland
Carlson, A.	Hanson	McCauley	Prahl	Vanasek
Carlson, D.	Jacobs	McEachern	Quirin	Vento
Carlson, L.	Jaros	McMillan	Resner	Voss
Cassery	Johnson, D.	Menke	Rice	Weaver
Connors	Johnson, J.	Miller, D.	Ryan	Wenzel
Cummiskey	Johnson, R.	Miller, M.	St. Onge	Wigley
Dahl	Jude	Moe	Salchert	Wohlwend
Dieterich	Kahn	Munger	Sarna	Wolcott
Eckstein	Kelly	Myrah	Savelkoul	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Dirlam	Heinitz	Kvam	Searle
Anderson, G.	Eken	Hook	Larson	
Biersdorf	Erdahl	Jopp	Niehaus	
Culhane	Erickson	Kempe	Ohnstad	
DeGroat	Esau	Klaus	Pieper	

The bill was repassed, as amended by Conference, and its title agreed to.

UNANIMOUS CONSENT

Anderson, I., requested unanimous consent to offer a motion. The request was granted.

Anderson, I., moved that S. F. No. 2477 be recalled from the Senate for further consideration by the House. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3558, A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minnesota Statutes, 1973 Supplement, Sections 3.303, by adding subdivisions; 3.304, Subdivision 2, and by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, is amended to read:

Subd. 2. All employees of the office of legislative research are employees of the legislature *in the unclassified service of the state*. (THE COMMITTEE MAY DESIGNATE CERTAIN EMPLOYEES OF THE OFFICE AS PERMANENT FOR THE PURPOSE OF CONFERRING EMPLOYEE BENEFITS.)

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 3.304, is amended by adding a subdivision to read:

Subd. 7. *During the biennium ending June 30, 1975, with the approval of the committee, the senate committee on rules and*

administration, and the house committee on rules and legislative administration, the director of research when full time personnel are not available to carry out the duties of the office of legislative research, may contract for legal, technical, or research services. A contractor under this subdivision shall be subject to the prohibitions and limitations otherwise applicable to the office of legislative research. The authority conferred may be redelegated to other officers within the office of legislative research by the director.

Sec. 3. This act is effective the day following its final enactment.”.

Further amend the title as follows:

Page 1, line 5, strike “Sections 3.303, by” and insert “Section”.

Page 1, line 6, strike “adding subdivisions;”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3308, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reported the same back with the following amendments:

Page 1, line 10, after “The” and before “commission” insert “by-partisan”.

Page 1, line 28, strike “\$30,000” and insert in lieu thereof “\$10,000”.

Add a section to read:

“Sec. 7. This act is effective the day following final enactment.”.

With the recommendation that when so amended the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 3558 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 3308 was read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3288, A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 798, A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson moved that the House concur in the Senate amendments to H. F. No. 798 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 798, A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were :

Adams, J.	Eckstein	Kahn	Munger	Savelkoul
Andersen, R.	Eken	Kelly	Myrah	Schreiber
Anderson, D.	Enebo	Kempe	Nelson	Schulz
Anderson, G.	Erdahl	Klaus	Newcome	Searle
Anderson, I.	Erickson	Knickerbocker	Niehaus	Sherwood
Becklin	Esau	Knoll	Norton	Sieben, H.
Belisle	Faricy	Kostohryz	Ohnstad	Sieben, M.
Bell	Ferderer	Kvam	Ojala	Skaar, M.
Bennett	Fjoslien	Laidig	Parish	Smith
Berg	Forsythe	Larson	Patton	Stanton
Berglin	Fudro	LaVoy	Pavlak, R.	Swanson
Biersdorf	Fugina	Lemke	Pavlak, R. L.	Tomlinson
Braun	Graba	Lindstrom, E.	Pehler	Ulland
Brinkman	Grove	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Hagedorn	Lombardi	Pieper	Vento
Carlson, B.	Hanson	Mann	Pleasant	Voss
Carlson, D.	Heinitz	McArthur	Prahl	Weaver
Carlson, L.	Hook	McCarron	Quirin	Wenzel
Cassery	Jacobs	McCauley	Resner	Wigley
Clifford	Jaros	McEachern	Rice	Wohlwend
Connors	Johnson, D.	McMillan	Ryan	Wolcott
Culhane	Johnson, J.	Menke	St. Onge	Mr. Speaker
Cummiskey	Johnson, R.	Miller, D.	Salchert	
Dahl	Jopp	Miller, M.	Samuelson	
Dirlam	Jude	Moe	Sarna	

Those who voted in the negative were :

Dieterich

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested :

H. F. No. 530, A bill for an act relating to wild animals ; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation thereto ; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8 ; 98.46, Subdivisions 2, 4 and 14 ; 99.25, Subdivision 7 ; 100.26, Subdivision 1 ; 100.27, Subdivision 9 ; and 100.29, Subdivision 14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, D., moved that the House refuse to concur in the Senate amendments to H. F. No. 530, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 64, and nays 59, as follows:

Those who voted in the affirmative were:

Anderson, D.	Erdahl	Jopp	McMillan	Samuelson
Anderson, G.	Erickson	Kelly	Miller, D.	Savekoul
Anderson, I.	Esau	Klaus	Miller, M.	Schreiber
Biersdorf	Ferderer	Knickerbocker	Myrah	Schulz
Braun	Fjoslien	Kvam	Newcome	Skaar
Brinkman	Fugina	Laidig	Niehaus	Smith
Carlson, D.	Graw	Larson	Ohnstad	Spanish
Clifford	Hagedorn	Lemke	Ojala	Ulland
Culhane	Heinitz	Lindstrom, E.	Peterson	Weaver
DeGroat	Hook	Lindstrom, J.	Pieper	Wenzel
Dirlam	Johnson, D.	Lombardi	Pleasant	Wigley
Eckstein	Johnson, J.	Mann	Prahl	Wohlwend
Eken	Johnson, R.	McCauley	St. Onge	

Those who voted in the negative were:

Adams, J.	Cummiskey	Kahn	Norton	Sherwood
Andersen, R.	Dahl	Kempe	Parish	Sieben, H.
Becklin	Dieterich	Knoll	Patton	Sieben, M.
Belisle	Enebo	Kostohryz	Pavlak, R.	Stanton
Bell	Faricy	LaVoy	Pavlak, R. L.	Swanson
Bennett	Forsythe	McArthur	Pehler	Tomlinson
Berg	Fudro	McCarron	Quirin	Vanasek
Berglin	Graba	McEachern	Resner	Vento
Carlson, A.	Hanson	Menke	Rice	Voss
Carlson, L.	Jacobs	Moe	Ryan	Wolcott
Casserly	Jaros	Munger	Salchert	Mr. Speaker
Connors	Jude	Nelson	Searle	

The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 530:

Vento; Carlson, D.; and Munger.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3707:

Pavlak, R.; Sabo; Anderson, I.; Johnson, D.; and Dirlam.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2996

March 20, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2996, 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. 2996 be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] The purpose of this section 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 vocational aid payments to the extent funds are available shall be made based on the approved budget for the current fiscal year.

Subd. 3. [BUDGETS.] Before January 1, 1976, and before January 1 of each year thereafter area vocational-technical institute budgets for the following fiscal year shall be submitted to the state board for vocational education. The commissioner, subject to the approval of the state board for vocational education, shall approve the state and federal portion of the budget for each district prior to May 15 of each year. 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 fiscal year 1975. Inflation and expansion occurring in fiscal year 1976 shall be incorporated into the fiscal year 1976 budget request. No district shall increase its indebtedness during fiscal year 1976 unless authorized by the state board for vocational education. The state board for vocational education shall before January 1, 1975 promulgate rules and regulations which establish the approval criteria of budgets including but not limited to the

following: 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; 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 education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1974 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before January 1, 1975 and January 1 of each year thereafter.

Sec. 2. [EARLY CHILDHOOD IDENTIFICATION AND EDUCATION PROGRAMS.] Subdivision 1. For the 1974-75 school year, the council on quality education shall make grants to no fewer than six 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 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.

Subd. 2. Each district providing pilot programs shall establish and maintain an account separate from all other district accounts for the receipt and disbursement of all funds related to these early childhood identification and education programs.

Subd. 3. A school district providing early childhood identification and education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when such funds are available.

Subd. 4. A district may charge reasonable fees for early childhood identification and education services; however, a district shall waive the charge or fee if any pupil, his parent or guardian is unable to pay it.

Sec. 3. [ADVISORY COMMITTEE ON EARLY CHILDHOOD IDENTIFICATION AND EDUCATION PROGRAMS.] The council on quality education shall appoint an advisory committee on early childhood identification and education programs.

Sec. 4. [THE STATE BOARD OF EDUCATION.] The state board of education shall provide service to the pilot programs by:

(1) Applying for funds which are, or may become, available under federal programs pertaining to child development, including funds for administration, demonstration projects, training, technical assistance, planning, and evaluation;

(2) Making maximum use of existing information services to inform the public concerning comprehensive early childhood development;

(3) Providing professional and technical assistance.

Sec. 5. [ADVISORY COMMITTEES.] Each pilot program shall provide for an advisory committee selected from the attendance area by the local board of education. A majority of the members of this committee shall be parents participating in the program. The committee shall report to the council on quality education, the local school board, and the district community school advisory council if this council has been established in the district.

Sec. 6. [VOLUNTARY PARTICIPATION.] All participation by parents and children in these early childhood identification and education programs shall be voluntary, and shall not preclude participation in any other state or local program. All pilot programs shall provide services to all qualified children, regardless of race, religion or ethnic background, and no such programs shall be used in whole or in part for religious worship or instruction.

Sec. 7. [TRANSITIONAL YEAR.] 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 Minnesota Statutes, 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 Minnesota Statutes, Section 275.125, Subdivision 3 (5) shall continue to be earned by the district.

Subd. 2. The commissioner shall promulgate rules and regulations setting forth the standards for application for and approval of this early graduation procedure.

Sec. 8. [FUNDING AND REFUNDING BONDS.] Notwithstanding the provisions of any general or special law to the contrary, any school district, however organized, may issue its general obligation bonds to fund or refund outstanding bonds without an election to the extent and in the manner provided in Minnesota Statutes, Chapter 475, but without complying with the provisions of Minnesota Statutes, Section 124.43, Subdivision 6, and Minnesota Statutes, Section 475.54, Subdivision 2; and such refunding bonds may but need not be included for purposes of determining maturity schedules of any other bonds thereafter issued as otherwise required under Minnesota Statutes, Section 475.54, Subdivision 2.

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 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. 10. Laws 1969, Chapter 775, Section 4, Subdivision 3, is amended to read:

Subd. 3. [SPECIAL INTERMEDIATE SCHOOL DISTRICT NO. 916.] The intermediate school board, acting in its own behalf, may issue bonds for the acquisition and betterment of school facilities or equipment or for the funding or refunding of outstanding bonds, warrants, orders or certificates of indebtedness. Minnesota Statutes, Chapter 475, shall be applicable in all respects. The purpose and the amount of any borrowing shall first be approved by resolution of the school board of the intermediate school district. When such resolution has been adopted

by the intermediate school board it shall be published once in a newspaper of general circulation in said district.

The intermediate school board shall not sell and issue (SUCH) bonds *for acquisition or betterment purposes* until the question of their issuance has been submitted to the voters of the intermediate school district at a special election held in and for such intermediate district. The date of such election, the question to be submitted, and all other necessary conduct of such election shall be fixed by the intermediate school board and said election shall be conducted and canvassed under the direction of the intermediate school board in accordance with Minnesota Statutes, Section 123.32, insofar as the same may be deemed applicable.

If a majority of the total number of votes cast on the question within the intermediate school district is in favor of the question, the intermediate school board may thereupon proceed with the sale and the issuance of said bonds. The full faith, credit and unlimited taxing powers of the intermediate school district shall be pledged to the payment of all bonds and certificates of indebtedness and none of such obligations shall be included in the net debt of any participating school district as defined by Minnesota Statutes, Section 475.51, Subdivision 4, or any other law similar thereto. The intermediate school board upon awarding a contract for the sale of such bonds shall certify to the county auditor or county auditors the years and amounts of taxes required to be levied for the payment of such bonds as provided by Minnesota Statutes, Section 475.61. The county auditor shall cause such taxes to be spread in each year until bonds and interest have been paid upon all of the assessable, taxable valuation of said intermediate school district. In all other respects Minnesota Statutes, Chapter 475, shall apply and said bonds shall be deemed authorized securities within the provisions of Minnesota Statutes, Section 50.14, and shall be deemed instruments of a public governmental agency and exempt from taxation under provisions of Minnesota Statutes, Chapter 290, or any other act similar thereto.

Sec. 11. Minnesota Statutes 1971, Section 121.21, Subdivision 5, is amended to read:

Subd. 5. The commissioner with the approval of the state board for vocational education is authorized to apportion and distribute funds to the local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts; *provided however that in fiscal years 1975 and 1976 nonresident reimbursement shall be limited to: (1) expenditures approved by the state board for vocational education, (2) debt service, and (3) fixed costs; provided (HOWEVER) further that those school districts enrolling more than the state average of resident students shall receive nonresident aids based on the*

average percentage of nonresident attendance for the preceding school year for the state in area vocational-technical schools.

Sec. 12. Minnesota Statutes 1971, Chapter 121, is amended by adding a section to read:

[121.50] [EDUCATIONAL ASSESSMENT PROGRAM; APPROPRIATION.] *Subdivision 1. It is the policy of this state to provide assistance in measurement of the effectiveness of the public educational system.*

Subd. 2. The commissioner or his representative is authorized to select a sample of public school pupils for purposes of the educational assessment program funded pursuant to Laws 1973, Chapter 768, Section 2, Subdivision 4.

Subd. 3. The board of any district may, by resolution and consistent with this section, enter into a written agreement with the department, if the commissioner determines it to be in the best interests of the assessment program, to have statewide educational assessment instruments as developed by the department administered to its pupils in excess of any sample of its pupils previously selected by the commissioner and in addition thereto any related services.

Subd. 4. The department is authorized to enter into a written agreement with a district to provide the services described in subdivision 3 which will protect the interest of the state as determined by the commissioner provided that such services will be on an actual cost basis to the district and in no event at direct cost expense to the state and provided further that a district which fails to remit the amount due and payable within 60 days of the date of billing shall forfeit that portion of any subsequent state aids otherwise earned and payable to such district which are equal to the amount due and payable under such agreement.

Subd. 5. All amounts received by the department pursuant to this section, including any state aids forfeited as provided by subdivision 4, shall forthwith be deposited with the state treasurer to be credited to the general fund in the state treasury.

Subd. 6. There is hereby continuously appropriated from the general fund to the department of education any and all amounts deposited by the department pursuant to subdivision 5 to be used for the purposes set out in this section.

Sec. 13. Minnesota Statutes 1971, Section 123.37, Subdivision 1, is amended to read:

123.37 [INDEPENDENT SCHOOL DISTRICTS, CONTRACTS.] *Subdivision 1. No contract for work or labor, or for the purchase of furniture, fixtures, or other property, except*

books registered under the copyright laws, or for the construction or repair of school houses, the estimated cost or value of which shall exceed: (a) \$3,000 for school districts with an enrollment of students in grades 1 to 12 of less than 10,000, or (b) \$5,000 for all other school districts, shall be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. Such notice shall state the time and place of receiving bids and contain a brief description of the subject matter.

Such additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract shall be awarded to the lowest responsible bidder, duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance, and otherwise conditioned as required by law. A record shall be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid shall be rejected unless the alteration or erasure is corrected as herein provided. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district shall be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts shall not exceed two years with an option on the part of the district to renew for an additional two years. Provided that in the case of purchase of perishable food items except milk for school lunches and vocational training programs a contract of any amount may be made by direct negotiation by obtaining two or more written quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

Every contract made without compliance with the provisions of this section shall be void. Provided, that in case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

Firm bid contracts for the purchase of milk and ice cream renegotiated between August 25, 1973 and July 1, 1974 which provide for a price increase or decrease based upon a demonstrable industrywide or regional increase in the vendor's costs are valid and not void under this subdivision; provided that the adjustment shall not exceed the increase or decrease authorized in the applicable federal marketing order for raw milk; and provided further that a school district which did not renegotiate its contract before February 1, 1974, shall not adjust its contract to provide for price increases or decreases for purchases made before February 1, 1974.

Sec. 14. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1a. [AUTHORITY TO PURCHASE.] The board may authorize its superintendent or business manager to lease, purchase, and contract for goods and services within the budget as approved by the board, provided that any transaction in an amount exceeding the minimum amount for which bids are required must first be specifically authorized by the board and must fulfill all other applicable requirements in section 123.37, subdivision 1.

Sec. 15. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1b. Notwithstanding the provisions of subdivision 1, a contract for the transportation of school children may be made either by direct negotiation by obtaining two or more written quotations for the service, when possible, or upon sealed bids. At least 30 days before awarding a directly negotiated contract, the school district shall, by published notice, request quotations for the service 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 by direct negotiation, negotiations shall be carried on at a meeting of the school board open to the public. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1.

Sec. 16. Minnesota Statutes 1971, Section 123.39, Subdivision 1, is amended to read:

123.39 [INDEPENDENT SCHOOL DISTRICTS, TRANSPORTATION.] Subdivision 1. The board may provide for the free transportation of pupils to and from school, and to schools,

in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year as it may deem advisable, and subject to its rules. Every driver shall possess all the qualifications required by the rules of the state board of education. In any district which at the time of the adoption of this code was a consolidated district or enjoyed the privileges of a consolidated district, the board shall arrange for the attendance of all pupils living two miles or more from the school, through suitable provision for transportation or for the boarding and rooming of such pupils as may be more economically and conveniently provided for by such means. The district is authorized to provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by such means *or who attend school in a building rented or leased by a district within the confines of an adjacent district.*

Sec. 17. Minnesota Statutes, 1973 Supplement, 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 not to exceed \$65 per pupil unit and not to 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 6 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. 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. 18. Minnesota Statutes, 1973 Supplement, 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 shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units.

(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. The department of public welfare is directed to furnish to the department of education 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 (TEN) *nine* 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 $35/100$ of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than (TEN) *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 shall be in addition to the weighing 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.

(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.

(7) Where the actual number of pupil units has increased from the prior year by more than (FOUR) *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.

(8) Only pupil units in clauses (1) (,) and (2) (AND (3)) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 19. Minnesota Statutes 1971, 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 pre-kindergarten 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. 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.

Sec. 20. Minnesota Statutes 1971, Section 124.17, is amended by adding a subdivision to read:

Subd. 2a. Notwithstanding subdivision 2, pupils granted transitional year status shall continue to be counted as members on the current roll of the school for the remainder of the school year. For purposes of computing average daily membership transitional year pupils shall be considered to be enrolled every day school is in session for the remainder of the school year.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [AID COMPUTATION FOR SUMMER SCHOOL AND YEAR-ROUND CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of year-round programs in elementary and secondary schools, and 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 aids paid during the regular school term, *provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs.*

Sec. 22. Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 7a, is amended to read:

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) (\$820) \$825 per pupil unit less 30 mills times the 1972 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 6a, clause (2), and the greater of (a) one-third of the difference that results when such greater sum is subtracted from (\$820) \$825, or (b) (\$32) \$37, bears to (\$820) \$825. 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, 1973.

Sec. 23. Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of (TAXATION) revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of (TAXATION) revenue to ascertain the market value

of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of (TAXATION) *revenue* shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of (TAXATION) *revenue* is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before (MAY 1) *March 15*, annually, the department of (TAXATION) *revenue* shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 24. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 1, is amended to read:

124.222 [TRANSPORTATION AID ENTITLEMENT.]
Subdivision 1. [COMPUTATION.] For the 1974-1975 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 times the number of eligible pupils transported during the 1975 fiscal year; or

(b) (110) 115 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 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 1974;

(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 percent per year of the net cost of the fleet.

Sec. 25. Minnesota Statutes, 1973 Supplement, 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 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 a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to 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 (CHILDREN) *persons who fulfill the eligibility requirements of Minnesota Statutes, Section 252.23 (1) to licensed daytime activity centers attended by (THE CHILDREN) these persons;*

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

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

Sec. 26. Minnesota Statutes 1971, Section 124.28, Subdivision 1, is amended to read:

124.28 [GROSS EARNINGS REFUND.] Subdivision 1. When the properties of any district are made up, to the extent of at least 20 percent in value of property which is exempt from local taxation because taxes thereon are paid into the state treasury under the provisions of the gross earnings tax law, *for the*

refund receivable in fiscal year 1974 and thereafter such district shall receive annually a refund from such gross earnings taxes in the amount that would be produced by a tax on such exempt property at *three times* the current tax rate for school purposes in the district including the rate for nonresident high school children levied by the county provided that any district which has 15 percent in value of such exempt property and presently receiving gross earnings refund shall continue to receive it until June 30, 1963. For the purpose of determining the amount of this refund, the value of such exempt property shall be set at 30 percent of its full (AND TRUE) value except that in no case shall the assessed value of said exempt property for this purpose exceed such an amount as when added to the assessed value of all other property in the district exceed (\$3,000) \$9,000 per resident pupil unit. In the determination of the amounts to which districts shall be entitled in the distribution of any state aids that are based upon total valuation per pupil this valuation shall be included.

Sec. 27. Minnesota Statutes, 1973 Supplement, Section 124.30, Subdivision 2, is amended to read:

Subd. 2. *For fiscal year 1974 and thereafter*, no district with an assessed valuation of (\$1,300) \$3,900 or more per pupil unit in average daily membership shall receive any aid under the provisions of this section. This subdivision does not apply to any district formed in accordance with the provisions of the consolidation law, in which more than 85 percent of the lands are tax exempt nor to any district with more than 30 townships in which more than 50 percent of the land in such district is tax exempt.

Sec. 28. Minnesota Statutes 1971, Section 270.11, Subdivision 2, is amended to read:

Subd. 2. [COUNTY AUDITOR'S REPORTS OF ASSESSMENT FILED WITH COMMISSIONER.] The commissioner of (TAXATION) *revenue* shall require the auditor of each county in the state to file with him, on or before August 1, each year, complete abstracts of all real and personal property in the county, as equalized by the county board of equalization, and itemized by assessment districts, accompanied by a printed or typewritten copy of the proceedings of the county board of equalization, and it shall be the duty of the county auditor to so report to the commissioner of (TAXATION) *revenue*.

The final abstract of assessments after adjustments by the state board of equalization and inclusion of any omitted property shall be submitted to the commissioner of revenue on or before January 1 of each calendar year.

Sec. 29. Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In 1973, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1972 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the greater sum computed pursuant to section 124.212, subdivision 7a, clause (2), bears to \$820.

(2) In 1974, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1973 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the sum of the greater sum computed pursuant to 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 (\$860) \$875, or (b) (\$40) \$50, bears to (\$860) \$875.

(3) The levy authorized by clauses (1) or (2) may be increased to 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. 30. Minnesota Statutes, 1973 Supplement, 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:

(1) 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, 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.

(2) 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 1.9 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) (A DISTRICT WHICH QUALIFIED FOR A LEVY UNDER CLAUSE (3) ABOVE SHALL BE ALLOWED TO LEVY THAT SAME AMOUNT PER PUPIL UNIT IN 1974) *For the 1974 levy, collectible 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. (THE PER PUPIL AMOUNT OF THE REDUCTION SHALL BE ROUNDED DOWN TO THE DOLLAR.) No district may levy under this clause an amount which exceeds the sum of the levy permitted under Minnesota Statutes, 1973 Supplement, 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 (WITHIN) 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 (THE 1.9) 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 dis-

trict 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) In 1973, 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 per capita, or (B) the number of mills not to exceed the number of mills necessary in 1973 to raise \$1 per capita in 1973 for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.

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) 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 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) The commissioner shall certify to the county auditors (ANY ERRORS MADE IN 1971 AND 1972 IN GENERAL AND SPECIAL PURPOSE LEVY AMOUNTS) *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 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 (IS AUTHORIZED TO ADJUST THE 1973 LEVY TO CORRECT FOR THE ERRORS) 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) 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) 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. 31. Minnesota Statutes 1971, Section 275.125, Subdivision 7, is amended to read:

Subd. 7. By November 1 of each year ((DECEMBER 1, IN 1971 ONLY)) each district shall submit to the commissioner of education (AND THE COMMISSIONER OF TAXATION) a certificate of compliance with the levy limitations of this section (AND OF SECTION 124.04). The commissioner of (TAXATION) *education* shall prescribe the form of this certificate.

Sec. 32. [APPROPRIATION.] There is appropriated from the general fund of the state treasury to the department of education the following sums for the year ending June 30, 1975 and for the purposes indicated:

(1) Foundation aid \$5,549,000

This appropriation shall be added to the \$497,500,000 appropriated in Laws 1973, Chapter 683, Section 28, Clause (1).

(2) Transportation aid \$2,700,000

This appropriation shall be added to the \$51,000,000 appropriated in Laws 1973, Chapter 683, Section 28, Clause (2).

(3) Right to read \$200,000

This appropriation shall be added to the \$1,751,440 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 1, and shall be used solely to supplement the \$100,000 designated for the right to read program for the fiscal year ending June 30, 1975.

(4) Educational assessment \$100,000

This appropriation shall be added to the \$796,800 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 4, and shall be used solely for the purposes of the educational assessment program.

(5) Council on quality education \$250,000

This appropriation shall be used for funding early childhood identification and education programs pursuant to sections 2 to 6 of this act. No more than \$10,000 may be expended for administration of these programs by the council on quality education and no more than \$10,000 may be expended for evaluation of these programs.

(6) Educational television \$100,000

Of this appropriation an amount not to exceed \$20,000 shall be made available by the commissioner to each Minnesota mem-

ber station of Midwestern Educational Television, Incorporated upon the request of the director of the member station.

Sec. 33. Sections 1, 2, 3, 4, 5, 6, 8, 9, 11, 13, 14, 15, 17, 21, 26 and 27 of this act shall be effective the day following final enactment. Section 10 of this act shall be effective following final enactment and upon the approval of a majority of the governing body of special intermediate school district No. 916 and upon compliance with Minnesota Statutes, Section 645.021, except the last sentence of section 645.021, subdivision 1, shall not apply to section 10. Section 12 of this act shall be effective the day following final enactment for the biennium ending June 30, 1975 and shall expire June 30, 1975.

Sec. 34. Minnesota Statutes 1971, Section 124.13, is repealed.”.

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

“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 to a current funding basis; granting certain powers to school districts and the state board of education; establishing early childhood identification and education pilot programs and a transitional year procedure; school district contracts; educational assessment; appropriating money; amending Laws 1969, Chapter 775, Section 4, Subdivision 3; amending Minnesota Statutes 1971, Chapter 121, by adding a section; Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.223; 124.30, Subdivision 2; and 275.125, Subdivisions 2a and 3; repealing Minnesota Statutes 1971, Section 124.13.”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JOSEPH P. GRABA, CARL M. JOHNSON, TOM BERG, SALISBURY ADAMS, and GILBERT ESAU.

Senate Conferees: JERALD C. ANDERSON, JEROME M. HUGHES, DOUGLAS H. SILLERS, JOSEPH T. O'NEILL, and NORBERT ARNOLD.

Graba moved that the report of the Conference Committee on H. F. No. 2996 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

Klaus was excused for the remainder of today's session.

H. F. No. 2996, A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Sections 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Subdivisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Dirlam	Jopp	Moe	Sarna
Anderson, D.	Eckstein	Jude	Munger	Savelkoul
Anderson, G.	Eken	Kahn	Myrah	Schreiber
Anderson, I.	Enebo	Kelly	Nelson	Schulz
Becklin	Erdahl	Kempe	Newcome	Searle
Belisle	Erickson	Knickerbocker	Niehaus	Sherwood
Bell	Esau	Knoll	Norton	Sieben, H.
Bennett	Faricy	Kostohryz	Ohnstad	Sieben, M.
Berg	Ferderer	Kvam	Ojala	Skaar
Berglin	Fjoslien	Laidig	Parish	Smith
Biersdorf	Fudro	Larson	Patton	Spanish
Braun	Fugina	LaVoy	Pavlak, R.	Stanton
Brinkman	Graba	Lemke	Pavlak, R. L.	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pehler	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Peterson	Ulland
Carlson, D.	Hagedorn	Lombardi	Pieper	Vanasek
Carlson, L.	Hanson	Mann	Pleasant	Vento
Casserly	Haugerud	McArthur	Prahl	Voss
Clifford	Heinitz	McCarron	Quirin	Weaver
Connors	Hook	McCauley	Resner	Wenzel
Culhane	Jacobs	McEachern	Rice	Wigley
Cummiskey	Jaros	McMillan	Ryan	Wohiwend
Dahl	Johnson, D.	Menke	St. Onge	Wolcott
DeGroat	Johnson, J.	Miller, D.	Salchert	Mr. Speaker

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3512, A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing

the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

The Senate has appointed as such committee Messrs. Chenoweth, Kirchner and Gearty.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

The Senate has appointed as such committee Messrs. Coleman; Conzemius; Borden; Olson, A. G.; and Frederick.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bill as a Special Order for immediate action by the House: S. F. No. 67.

SPECIAL ORDERS

S. F. No. 67 was reported to the House.

Pavlak, R., moved to amend S. F. No. 67 as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 85.015, is amended by adding a subdivision to read:

Subd. 12. Heartland Trail, Hubbard and Cass counties.

(a) The trail shall originate at mile post 90.92 at Park Rapids in Hubbard county and shall extend in an easterly direction along the Burlington Northern Railroad right-of-way to the south line of Oak Avenue in Walker in Cass county. The trail shall then continue from the section line between sections 9 and 16, Township 142 North, Range 31 West, in a northerly direction along the Burlington Northern Railroad right-of-way to mile post 137.78, approximately 2 miles south of Cass Lake in Cass county, and there terminate.

(b) The trail shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Heartland Trail may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the legislative advisory committee before granting his approval. Recommendations of the legislative advisory committee shall be advisory only. Failure or refusal of the committee to make a recommendation shall be deemed a negative recommendation.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 85.015, is amended by adding a subdivision to read:

Subd. 13. Taconite Trail, St. Louis and Itasca counties.

(a) The trail shall originate at Ely in St. Louis county and extend southwesterly to Tower in St. Louis county, thence westerly to McCarthy Beach state park in St. Louis county, thence southerly crossing state trunk highway number 169 at O'Brien creek between Keewatin and Nashwauk in Itasca county, thence southwesterly to Blackberry in Itasca county and there terminate.

(b) The trail shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Taconite Trail may be ac-

quired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the legislative advisory committee before granting his approval. Recommendations of the legislative advisory committee shall be advisory only. Failure or refusal of the committee to make a recommendation shall be deemed a negative recommendation."

Strike the title and insert in lieu thereof:

"A bill for an act relating to natural resources; authorizing the establishment of additional state trails; amending Minnesota Statutes, 1973 Supplement, Section 85.015, by adding subdivisions."

The motion prevailed and the amendment was adopted.

S. F. No. 67, A bill for an act relating to natural resources; authorizing the commissioner of administration to acquire by eminent domain, under certain conditions, land or interests in land being acquired for natural resource purposes; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; 85.013, Subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 6, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kelly	Nelson	Sarna
Andersen, R.	Enebo	Kempe	Newcome	Schulz
Anderson, I.	Faricy	Knickerbocker	Norton	Searle
Belisle	Ferderer	Knoll	Ojala	Sherwood
Bell	Forsythe	Kostohryz	Parish	Sieben, H.
Bennett	Fudro	Laidig	Patton	Skaar
Berg	Fugina	Larson	Pavlak, R.	Smith
Berglin	Graba	LaVoy	Pavlak, R. L.	Stanton
Biersdorf	Graw	Lindstrom, E.	Pehler	Swanson
Braun	Growe	Lombardi	Peterson	Tomlinson
Brinkman	Hanson	Mann	Pieper	Vanasek
Carlson, A.	Haugerud	McArthur	Pleasant	Vento
Carlson, B.	Hook	McCarron	Prahl	Voss
Carlson, L.	Johnson, D.	McEachern	Quirin	Weaver
Casserly	Johnson, J.	McMillan	Resner	Wigley
Connors	Johnson, R.	Menke	Ryan	Wolcott
Dahl	Jopp	Miller, D.	St. Onge	Mr. Speaker
Dieterich	Jude	Moe	Salchert	
Dirlam	Kahn	Munger	Samuelson	

Those who voted in the negative were:

Erdahl	Miller, M.	Myrah	Niehaus	Wenzel
Erickson				

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

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 3213.

S. F. No. 3213, A bill for an act relating to the distribution of taxes accruing to the statutory city of Cooley under Minnesota Statutes, Sections 298.24 and 298.32.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Myrah	Saveikoul
Andersen, R.	Eken	Kelly	Nelson	Schreiber
Anderson, D.	Enebo	Kempe	Newcome	Schulz
Anderson, G.	Erdahl	Knickerbocker	Niehaus	Searle
Anderson, I.	Erickson	Knoll	Norton	Sherwood
Becklin	Faricy	Kostohryz	Ohnstad	Sieben, H.
Belisle	Ferderer	Kvam	Ojala	Sieben, M.
Bell	Fjoslien	Laidig	Parish	Skaar
Bennett	Forsythe	Larson	Patton	Smith
Berg	Fudro	LaVoy	Pavlak, R.	Stanton
Berglin	Fugina	Lemke	Pavlak, R. L.	Swanson
Biersdorf	Graba	Lindstrom, E.	Pehler	Tomlinson
Braun	Graw	Lombardi	Peterson	Ulland
Brinkman	Growe	Mann	Pieper	Vanasek
Carlson, A.	Hanson	McArthur	Pleasant	Vento
Carlson, B.	Haugerud	McCarron	Prahl	Voss
Carlson, D.	Hook	McCauley	Quirin	Weaver
Carlson, L.	Jacobs	McEachern	Resner	Wenzel
Casserly	Jaros	McMillan	Rice	Wigley
Connors	Johnson, D.	Menke	Ryan	Wolcott
Culhane	Johnson, J.	Miller, D.	St. Onge	Mr. Speaker
Dahl	Johnson, R.	Miller, M.	Salchert	
Dieterich	Jopp	Moe	Samuelson	
Dirlam	Jude	Munger	Sarna	

The bill was passed and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 568, A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32(a);

providing that changes from gross earnings taxation of railroads may be made without referendum.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pavlak, R., moved that the House concur in the Senate amendments to H. F. No. 568 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 568, A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a), or Article X, Section 7, of the proposed revised constitution; permitting the legislature to establish the rate and method of taxing railroads.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Moe	Sarna
Andersen, R.	Eckstein	Jopp	Munger	Savelkoul
Anderson, D.	Eken	Jude	Myrah	Schreiber
Anderson, G.	Enebo	Kahn	Nelson	Schulz
Anderson, I.	Erdahl	Kelly	Newcome	Searle
Becklin	Erickson	Kempe	Niehaus	Sherwood
Belisle	Esau	Knickerbocker	Norton	Sieben, H.
Bell	Faricy	Knoll	Ohnstad	Sieben, M.
Bennett	Ferderer	Kostohryz	Ojala	Skaar
Berg	Fjoslien	Kvam	Parish	Smith
Berglin	Forsythe	Laidig	Patton	Stanton
Biersdorf	Fudro	Larson	Pavlak, R.	Swanson
Braun	Fugina	LaVoy	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lemke	Pehler	Ulland
Carlson, A.	Graw	Lindstrom, E.	Peterson	Vanasek
Carlson, B.	Growe	Lombardi	Pieper	Vento
Carlson, D.	Hanson	Mann	Pleasant	Voss
Carlson, L.	Hangerud	McArthur	Prahl	Weaver
Casserly	Heinitz	McCarron	Quirin	Wenzel
Clifford	Hook	McCauley	Resner	Wigley
Connors	Jacobs	McEachern	Rice	Wolcott
Culhane	Jaros	Menke	Ryan	Mr. Speaker
Dahl	Johnson, D.	Miller, D.	St. Onge	
Dieterich	Johnson, J.	Miller, M.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 9:00 a.m., Thursday, March 28, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Thursday, March 28, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 28, 1974

The House convened at 9:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Eckstein	Jude	Moe	Sarna
Andersen, R.	Eken	Kahn	Mueller	Savelkoul
Anderson, D.	Enebo	Kelly	Munger	Schreiber
Anderson, G.	Erdahl	Kempe	Myrah	Schulz
Anderson, I.	Erickson	Klaus	Nelson	Searle
Becklin	Esau	Knickerbocker	Newcome	Sherwood
Belisle	Faricy	Knoll	Niehaus	Sieben, H.
Bell	Ferderer	Kostohryz	Norton	Sieben, M.
Bennett	Fjoslien	Kvam	Ohnstad	Skaar
Berg	Forsythe	Laidig	Ojala	Smith
Berglin	Fudro	Larson	Parish	Spanish
Biersdorf	Fugina	LaVoy	Patton	Stanton
Braun	Graba	Lemke	Pavlak, R.	Swanson
Brinkman	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Grove	Lindstrom, J.	Pehler	Vanasek
Carlson, B.	Hagedorn	Lombardi	Peterson	Vento
Carlson, D.	Hanson	Mann	Pieper	Voss
Carlson, L.	Haugerud	McArthur	Pleasant	Weaver
Cassery	Heinitz	McCarron	Prahl	Wenzel
Clifford	Hook	McCauley	Quirin	Wigley
Connors	Jacobs	McEachern	Resner	Wohlwend
Culhane	Jaros	McFarlin	Rice	Wolcott
Cummiskey	Johnson, D.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Salchert	
Dirlam	Jopp	Miller, M.	Samuelson	

A quorum was present.

Adams, S.; Cleary; Johnson, C.; Long; Stangeland; and Ulland were excused. Dahl was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Kempe, the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 3558 and S. F. No. 3308 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2558		238	March 26	March 26
2015		239	March 26	March 26
2136		240	March 26	March 26
2252		241	March 26	March 26
2264		242	March 26	March 26
2332		243	March 26	March 26
2875		244	March 26	March 26
3009		245	March 26	March 26
3115		246	March 26	March 26
3119		247	March 26	March 26
3212		248	March 26	March 26
3406		249	March 26	March 26

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	818	250	March 26	March 26
	1409	251	March 26	March 26
	1489	252	March 26	March 26
	2517	253	March 26	March 26
	2554	254	March 26	March 26
	2588	255	March 26	March 26
	2699	256	March 26	March 26
	2883	257	March 26	March 26
	2967	258	March 26	March 26
	3276	259	March 26	March 26
	3279	260	March 26	March 26
	3289	261	March 26	March 26
	3321	262	March 26	March 26
	3328	263	March 26	March 26
	3395	264	March 26	March 26
	3422	265	March 26	March 26

Sincerely,

ARLEN I. ERDAHL
Secretary of State

INTRODUCTION OF BILLS

Vento; Pavlak, R.; Newcome; Munger; and Sabo introduced:

H. F. No. 3729, A bill for an act relating to outdoor recreation; establishing the Minnesota 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 ad-

visory committee; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1971, Sections 84.029, Subdivision 1; 84.03; 85.20, Subdivision 1; 97.48, Subdivisions 15 and 25; 97.481; 99.251; 138.09; 138.52, Subdivision 1; 138.56, Subdivision 1; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; Minnesota Statutes, 1973 Supplement, Sections 84.033; 97.48, Subdivision 13; 138.53, Subdivision 49, by adding subdivisions; 138.56, by adding subdivisions; and repealing Minnesota Statutes 1971, 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, and 5; 138.53, Subdivisions 4, 11, 12, 17, 30, and 48; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 138.54, Subdivision 4.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Pavlak, R.; Quirin; Salchert; Haugerud; and Sieben, H., introduced:

H. F. No. 3730, A bill for an act creating a study commission to study the utility of a southern metropolitan council for Rice, Goodhue, Olmsted, Freeborn, Mower and Dakota counties; appropriating money.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 2477 for further consideration:

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

Senate File No. 2477 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the vote whereby S. F. No. 2477 was passed on Monday, March 18, 1974, be now reconsidered. The motion prevailed.

Anderson, I., moved that the action whereby S. F. No. 2477 was given a Third Reading on Monday, March 18, 1974, be now reconsidered. The motion prevailed.

S. F. No. 2477 was reported to the House.

Anderson, I., moved to amend S. F. No. 2477, the printed bill, as follows:

Add a new section to read:

“Sec. 3. This act shall become effective January 1, 1976.”

The motion prevailed and the amendment was adopted.

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

The bill was read for the third time, as amended, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Savelkoul
Andersen, R.	Eken	Kahn	Munger	Schreiber
Anderson, D.	Enebo	Kelly	Myrah	Schulz
Anderson, G.	Erdahl	Kempe	Nelson	Searle
Anderson, I.	Erickson	Knickerbocker	Newcome	Sherwood
Becklin	Esau	Knoll	Niehaus	Sieben, H.
Belisle	Faricy	Kostohryz	Norton	Sieben, M.
Bell	Ferderer	Kvam	Ohnstad	Skaar
Bennett	Fjoslien	Laidig	Ojala	Smith
Berg	Forsythe	Larson	Parish	Spanish
Berglin	Fudro	LaVoy	Patton	Stanton
Biersdorf	Fugina	Lemke	Pavlak, R.	Swanson
Braun	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Graw	Lindstrom, J.	Pehler	Vanasek
Carlson, A.	Growe	Lombardi	Peterson	Vento
Carlson, B.	Hagedorn	Mann	Pieper	Voss
Carlson, D.	Hanson	McArthur	Prahl	Weaver
Carlson, L.	Heinitz	McCarron	Quirin	Wenzel
Casserly	Hook	McCauley	Resner	Wigley
Connors	Jacobs	McEachern	Rice	Wohlwend
Culhane	Jaros	McFarlin	Ryan	Wolcott
Cummiskey	Johnson, D.	McMillan	St. Onge	Mr. Speaker
DeGroat	Johnson, J.	Menke	Salchert	
Dieterich	Johnson, R.	Miller, D.	Samuelson	
Dirlam	Jopp	Miller, M.	Sarna	

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 3310, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, 10, and by adding a subdivision; 490.125 Subdivision 2; and 490.128, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

Parish moved that the House refuse to concur in the Senate amendments to H. F. No. 3310, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3310:

Vento, Parish, and Larson.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Salchert moved that the House concur in the Senate amendments to H. F. No. 2334 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kelly	Munger	Schreiber
Andersen, R.	Enebo	Kempe	Myrah	Schulz
Anderson, D.	Erdahl	Klaus	Nelson	Searle
Anderson, G.	Erickson	Knickerbocker	Newcome	Sherwood
Anderson, I.	Esau	Knoll	Niehaus	Sieben, H.
Becklin	Faricy	Kostohryz	Norton	Sieben, M.
Belisle	Ferderer	Kvam	Ohnstad	Skaar
Bell	Fjoslien	Laidig	Ojala	Smith
Bennett	Forsythe	Larson	Parish	Spanish
Berg	Fudro	LaVoy	Patton	Stanton
Berglin	Fugina	Lemke	Pavlak, R.	Swanson
Biersdorf	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Braun	Graw	Lindstrom, J.	Pehler	Vanasek
Brinkman	Growe	Lombardi	Peterson	Vento
Carlson, A.	Hagedorn	Mann	Pieper	Voss
Carlson, B.	Hanson	McArthur	Pleasant	Weaver
Carlson, D.	Heinitz	McCarron	Prahl	Wenzel
Carlson, L.	Hook	McCauley	Quirin	Wigley
Casserly	Jacobs	McEachern	Resner	Wohlwend
Connors	Jaros	McFarlin	Rice	Wolcott
Culhane	Johnson, D.	McMillan	Ryan	Mr. Speaker
Cummiskey	Johnson, J.	Menke	St. Onge	
DeGroat	Johnson, R.	Miller, D.	Salchert	
Dieterich	Jopp	Miller, M.	Samuelson	
Dirlam	Jude	Moe	Sarna	
Eckstein	Kahn	Mueller	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3059

March 27, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3059, 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. 3059 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 375.01, is amended to read:

375.01 [MEMBERS, NUMBER OF.] Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, in *St. Louis, Hennepin, and Ramsey* counties (HAVING AN AREA OF OVER 5,000 SQUARE MILES AND A POPULATION EXCEEDING 75,000,) the board shall consist of seven members.

Sec. 2. [RAMSEY COUNTY.] Subdivision 1. Within 15 days of the effective date of this section the board of Ramsey county commissioners shall redistrict commission district boundaries to establish seven districts for the county in accordance with the standards prescribed in subdivision 3. The plan establishing the district boundaries shall be filed with the Ramsey County Auditor and the chief judge of the District Court for Ramsey County, and published as provided in subdivision 3.

Subd. 2. In event the county commissioners do not file a redistricting plan with the county board upon the expiration of 15 days from the effective date of this section the district court shall appoint a redistricting commission on a bipartisan or nonpartisan basis to establish the districts for the county in accordance with the standards prescribed in subdivision 3. The commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until two years after the determination of the district boundaries pursuant to this section. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 45 days after its appointment.

Subd. 3. [DISTRICTS; STANDARDS.] At least three of the districts shall be composed entirely of area within the city of St. Paul and two of the districts shall be composed entirely of area outside the city of St. Paul. Each district shall be composed of contiguous territory as regular and compact in form and shall be as nearly equal in population as practicable. Except where necessary to comply with the standards set forth in this subdivision, the districts shall be bounded by city, town, ward, or precinct lines. The plan establishing the district boundaries shall be filed in the office of the county auditor, and after filing the plan the commission shall cause notice that the plan is on file to be published in the newspaper having the contract for publishing the commissioner's proceedings for the current year. The plan shall become effective upon the filing of the plan with the county auditor, and shall be effective as to the election of county commissioners in 1974.

Subd. 4. [REPEALER.] Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5 and Special Laws 1891, Chapter 438, as amended by Laws 1971, Chapter 386 are repealed effective November 1, 1974.

Subd. 5. Except as provided in subdivision 4, the provisions to section 1 applying to Ramsey County and this section shall be effective upon final enactment.

Sec. 3. [HENNEPIN COUNTY.] Subdivision 1. [REDIS-TRICTING.] The board of county commissioners of Hennepin county shall redistrict commissioner districts boundaries to provide seven districts as provided in section 1, and set the term of office therefor, except as hereinafter provided.

Subd. 2. [COMMISSIONER DISTRICTS.] Each district shall be composed of contiguous territory as regular and compact in form and as nearly equal in population as practicable. The plan shall provide that except for county commissioners elected in 1974 who shall serve for a four year term, five county commissioners shall be elected in 1976. Two of the commissioners elected in 1976 shall be elected for a two-year and three for a four-year term. Commencing in 1978 each commissioner shall be elected for a four-year term. The plan establishing the district boundaries shall be filed with the Hennepin county auditor and the secretary of state and the chief clerk of the house of representatives by July 15, 1975. After filing the plan shall be published in the newspaper having the contract for publishing the commissioners' proceedings for that year. The plan shall become effective as to the election of county commissioners in 1976.

Subd. 3. [REPEALER.] Laws 1963, Chapter 789 are repealed effective November 1, 1976.

Subd. 4. Except as provided in subdivision 3, the provisions of section 1 applying to Hennepin county and this section shall

become effective upon final enactment and shall apply to the election of county commissioners in 1976.

Sec. 4. [DAKOTA COUNTY.] Subdivision 1. The board of county commissioners of Dakota county shall redistrict commissioner districts to provide seven districts.

Subd. 2. The redistricting shall be done pursuant to the provisions of Laws 1974, Chapter 240 except that commissioners from the new districts shall be first elected in 1976.

Subd. 3. This section is effective upon its approval by the board of county commissioners of Dakota county and upon compliance with Minnesota Statutes, Section 645.021 and shall apply to the election of county commissioners in 1976.

Sec. 5. Commencing with the 1980 federal census redistricting of the counties as provided in sections 2, 3, and 4 shall be in accordance with Laws 1974, Chapter 240."

Further amend the title in line 2 thereof, at the end of the line strike the "and" and insert in lieu thereof the following ",". In line 3 after "Ramsey" insert "and Dakota".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: EUGENE STOKOWSKI, JOHN C. CHENOWETH, ROBERT D. NORTH, WILLIAM G. KIRCHNER, and HARMON T. OGDAHL.

House Conferees: JOHN J. SALCHERT, JOHN D. TOMLINSON, RAY W. FARICY, and HARRY A. SIEBEN, JR.

Salchert moved that the report of the Conference Committee on S. F. No. 3059 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kahn	Munger	Sarna
Andersen, R.	Eken	Kelly	Myrah	Savelkoul
Anderson, D.	Enebo	Klaus	Nelson	Schreiber
Anderson, G.	Erdahl	Knickerbocker	Newcome	Schulz
Anderson, I.	Erickson	Knoll	Niehaus	Searle
Becklin	Esau	Kostohryz	Norton	Sherwood
Belisle	Faricy	Kvam	Ohnstad	Sieben, H.
Bell	Ferderer	Laidig	Ojala	Sieben, M.
Bennett	Fjoslien	Larson	Parish	Skaar
Berg	Forsythe	LaVoy	Patton	Smith
Berglin	Fudro	Lemke	Pavliak, R.	Spanish
Biersdorf	Fugina	Lindstrom, E.	Pavliak, R. L.	Stanton
Braun	Graba	Lindstrom, J.	Pehler	Swanson
Brinkman	Grove	Lombardi	Peterson	Tomlinson
Carlson, A.	Hagedorn	Mann	Pieper	Vanasek
Carlson, B.	Hanson	McArthur	Pleasant	Vento
Carlson, D.	Hook	McCarron	Prahl	Voss
Carlson, L.	Jacobs	McCauley	Quirin	Weaver
Casserly	Jaros	McFarlin	Resner	Wenzel
Connors	Johnson, D.	McMillan	Rice	Wigley
Culhane	Johnson, J.	Menke	Ryan	Wohlwend
DeGroat	Johnson, R.	Miller, D.	St. Onge	Wolcott
Dieterich	Jopp	Miller, M.	Salchert	Mr. Speaker
Dirlam	Jude	Moe	Samuelson	

Those who voted in the negative were:

Graw Heinitz

The bill was repassed, as amended by Conference, and its title agreed to.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3512

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3512, 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. 3512 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. Minnesota Statutes 1971, Section 360.101, is amended to read:

360.101 [DECLARATION OF PURPOSES.] It is the purpose of sections 360.101 to (360.123) *360.144* to promote the public welfare and national security; serve public interest, convenience, and necessity; promote air navigation and transportation, international, national, state, and local, in and through this state; (INCREASE AIR COMMERCE AND) promote the efficient, safe, and economical handling of (SUCH) *air* commerce; assure the inclusion of this state in national and international programs of air transportation; and to those ends to develop the full potentialities of the metropolitan (AREAS) *area* in this state as an aviation (CENTERS) *center*, and to correlate (THOSE AREAS) *that area* with all aviation facilities in the entire state so as to provide for the most economical and effective use of aeronautic facilities and services in (THOSE AREAS) *that area*; assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, and to that end provide for noise abatement, control of airport area land use, and other protective measures; and to this end the corporation shall cooperate with and assist *the metropolitan council*, the Federal government, the commissioner of aeronautics of this state and others engaged in aeronautics or the promotion and regulation of aeronautics and shall seek to coordinate its activities with the aeronautical activities of these bodies.

Sec. 2. Minnesota Statutes 1971, Section 360.102, Subdivision 2, is amended to read:

Subd. 2. "Commission" and "corporation(,)" each means (A CORPORATION CREATED UNDER LAWS 1943, CHAPTER 500, AS) a metropolitan airports commission, *organized and existing under the provisions of sections 360.101 to 360.144.*

Sec. 3. Minnesota Statutes 1971, Section 360.102, Subdivision 3, is amended to read:

Subd. 3. "City council" or "council" means the governing body of (A CITY, HOWEVER DESIGNATED BY LAW OR CHARTER) *each of the cities of Minneapolis and St. Paul.*

Sec. 4. Minnesota Statutes 1971, Section 360.102, Subdivision 4, is amended to read:

Subd. 4. "Commissioner" means a person appointed or otherwise selected as, and, after his qualification, acting as, a member of (A) *the corporation (CREATED UNDER LAWS 1943, CHAPTER 500).*

Sec. 5. Minnesota Statutes 1971, Section 360.102, Subdivision 5, is amended to read:

Subd. 5. "The commissioners" means a quorum of the members of (A) *the corporation (CREATED UNDER LAWS 1943,*

CHAPTER 500), acting as the governing body of (SUCH) *the* corporation.

Sec. 6. Minnesota Statutes 1971, Section 360.102, Subdivision 9, is amended to read:

Subd. 9. "City" or "each city" means one of the (TWO CONTIGUOUS) cities (OF THE FIRST CLASS IN AND FOR WHICH A CORPORATION SHALL BE CREATED UNDER LAWS 1943, CHAPTER 500) *Minneapolis and St. Paul.*

Sec. 7. Minnesota Statutes 1971, Section 360.102, is amended by adding a subdivision to read:

Subd. 11. "*Metropolitan area*" means the metropolitan area as defined in Minnesota Statutes 1971, Section 473B.02.

Sec. 8. Minnesota Statutes 1971, Section 360.103, Subdivision 1, is amended to read:

360.103 [METROPOLITAN AIRPORTS COMMISSION; CREATION.] Subdivision 1. For the purposes (HEREIN) provided (THERE SHALL BE) *in sections 360.101 to 360.144 the metropolitan airports commission has been created as a public corporation (IN AND FOR ANY TWO CONTIGUOUS CITIES OF THE FIRST CLASS IN THIS STATE, TO BE KNOWN AS THE METROPOLITAN AIRPORTS COMMISSION OF THOSE CITIES). Except as provided otherwise in this act, the existence and the powers, responsibilities, rights, and obligations of this corporation are confirmed and extended in accordance with the provisions of those sections, as they now exist and as they are now and may hereafter be amended and supplemented.*

Sec. 9. Minnesota Statutes 1971, Section 360.103, Subdivision 2, is amended to read:

Subd. 2. (LAWS 1943, CHAPTER 500, IS EXPRESSLY DECLARED TO BE APPLICABLE TO ALL SUCH CITIES WHETHER OR NOT THEY ARE NOW OR HEREAFTER EXISTING UNDER A CHARTER FRAMED AND ADOPTED UNDER SECTION 36 OF ARTICLE IV, OF THE STATE CONSTITUTION) *The commission shall be organized, structured and administered as provided in this act.*

Sec. 10. Minnesota Statutes 1971, Section 360.104, Subdivision 1, is amended to read:

360.104 [MEMBERSHIP, GOVERNMENT.] Subdivision 1. The following persons and their respective successors(, HEREIN TERMED COMMISSIONERS,) shall constitute the members and governing body of the corporation, namely:

(1) *All of the members and commissioners in office January 1, 1973, for the remainder of the terms for which they were appointed or otherwise selected, respectively;*

(2) The mayor of each of the (RESPECTIVE) cities, or a qualified voter appointed by him, *for his term of office as mayor*;

(3) A member of the council of each of the (RESPECTIVE) cities, appointed by (SUCH) *the council for a term of four years commencing in July, 1977*;

(4) A member of the *park board of (COMMISSIONERS HAVING JURISDICTION AT THE TIME OF THE PASSAGE OF LAWS 1943, CHAPTER 500, OF AIRPORTS OF EACH OF THE RESPECTIVE CITIES,)* *Minneapolis* appointed by (SUCH) *that board (OR COMMISSION, OR, IN CASE THE COUNCIL OF EITHER OF SUCH CITIES HAS JURISDICTION OF AIRPORTS IN SAID CITY, THEN)* *and a second member of (SUCH) the council of St. Paul, appointed by it, each for a term of two years commencing in July in 1979*;

(5) One additional (COMMISSIONER FROM) *resident of each city, who (IS A FREEHOLDER, HAS RESIDED IN THE CITY FROM WHICH HE IS APPOINTED AT LEAST TEN YEARS, AND) does not hold any office under the state or any of its political subdivisions except that of notary public, herein termed a "citizen commissioner," such member in (A CITY HAVING THE COMMISSION FORM OF GOVERNMENT) St. Paul to be appointed by the mayor, with the approval of the council, and in (OTHER CITIES) Minneapolis by the council, with the approval of the mayor; (ONE MEMBER APPOINTED BY THE GOVERNOR OF THE STATE, WHO SHALL BE A QUALIFIED VOTER OF A COUNTY NOT CONTIGUOUS TO EITHER OF THE COUNTIES IN WHICH THE RESPECTIVE CITIES ARE LOCATED, WHO SHALL BE CHAIRMAN OF THE CORPORATION.) each for a term of two years commencing in July 1979*;

(6) *Six additional members, each appointed by the governor on a non-partisan basis, and each holding no other office under the state or any of its political subdivisions except that of notary public; for terms and with residence qualifications as follows:*

(a) (1) *A resident of the area of the counties of Washington and Ramsey, outside of St. Paul, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981*;

(2) *A resident of the county of Anoka, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981*;

(3) *Three residents of the area of the counties of Carver, Scott and Hennepin, outside Minneapolis, for a two year term commencing in July, 1974, and their successors for a term ending July 1, 1981*;

(4) *A resident of the county of Dakota, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981;*

(b) *As successors to all members referred to in paragraphs (3) to (6) (a), whose terms will expire in July, 1981, a number of members appointed from precincts equal or nearest to but not exceeding half the number of districts which are provided by law for the selection of members of the metropolitan council in Minnesota Statutes, Section 473B.02. Each member shall be a resident of the precinct which he represents. The members shall be appointed by the governor as follows: a number as near as possible to one fourth, for a term of one year; a similar number for a term of two years; a similar number for a term of three years; and a similar number for a term of four years, all of which terms shall commence on July 1, 1981. The successors of each member shall be appointed for four year terms commencing in July of each fourth year after the expiration of the original term;*

(7) *One member appointed by the governor of the state, who shall be chairman of the corporation, appointed for a six year term commencing in July, 1977 and his successors for six year terms commencing in July in each sixth year thereafter.*

Sec. 11. Minnesota Statutes 1971, Section 360.104, Subdivision 2, is amended to read:

Subd. 2. Each mayor, or any voter appointed by him in his stead, shall serve as a commissioner for the term of office of such mayor (, OR FOR THE CONSECUTIVE TERMS THEREOF IF HE BE RE-ELECTED. OF THE FIRST COMMISSIONERS, ONE APPOINTED BY EACH CITY COUNCIL FROM ITS MEMBERS SHALL SERVE FOR A TERM OF FOUR YEARS, AND ONE FOR SIX YEARS, OR IF ONE IS APPOINTED BY A BOARD OR COMMISSION HAVING JURISDICTION OF AIRPORTS INSTEAD OF BY THE COUNCIL, HE SHALL SERVE FOR SIX YEARS. THE COMMISSIONER APPOINTED BY THE GOVERNOR SHALL SERVE FOR FOUR YEARS, AND EACH OF THE CITIZEN COMMISSIONERS FOR SIX YEARS. EACH OF SAID TERMS SHALL DATE FROM THE ELECTION OR APPOINTMENT AND QUALIFICATION OF THE COMMISSIONER. THEREAFTER THE TERM OF EACH COMMISSIONER, EXCEPT THAT OF A MAYOR, OF AN APPOINTEE OF SUCH MAYOR IN HIS STEAD, AND OF ONE APPOINTED TO FILL A VACANCY, SHALL BE FOR SIX YEARS. NOTWITHSTANDING THE FOREGOING PROVISIONS OF THIS SUBDIVISION, THE TERM). *The office of any commissioner who is a member of a city council or board (OR COMMISSION HAVING JURISDICTION OF AIRPORTS) shall (TERMINATE) become vacant when for any reason he ceases to hold the city office to which he was elected, and (A SUCCESSOR SHALL BE IMMEDIATELY APPOINTED TO FILL HIS UNEXPIRED TERM) the of-*

fice of any commissioner shall become vacant upon the occurrence of any event referred to in section 351.02. Except as provided in the (LAST SENTENCE) preceding sentences of this subdivision, each commissioner shall serve until his successor is duly appointed and has qualified. Any vacancy in the office of a commissioner shall immediately be filled for the unexpired term, and in such case, or when the term of a commissioner expires, his successor shall be chosen in the same manner as was his predecessor, and his appointment shall be evidenced in the same manner.

Sec. 12. Minnesota Statutes 1971, Section 360.104, Subdivision 3, is amended to read:

Subd. 3. (WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF LAWS 1943, CHAPTER 500, THE COMMISSIONERS SHALL BE SELECTED AS PROVIDED IN SUBDIVISION 1.) The clerk, secretary, or other appropriate official of each appointing public body shall immediately (THEREAFTER) file with the secretary of state a certified copy (OR COPIES) of (THE) *each* resolution (OR RESOLUTIONS OF SUCH APPOINTING BODY) appointing commissioners (FROM ITS OWN MEMBERSHIP). (AT THE SAME TIME) The city clerk of each city, *upon the election and qualification of each new mayor thereof*, shall file with the secretary of state a certificate stating (THE) *his* full name and address (OF THE MAYOR OF SUCH CITY), and that such mayor has elected to act as a commissioner, or, in the event such mayor has appointed some other qualified voter in his place, shall file a certified copy of the order of the mayor appointing such commissioner. (SUCH CITY CLERK SHALL ALSO FILE A CERTIFIED COPY OF THE RECORD OF APPOINTMENT OF THE CITIZEN COMMISSIONER.) The governor shall file his (APPOINTMENT) *appointments* in the same office. Each person selected as a commissioner shall thereupon file in the same office the oath of office prescribed by the State Constitution, Article V, Section 8, subscribed by him and certified by the officer administering the same.

Sec. 13. Minnesota Statutes 1971, Section 360.104, Subdivision 4, is amended to read:

Subd. 4. Should any of the said appointments not be made (, OR ANY CERTIFICATION OF APPOINTMENTS OR ANY CERTIFICATE AS TO A MAYOR ELECTING TO ACT AS A COMMISSIONER, OR ANY OATH OF OFFICE, NOT BE FILED AS REQUIRED, ALL WITHIN THE TIME LIMITS SPECIFIED HEREIN) *within 60 days after the commencement of the term for which it is to be made*, the governor shall (THEREUPON) *upon the request of the chairman* select and appoint such commissioners as have not been so designated. Any commissioner so appointed by the governor shall be a legal voter of the city, county, or precinct for which he was appointed. Upon his filing the oath of office required by subdivision 3, he shall

have all the rights, privileges, and powers of a commissioner duly (ELECTED OR) appointed as provided (HEREIN) *in subdivision 2*. If thereafter any vacancy in the office of a commissioner shall not be promptly filled, the governor may *upon request of the chairman* proceed as in this subdivision provided.

Sec. 14. Minnesota Statutes 1971, Section 360.106, Subdivision 5, is amended to read:

Subd. 5. The corporation shall have the power to appoint engineers and other consultants, attorneys, and such other officers, agents, and employees as it may see fit, who shall perform such duties and receive such compensation as the corporation may determine, and be removable at the pleasure of the corporation. *The corporation shall by July 1, 1974, adopt an affirmative action plan, which shall be submitted to the appropriate agency or office of the state for review and approval. The plan shall include a yearly progress report to the agency or office.* Officers and employees of the corporation who cannot qualify and participate in the municipal employees retirement fund under chapter 422, shall be separated from service at the retirement age applicable to officers or employees of the state of Minnesota in the classified service of the state civil service as provided in section 43.051, subdivision 1, or as the same may from time to time be amended, regardless of the provisions of the veteran's preference act. Whenever the corporation performs any work within the limits of a city of the first class, or establishes a minimum wage for skilled or unskilled labor in the specifications or any contract for work within one of the cities, the rate of pay to such skilled and unskilled labor shall be the prevailing rate of wage for such labor in that city.

Sec. 15. Minnesota Statutes 1971, Section 360.104, is amended by adding a subdivision to read:

Subd. 5a. [REGULAR AND SPECIAL MEETINGS.] *The commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of all the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.*

Sec. 16. Minnesota Statutes 1971, Section 360.105, is amended by adding a subdivision to read:

Subd. 2a. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive such compensation as the commission shall determine and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 17. Minnesota Statutes 1971, Section 360.105, Subdivision 4, is amended to read:

Subd. 4. The removal of residence of any commissioner from the (CITY OF) *area from which he was appointed or otherwise selected as a representative shall operate as a resignation of his office. Any commissioner may be removed from office by the body or person appointing him (, OR BY THE GOVERNOR,)* for misfeasance, malfeasance, or nonfeasance in office, upon written charges and after an opportunity to be heard in his defense.

Sec. 18. Minnesota Statutes 1971, Section 360.107, Subdivision 2, is amended to read:

Subd. 2. It may acquire by lease, purchase, gift, devise, or condemnation proceedings all necessary right, title, and interest in and to lands and personal property required for airports and all other real or personal property required for the purposes contemplated by Laws 1943, Chapter 500, (EITHER WITHIN OR WITHOUT THE LIMITS OF THE CITIES IN AND FOR WHICH IT IS CREATED) *within the metropolitan area, pay therefor out of funds obtained as hereinafter provided, and hold and dispose of the same, subject to the limitations and conditions herein prescribed. Title to any such property acquired by condemnation or purchase shall be in fee simple, absolute, unqualified in any way, but any such real or personal property or interest therein otherwise acquired may be so acquired or accepted subject to any condition which may be imposed thereon by the grantor or donor and agreed to by the corporation, not inconsistent with the proper use of the property by the corporation for the purposes herein provided. Any properties, real or personal, acquired, owned, leased, controlled, used, and occupied by the corporation for any of the purposes of Laws 1943, Chapter 500, are declared to be acquired, owned, leased, controlled, used, and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any of its political subdivisions. Nothing contained in Laws 1943, Chapter 500, or sections 360.101 through 360.144, shall be construed as exempting properties, real or personal, leased from the metropolitan airports commission to a tenant or lessee who is a private person, association, or corporation from assessments or taxes.*

Sec. 19. Minnesota Statutes 1971, Section 360.107, Subdivision 15, is amended to read:

Subd. 15. Without limitation upon any other powers in Laws 1943, Chapter 500, granted, whether general or special, it may contract with any person for the use by such person of any property and facilities under its control, for such purposes, and to such an extent as will, in the opinion of the commissioners, further the interests of aeronautics in this state and particularly (IN AND ABOUT THE CITIES IN AND FOR WHICH THE CORPORATION HAS BEEN CREATED) *within the metropolitan area*, including, but without limitation, the right to lease any such property or facilities, or any part thereof, for a term not to exceed 99 years, to any person, the national government, or any foreign government, or any department of either, or to the state or any municipality; provided, however, that said corporation shall not have the authority to lease, in its entirety, any municipal airport taken over by it under the provisions of this act. Without intending hereby to limit the generality of the purposes aforementioned, it may contract with any person for the use of any property and facilities under its control, or lease the same as aforementioned, for motel, hotel and garage purposes, and for such other purposes as, in the opinion of the commissioners, are desirable to furnish goods, wares, services and accommodations to or for the passengers and other users of airports under the control of the corporation, provided however that nothing herein shall be interpreted to permit the sale of intoxicating liquor upon such property or facilities.

Sec. 20. Minnesota Statutes 1971, Section 360.107, Subdivision 17, is amended to read:

Subd. 17. (1) It may from time to time make, adopt and enforce such rules, regulations, and ordinances as it may find expedient or necessary for carrying into effect the purposes of this act, including those relating to the internal operation of the corporation and to the management of airports and the operation thereof owned or operated by it, subject to the conditions and limitations hereinafter set forth. Any person violating any such rule, regulation or ordinance shall be guilty of a misdemeanor.

(2) The prosecution may be in any municipal court sitting within either city, or before a municipal court or justice of the peace having jurisdiction over the place where the violation occurs. Every sheriff, constable, policeman, and other peace officer shall see that all rules, regulations, and ordinances are obeyed, and shall arrest and prosecute offenders. The fines collected shall be paid into the treasury of the corporation, provided, however, that the corporation shall pay and there shall be first deducted and paid over to the office of the clerk of any municipal court processing and prosecuting violations such portion of such fines as shall be necessary to cover all costs and disbursements incurred in the matter of the processing and prosecuting of such violations in such court. All persons com-

mitted shall be received into any penal institution in the county in which the offense was committed. All persons shall take notice of such rules, regulations, and ordinances without pleading or proof of the same.

(3) As to rules, regulations and ordinances relating to the internal operation of the commission or to the management of airports or operation thereof, owned or operated by it, unless such rule, regulation or ordinance affects substantial rights thereon, a public hearing need not be held.

(4) As to all other rules, regulations or ordinances where deemed immediately necessary by the corporation, it may adopt and put the same into effect, but it shall within 30 days thereafter hold a public hearing thereon, after giving at least 15 days notice thereof by publication in a legal newspaper in each of the cities of Minneapolis and St. Paul, mailing a copy thereof at least 15 days prior to the hearing to all interested parties who have registered their names with the corporation for that purpose. As to all such other rules, regulations, or ordinances which the corporation does not deem immediately necessary, the corporation shall hold a public hearing thereon following the giving of at least 15 days notice thereof by publication and mailing as aforesaid, and such rules, regulations, or ordinances shall not be adopted and put into effect until after said hearing.

(5) (NOT LATER THAN 90 DAYS AFTER THE DATE ON WHICH THIS AMENDATORY ACT BECOMES EFFECTIVE THE CORPORATION SHALL PREPARE AND FILE WITH THE SECRETARY OF STATE ITS RULES, REGULATIONS, AND ORDINANCES IN EFFECT AT THE TIME OF THE PASSAGE OF THIS AMENDATORY ACT, NOT THERETOFORE FILED WITH THE SECRETARY OF STATE, AND AS TO RULES, REGULATIONS AND ORDINANCES ADOPTED HEREAFTER, SAID) *From and after January 1, 1975, notice of the adoption of rules, regulations and ordinances, BEFORE GOING INTO FORCE AND EFFECT,*) shall, (WITHIN 20 DAYS) *as soon as possible* after the adoption thereof, be published in a legal newspaper of general circulation in (EACH OF THE CITIES OF MINNEAPOLIS AND ST. PAUL) *the metropolitan area* and (FILED WITH) proof of such publication *shall be filed* with the secretary of state. UPON SUCH FILING WITH THE SECRETARY OF STATE), *together with a copy of the rule, regulation, or ordinance, (AS THE CASE MAY BE,) which shall thenceforth be in full force and effect.*

(6) Any person substantially interested or affected in his rights as to person or property by a rule, regulation or ordinance adopted by the corporation, may petition the corporation for a reconsideration of such rule, regulation or ordinance, or for an amendment, modification or waiver thereof. Such petition shall set forth a clear statement of the facts and grounds upon which

reconsideration, amendment, modification or waiver is sought. The corporation shall grant the petitioner a public hearing within 30 days after the filing of said petition.

Sec. 21. Minnesota Statutes 1971, Section 360.108, Subdivision 5, is amended to read:

Subd. 5. (THIRTY DAYS AFTER THE SUBMISSION OF THE FINDINGS AND PROPOSED PLANS PROVIDED FOR IN THIS SECTION, PUBLIC HEARINGS, OF WHICH TWO WEEKS PUBLISHED NOTICE SHALL BE GIVEN BY THE CORPORATION, SHALL BE HELD IN THE CITIES INVOLVED, BY THE CORPORATION. AFTER SUCH HEARINGS THE CORPORATION SHALL ADOPT AND FILE WITH THE GOVERNOR AND THE CITY COUNCILS AND BOARDS OR COMMISSIONS HAVING JURISDICTION OF AIRPORTS OF THE CITIES, A PERMANENT PLAN OF OPERATION, WHICH SHALL BE SUBJECT TO SUCH ADDITIONS, REVISIONS AND MODIFICATIONS AS MAY FROM TIME TO TIME SEEM TO THE CORPORATION TO BE PROPER AND BEST CALCULATED TO CARRY OUT THE PURPOSES OF LAWS 1943, CHAPTER 500, AS AMENDED, PROVIDED THAT WHEN A MATERIAL CHANGE IN SUCH PLAN IS PROPOSED BY THE CORPORATION, THERE SHALL BE PUBLIC HEARINGS OF WHICH TWO WEEKS' PUBLISHED NOTICE SHALL BE GIVEN BY THE CORPORATION.) *Any plans adopted by the commission pursuant to this section after January 1, 1975, shall be consistent with the development guide of the metropolitan council.*

Sec. 22. Minnesota Statutes 1971, Section 360.109, Subdivision 1, is amended to read:

360.109 [EXERCISE OF POWERS.] Subdivision 1. Immediately after the adoption and filing of its permanent plan of operation, the corporation shall proceed to exercise the powers herein granted. These powers may be exercised at any place within (25) *either 35 miles of the city hall of either city, or within the metropolitan area, except as limited by section 360.111 as amended.*

Sec. 23. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 5. *The investment of the cities of Minneapolis and St. Paul in the metropolitan airports system, from date of the original enactment of this section to January 1, 1973, includes the land comprising airports owned by them and taken over pursuant to subdivision 2, and taxes levied on property within the cities in the years 1944 to 1969, the proceeds of which, together with revenues of the system and federal funds, were expended for the operation, administration, maintenance, improvement, and extension of the system and the service of debt incurred for*

such improvement and extension, including improvement of the city lands. The aggregate amount of such taxes was \$19,816,873, of which \$7,294,022 would have been assessed and extended against property outside the cities if the entire metropolitan area, which will be taxable by the corporation in 1974 and subsequent years under section 360.114, as amended, had been within its taxing jurisdiction when those levies were made. If it should become necessary for the corporation to levy any such taxes for any purpose other than the payment of bonds and interest, they shall be extended and assessed exclusively against taxable property outside the cities until the total amount so assessed and extended equals \$7,294,022, with interest from April 1, 1974, at the rate of six percent per annum on the unpaid balance. In the event that the airport land owned by either city should no longer be used for airport purposes, the corporation's control thereof shall cease, and title to the land and all improvements shall be and remain in the city, but the city shall become liable to the corporation for the repayment, without interest, of an amount of the taxes so paid which is proportionate to its own share of the cities' original investment, being 60 percent for Minneapolis and 40 percent for St. Paul. In the event that any other land or improvements owned or controlled by the corporation should ever cease to be used for airport purposes, all income therefrom and all proceeds received upon disposal thereof shall continue to be used for purposes of the metropolitan airports systems, subject to federal laws and regulations governing such disposal; or if the operation of the system should ever be terminated, all such income and proceeds shall be distributed to the seven counties in the metropolitan area, in amounts proportionate to the assessed valuation of taxable property in each county at the time of such distribution.

Sec. 24. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 6. All capital projects of the commission requiring the expenditure of more than \$2,000,000 shall be submitted to the metropolitan council for review. No such project which has a significant effect on the orderly and economic development of the metropolitan area may be commenced without the approval of the metropolitan council.

Sec. 25. Minnesota Statutes 1971, Section 360.111, is amended to read:

360.111 [EXISTING AIRPORTS; CONTROL, JURISDICTION.] (AFTER TAKING OVER OPERATION AND MAINTENANCE OF THE MUNICIPALITY OWNED AIRPORTS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 360.109, SUBDIVISION 2.) The corporation shall exercise control and jurisdiction over any other airport within (25 MILES OF THE CITY HALL OF EITHER CITY) *either 35 miles of the city hall of either city or within the metropolitan area. Con-*

trol and jurisdiction of the corporation over any (SUCH OTHER) *privately or publicly owned* airport(, WHETHER LICENSED AND OPERATING AT THE TIME OF THE PASSAGE OF THIS ACT OR HEREAFTER ESTABLISHED,) shall be limited to control and jurisdiction of the flight and traffic patterns of such airport in the interests of safety of the operation of any airport owned or operated by the corporation. No airport shall be acquired or operated within the *metropolitan area* (ABOVE SET FORTH) without first securing the approval of the corporation, provided, however, such approval shall not be withheld except after notice to all interested parties and a public hearing held thereon, as provided in Minnesota Statutes (1945), Section 360.018, Subdivision 7, (AS AMENDED BY THIS ACT,) and then only upon a finding by the corporation that the acquisition or operation of such airport would create a flight hazard to any airport or airports owned or operated by it. As to any airport once licensed with the approval of the corporation, approval of the continued operation of such airport shall at no time be withdrawn by the corporation except after notice to all interested parties, a public hearing had, and a finding by the corporation based on substantial evidence that the operation of such airport is inconsistent with the safety of flight to and from an airport owned or operated or presently to be or being constructed to be operated by the corporation, and then only after payment of just compensation to cover the loss sustained by reason of such withdrawal, such just compensation, if not arrived at by agreement, to be ascertained in the condemnation of said airport by the corporation under the power of eminent domain, the commission to institute the condemnation proceedings promptly and to pay in connection with the prosecution thereof all reasonable and necessary expenses incurred not only by it but also by the owner of such airport.

Sec. 26. Minnesota Statutes 1971, Section 360.113, Subdivision 1, is amended to read:

360.113 [PUBLIC AND GOVERNMENTAL PURPOSES.] Subdivision 1. It is hereby determined and declared that the purposes of (LAWS 1943, CHAPTER 500,) *Sections 360.101 to 360.144* are public and governmental(, AND); that the (ESTABLISHMENT) *development* of (AIRPORT SYSTEMS, IN THE STATE OF MINNESOTA, INCLUDING) the (AIRPORT) *metropolitan airports* system (TO BE ESTABLISHED) by the corporation (CREATED BY LAWS 1943, CHAPTER 500, WILL PROMOTE) *be consistent with the airport chapter of the metropolitan council's development guide and promote the public safety and welfare of the state; and that the* (ACQUISITION, CONSTRUCTION,) *development, extension, maintenance, and operation of* (SUCH AIRPORT SYSTEMS ARE) *the system in such a manner as to assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, with provision for noise abatement, control of airport area land use, and other protective measures, is essential to the development of air navigation and trans-*

portation in and through this state, and (ARE) is necessary in order to assure the inclusion of this state in national and international systems of air transportation (NOW BEING PLANNED; THAT THE AIRPORT SYSTEMS TO BE DEVELOPED UNDER LAWS 1943, CHAPTER 500, WILL BENEFIT), *benefits* the people of the state as a whole, (AND WILL RENDER) *renders* a general public service(; THAT THE ESTABLISHMENT OF SUCH AIRPORT SYSTEMS AS SOON AS PRACTICABLE IS ESSENTIAL IN ORDER TO MAKE ADEQUATE PROVISIONS FOR STATE AND NATIONAL DEFENSE THAT THE DEVELOPMENT OF SUCH AIRPORT SYSTEMS WILL PROVIDE), *and provides* employment (AND WILL REDUCE UNEMPLOYMENT AFTER THE WAR), and (WILL THEREBY AID IN OTHER WAYS AND BE) *is* of great public economic benefit (IN POST WAR RE-ADJUSTMENT).

Sec. 27. Minnesota Statutes 1971, Section 360.114, Subdivision 1, is amended to read:

360.114 [BUDGET.] Subdivision 1. (THEREAFTER,) The commissioner shall, on or before the first day of July of each year, prepare a detailed budget of the needs of the corporation for the next fiscal year, specifying separately in said budget the amounts to be expended for acquisition of property, construction, payments on bonded indebtedness, if any, operation, and maintenance, respectively, (AND SHALL CERTIFY THE SAME ON SAID DATE TO THE COUNCIL OF EACH CITY, TOGETHER WITH A STATEMENT OF THE PROPORTION OF THE BUDGET TO BE PROVIDED BY EACH CITY, DETERMINED AS PROVIDED IN SECTION 360.113, SUBDIVISION 5. THE COUNCIL OF EACH SUCH CITY SHALL REVIEW THE BUDGET, AND THE COMMISSIONERS, UPON NOTICE FROM ANY SUCH CITY, SHALL HEAR OBJECTIONS TO THE BUDGET AND MAY, AFTER HEARING, MODIFY OR AMEND IT, AND SHALL GIVE DUE NOTICE TO THE CITIES OF SUCH MODIFICATION OR AMENDMENT. IT SHALL BE THE DUTY OF THE COUNCIL OF EACH CITY IN AND FOR WHICH THE CORPORATION IS CREATED TO PROVIDE THE FUNDS NECESSARY TO MEET ITS PROPORTION OF THE TOTAL COST FOR ACQUISITION OF PROPERTY, PAYMENT ON BONDED INDEBTEDNESS, IF ANY, CONSTRUCTION, OPERATION, AND MAINTENANCE AS FINALLY CERTIFIED BY THE COMMISSIONERS, SUCH FUNDS TO BE RAISED BY THE TAX LEVIES, BOND SALES, OR BY OTHER MEANS WITHIN THE AUTHORITY OF SAID CITIES, AND TO PAY THE SAME OVER TO THE TREASURER OF THE CORPORATION IN SUCH AMOUNTS AND AT SUCH TIMES AS HE MAY REQUIRE. EACH CITY IS AUTHORIZED TO ISSUE AND SELL SUCH BONDS AS MAY BE NECESSARY TO MEET ITS OBLIGATIONS UNDER THIS SECTION IRRESPECTIVE OF ANY LIMITATION IN ANY HOME RULE CHARTER OR SPECIAL OR GENERAL LAW, WITHOUT A VOTE UPON

SAID QUESTION BY THE ELECTORS OF SAID CITY, AND BONDS SO DETERMINED TO BE ISSUED AND SOLD SHALL BE ISSUED AND SOLD IN THE MANNER PROVIDED BY SECTION 360.113 AND SECTION 360.121) *subject only to such changes as the commissioners may from time to time approve.*

Sec. 28. Minnesota Statutes 1971, Section 360.114, Subdivision 2, is amended to read:

Subd. 2. (IF ANY SUCH CITY SHALL FAIL TO TAKE THE NECESSARY ACTION TO PROVIDE THE FUNDS REQUIRED BY THE CORPORATION AS IN SECTION 360.113 AND THIS SECTION PROVIDED,) The commissioners shall on or before October 10th of each calendar year, certify to the county auditor of (THE) *each* county in (WHICH THE CITY SO FAILING TO COMPLY SHALL BE LOCATED, THE AMOUNT DETERMINED BY THE COMMISSIONERS TO BE RAISED BY THAT CITY, AND) *the metropolitan area the total amount to be raised by the commissioners during the next calendar year through taxation, and each county auditor shall extend and assess against all property in his county which is then taxable by the corporation for the purpose for which the levy is made under the provisions of section 360.109, subdivision 5, that sum which bears the same proportion to the total amount as the assessed valuation of such taxable property bears to the assessed valuation of all property in the metropolitan area which is then taxable by the corporation for the purpose for which the levy is made.* The county auditor shall extend, spread, and include the same with and as a part of the general taxes for state, county, and municipal purposes, to be collected and enforced therewith, together with penalties and interest and costs, and the county treasurer, upon collection of the same, shall transfer the same to the treasurer of the corporation.

Sec. 29. Minnesota Statutes 1971, Section 360.114, Subdivision 3, is amended to read:

Subd. 3. In any budget certified by the commissioners, pursuant to any of the provisions of this section (OR OF SECTION 360.113), the amount included for operation and maintenance shall not exceed an amount which, when (APPORTIONED TO THE CITIES AFFECTED) *extended against the assessed valuation of property then taxable therefor under the provisions of section 360.109, subdivision 5, will require (THE PAYMENT BY EITHER CITY FOR THOSE ITEMS OF AN AMOUNT GREATER THAN WOULD BE PRODUCED BY) a levy at the rate of one third of one mill upon (THE) such assessed valuation (OF SUCH CITY).* Taxes levied by the corporation shall not affect the amount or rate of taxes which may be levied by any other local government unit within the metropolitan area under the provisions of any law or charter.

Sec. 30. Minnesota Statutes 1971, Section 360.116, is amended to read:

360.116 [LIMIT OF TAX LEVY.] The taxes levied against the property of (EACH CITY) *the metropolitan area* in any one year shall not exceed *one third* of one mill upon the assessed valuation thereof, exclusive of the taxes it may be necessary to levy to pay the principal or interest on any bonds or indebtedness of said city issued by it under the provisions of Laws 1943, Chapter 500, and exclusive of any amounts required to pay the share of such city for payments on bonded indebtedness of the corporation provided for in Laws 1943, Chapter 500. The levy of taxes authorized in Laws 1943, Chapter 500, shall be in addition to the maximum rate allowed to be levied to defray the cost of government under the provisions of the charter of any city affected by Laws 1943, Chapter 500.

Sec. 31. Minnesota Statutes 1971, Chapter 360, is amended by adding a section to read:

[360.1161] *Notwithstanding the provisions of section 360.116 or any other provision of chapter 360, any tax levy required to be made to pay debt service on any bonds heretofore or hereafter issued by the commission shall not be restricted to the cities of Minneapolis and Saint Paul but shall be levied against all the taxable property in the metropolitan area in accordance with the provisions of section 32 of this act.*

Sec. 32. [360.120] [GENERAL OBLIGATION REVENUE FINANCING.] Subdivision 1. [SCOPE.] The Metropolitan Airports Commission shall have all the powers and duties set forth in this section, in addition to the powers granted and the duties imposed and notwithstanding any limitations of such powers set forth in any other law or city charter provision. These powers and duties are likewise granted to and imposed upon any successor public corporation, agency, or subdivision of the state in which the commission's property, rights, powers, obligations, and duties, or any of them, may in the future be vested by law.

Subd. 2. [BORROWING AUTHORIZATION.] No additional bonds shall be issued under the provisions of section 360.117, over and above the amount outstanding April 1, 1974. Except for refunding bonds and certificates of indebtedness, the amount of borrowing authorized by this section, over and above the amount of bonds of the commission outstanding July 1, 1974, is limited to \$20,000,000 until and unless this limitation is increased by law. The pledge of revenues of the commission to its debt service fund in lieu of the taxes otherwise required by section 360.117 to be assessed and extended shall be and remain a first charge on all current revenues of the commission to the extent required annually to cancel such taxes.

Subd. 3. [GENERAL OBLIGATION REVENUE BONDS.] Subject to the provisions of subdivision 2 the commission may issue bonds for the acquisition and betterment of airports and air navigation facilities, and for the refunding of such bonds and of certificates of indebtedness issued under subdivision 10, in the same manner and with the same powers and duties as a municipality under the provisions of chapter 475 except as otherwise provided in this section. The bonds shall be designated as general obligation revenue bonds, and shall be payable primarily from and secured under resolutions of the commission by an irrevocable pledge and appropriation of the revenues to be derived from rates, fees, charges, and rentals to be imposed, maintained, and collected for all use, service, and availability of airport and air navigation facilities owned and to be owned or operated by the commission. They shall be further secured by the pledge of the full faith and credit of the commission, which shall be obligated to levy upon all taxable property within the metropolitan area a tax at such times and in such amounts, if any, as may be required to provide funds sufficient to pay all of the bonds and interest thereon when due and to maintain a reserve securing such payments in the manner and to the extent provided in this section. This tax, if ever required to be levied, shall not be subject to any limitation of rate or amount. The security afforded by this section extends equally and ratably to all general obligation revenue bonds of the commission, except that nothing herein shall prevent the commission from pledging current revenues from a particular facility or group of facilities first to the payment and security of bonds issued to finance such facilities.

Subd. 4. [DEBT SERVICE FUND.] The commission shall maintain permanently on its official books and records an account or accounts referred to herein collectively as the debt service fund, separate from all other funds and accounts, to record all receipts and disbursements of money for principal and interest payments on its bonds, and on certificates of indebtedness issued pursuant to subdivision 10. At or before the due date of each principal and interest payment on said bonds and certificates the treasurer shall remit from the debt service fund to the payment agent for the issue an amount sufficient for such payment, without further order from the commission. At or before the time of delivery of any series of bonds the commission shall withdraw from the proceeds thereof, or from revenues then on hand and available for the purpose, and shall deposit in the debt service fund such amount, if any, as may be required to establish in the fund a balance of cash and investments at least equal to the total amount of principal and interest then due and to become due on bonds of the commission to the end of the following year. The commission shall also deposit in the fund as needed and available, from revenues received in excess of budgeted current expenses of operation and maintenance of its property and of carrying on its business and activities, and in excess of amounts required to cancel taxes under subdivision 2, such amounts as shall be required to reimburse the fund for

bond and certificate payments and to produce a balance of cash and investments therein by October 10 in each year at least equal to the total amount of principal and interest due and to become due on general obligation revenue bonds of the commission to the end of the following year. If the revenues are insufficient in any year to produce the required balance, then unless provision is made for restoring the deficiency in accordance with the provisions of subdivision 8, the commission shall levy and appropriate to the debt service fund, and certify to the county auditors of all counties in the metropolitan area, a tax in accordance with subdivision 3 in an amount at least five percent in excess of the deficiency. For the purpose of determining the balance in the debt service fund at any time, investments held therein shall be valued at the principal amount payable at maturity if they mature in the following year, or otherwise at market value, plus the amount of interest receivable thereon to the end of the following year.

Subd. 5. [RATES, FEES, CHARGES, AND RENTALS.] The commission shall be obligated to the holders of its bonds, and to the owners of all property subject to taxation for the payment thereof, to establish, revise from time to time, and collect rates, fees, charges, and rentals for all airport and air navigation facilities and service used by and made available to any person, firm, association, or corporation according to schedules such as to produce revenues at all times sufficient for the requirements of the debt service fund as provided in subdivision 4, and sufficient also to pay when due all expenses of operation and maintenance of the commission's property and of carrying on its business and activities in accordance with law. The payment of such rates, charges, fees, and rentals by any party for the use of any facility or service for any period, other than use permitted to the public generally, shall be secured by a lease or other agreement requiring such party to pay each year an amount sufficient to provide for the payment of a share of the principal and interest due during this period on all bonds of the commission, proportionate to the amount of such bonds issued to provide the facility or service and to the amount of use thereof assured to such party in comparison with others. If a tax is ever required to be levied for a debt service fund deficiency under the provisions of subdivision 4, the commission shall immediately take all action permitted by law and under its leases and other agreements to enforce the payment of rates, fees, charges, and rentals then due, and to raise the amounts thereof payable in the future to the extent required for conformity with subdivision 4 and for repayment of the deficiency with interest at six percent per annum.

Subd. 6. [REIMBURSEMENT OF DEBT SERVICE FUND DEFICIENCIES.] If a debt service fund deficiency tax is ever certified in accordance with subdivision 4, each county auditor shall extend it on the tax roll of his county in that proportion

which the assessed valuation of taxable property within his county then bears to the assessed valuation of all taxable property within the metropolitan area, and shall certify to the commission the amount so extended. Thereafter the commission shall be obligated to repay to the treasurer of each county the amount extended upon its tax roll with interest at six percent per annum from the dates of payment of the deficiency tax to the commission to the date or dates of repayment. The commission shall certify to each county auditor the principal amount to be so paid to the county before October 10 in each subsequent year, and the county auditor shall reduce by this amount the taxes levied by the county which are to be extended upon its tax rolls then in preparation.

Subd. 7. [CONDITIONS.] Bonds of the commission shall not be conditioned upon an election, but no bonds shall be issued at any time, except for refunding in the cases described in subdivision 8, unless the required balance in the debt service fund is first established in accordance with subdivision 4, and the commission determines on one of the bases described in this subdivision that the revenues to be received by it each year during the term of the proposed issue will be at least sufficient to pay when due all of the commission's bonds and interest thereon, including the new issue but excluding any bonds refunded thereby, and to establish the balance required in the debt service fund by October 10. Before the bonds are delivered to the purchaser, the commission shall secure either:

(a) A report of audit of the commission's financial records for the fiscal year most recently ended or, if this is not yet available, a report for the preceding year, prepared by a nationally recognized firm of certified public accountants, showing that the net revenues received that year, computed as the gross receipts less any refunds of rates, fees, charges, and rentals for airport and air navigation facilities and service, less the aggregate amount of current expenses, paid or accrued, of operation and maintenance of property and carrying on the commission's business and activities, equaled or exceeded the maximum amount of then outstanding bonds of the commission and interest thereon to become due in any future fiscal year; or

(b) A lease or other agreement or agreements for the operation or use by one or more airline corporations of the facility for which the bonds are proposed to be issued, requiring such corporation or corporations to pay all costs of operation and maintenance thereof and to pay additional rentals or charges at the times and in not less than the amounts required to pay all of the bonds and interest thereon when due and to establish the annual balance required in the debt service fund to secure such payments, together with a report of audit showing net revenues fulfilling the condition in clause (a) as to all other bonds then outstanding or then to be issued; or

(c) A written report prepared by a nationally recognized consultant on airport management and financing, projecting gross receipts, current expenses, and net revenues at least sufficient during each year of the term of the proposed bonds to pay all principal and interest due on all bonds and to establish and maintain the required annual debt service fund balance, and stating the estimates of air traffic, rate increases, inflation, and other factors on which the projection is based.

Subd. 8. [REFUNDING DEFICIENCIES.] If in any year the revenues available for transfer to the debt service fund are or will in the judgment of the commission be insufficient to produce the balance required thereon on October 10 under the provisions of subdivision 4, or to make any interest or principal payment due on certificates of indebtedness issued under the provisions of subdivision 10, the commission may, with the approval of the council, issue refunding bonds and appropriate the proceeds to the debt service fund in the amount needed to restore the deficiency, provided that the refunding bonds shall not mature earlier than the date or dates when the commission estimates that the revenues from enforced or increased rates, fees, charges, and rentals will be sufficient to pay them and to meet all other requirements of the debt service fund as stated in subdivision 4.

Subd. 9. [ADDITIONAL TAXES.] Nothing herein shall prevent the commission from levying a tax not to exceed in any year one twentieth of one mill on the assessed valuation of taxable property within its taxing jurisdiction, over and above any levies found necessary for the debt service fund as authorized by section 360.116. Nothing herein shall prevent the levy and appropriation for purposes of the commission of any other tax on property or on any income, transaction, or privilege, when and if authorized by law. All collections of any taxes so levied shall be included in the revenues appropriated for the purposes referred to in this section, unless otherwise provided in the law authorizing such levies; but no covenant as to the continuance or as to the rate and amount of any such levy shall be made with the holders of the commission's bonds unless specifically authorized by law.

Subd. 10. [EMERGENCY BORROWING.] If in any budget year revenue receipts should from any unforeseen cause become insufficient to pay budgeted current expenses, or if a public emergency should necessitate expenditures in excess of revenues anticipated to meet the current budget, the commission may make an emergency appropriation sufficient to meet the deficiency and may authorize the issuance and sale of general obligation certificates of indebtedness in this amount, maturing not later than October 10 in the following budget year, at public or private sale and upon such other terms and conditions as the commission may determine. The principal of and interest on such certificates of indebtedness, unless paid from other revenues, shall be payable from the debt service fund.

Sec. 33. Minnesota Statutes 1971, Section 360.124, is amended by adding a subdivision to read:

Subd. 4. The metropolitan airports commission shall not initiate land acquisition for a new major airport without explicit authorization from the legislature.

Sec. 34. Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; and 360.119 are repealed.

Sec. 35. [EFFECTIVE DATE.] This act is effective on the day following final enactment.”.

Further, strike the title and insert in lieu thereof the following:

“A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition; amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; 360.119.”.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: BRUCE F. VENTO, JOHN J. SALCHERT, and ROBERT C. BELL.

Senate Conferees: JOHN C. CHENOWETH, WILLIAM G. KIRCHNER, and EDWARD J. GEARTY.

Vento moved that the report of the Conference Committee on H. F. No. 3512 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3512, A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 107, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Munger	Savelkoul
Andersen, R.	Eckstein	Kempe	Nelson	Schreiber
Anderson, D.	Eken	Klaus	Newcome	Schulz
Anderson, G.	Enebo	Knickerbocker	Norton	Searle
Anderson, I.	Erdahl	Knoll	Ojala	Sherwood
Becklin	Erickson	Kostohryz	Parish	Sieben, H.
Belisle	Esau	Kvam	Patton	Sieben, M.
Bell	Faricy	Laidig	Pavlak, R.	Smith
Bennett	Ferderer	Larson	Pavlak, R. L.	Spanish
Berg	Fudro	LaVoy	Pehler	Stanton
Biersdorf	Fugina	Lemke	Peterson	Swanson
Braun	Graba	Lindstrom, E.	Pieper	Tomlinson
Brinkman	Grove	Lindstrom, J.	Pleasant	Vento
Carlson, A.	Hagedorn	Mann	Prahl	Voss
Carlson, B.	Hanson	McCarron	Quirin	Wenzel
Carlson, D.	Heinitz	McCauley	Resner	Wigley
Carlson, L.	Hook	McEachern	Rice	Wohlwend
Casserly	Jacobs	McMillan	Ryan	Wolcott
Connors	Jaros	Menke	St. Onge	Mr. Speaker
Culhane	Johnson, D.	Miller, D.	Salchert	
Cummiskey	Johnson, R.	Miller, M.	Samuelson	
Dieterich	Kahn	Mueller	Sarna	

Those who voted in the negative were:

Clifford	Graw	Lombardi	Niehaus	Skaar
DeGroat	Johnson, J.	McArthur	Ohnstad	Weaver
Fjoslien	Jopp	McFarlin		
Forsythe	Jude	Myrah		

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3707

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3707, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [PUBLIC POLICY.] It is declared to be the public policy of the state of Minnesota that taxation of the income of individuals who do not earn enough to support them-

selves or their dependents adequately is unfair. To remedy this, a tax credit shall be granted to these individuals sufficient to offset their income tax liability.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 2 and 3, the terms defined in this section have the meanings given them unless the context clearly requires otherwise.

Subd. 2. "Claimant" means the individual taxpayer whose income, together with that of his spouse, if any, brings him within the provisions of sections 2 and 3.

Subd. 3. "Dependent" means an individual dependent upon and receiving his chief support from the claimant. Payments for support of minor children as provided in section 290.072, subdivision 3, shall be considered as payments by the claimant for the support of a dependent. For the purposes of section 3, a spouse except a divorced or separated spouse shall be considered to be a dependent.

Subd. 4. "Income" means the sum of gross income as defined in Minnesota Statutes, Section 290.01, Subdivision 20, net income from sources outside the state, alimony, support money, and relief, not including relief granted under unemployment compensation, 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 governments or any of their instrumentalities, the gross amount of "loss of time" insurance and 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. 3. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 3d. [CREDITS AGAINST TAX.] The taxes due as computed in accordance with section 290.06, subdivision 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 or less;*
 - (b) *A claimant with one dependent, with an income of \$3,800 or less;*
 - (c) *A claimant with two dependents, with an income of \$4,600 or less;*

(d) A claimant with three dependents, with an income of \$5,400 or less;

(e) A claimant with four dependents, with an income of \$6,000 or less; and

(f) A claimant with five or more dependents, with an income of \$6,400 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 sections 2 and 3, 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 may be a claimant under sections 2 and 3. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of sections 2 and 3. All claimants shall submit their returns on these forms.

Sec. 4. [EFFECTIVE DATE.] Sections 1 to 3 are effective for taxable years beginning January 1, 1975.

Sec. 5. Minnesota Statutes 1971, Section 33.10, Subdivision 1, is amended to read:

33.10 [TAX ON OLEOMARGARINE.] Subdivision 1. There is hereby imposed, levied, and assessed an inspection fee and excise tax (OF TEN CENTS) in the amount specified in section 6 upon each pound of oleomargarine which: (1) is artificially colored to a shade of yellow which has a tint containing more than one and six-tenths degrees of yellow, or of yellow and red collectively, but with an excess of yellow over red, as measured in terms of the Lovibond tintometer scale, and (2) is sold, offered or exposed for sale, or given or delivered to a consumer. Such fee and tax shall be paid to the commissioner of taxation prior to any such sale, gift, or delivery, except where otherwise provided in cases where tax metering devices are used.

Sec. 6. Minnesota Statutes 1971, Section 33.10, is amended by adding a subdivision to read:

Subd. 3. The inspection fee and excise tax on oleomargarine provided for in subdivisions 1 and 2 of this section shall be in the amounts and for the periods of time set out in the following schedule:

<i>Period of Time</i>	<i>Tax per pound</i>
<i>July 1, 1974 to June 30, 1975</i>	<i>5 cents</i>
<i>July 1, 1975 and thereafter</i>	<i>none</i>

Sec. 7. Minnesota Statutes 1971, Section 270.35, is amended to read:

270.35 [STUMPAGE VALUE, USE IN COMPUTING TAX.] The stumpage value for each species to be used in computing the tax in any county shall be computed in each even numbered year and shall be the average sale price received by the (COUNTY) *state* upon all of its sales of sound standing timber of the species during the previous two calendar years. In the event there have been no sales of the species or products within the county within the previous two calendar years, or less than 500 cords of the various products have been sold which is insufficient to estimate a fair and equitable stumpage price for the various products grown, (THE COUNTY BOARD, WITH THE APPROVAL OF) the commissioner of natural resources(,) shall set a stumpage price for such species, with the right of appeal by any aggrieved persons to the commissioner of taxation as set forth in section 270.34 in the event any such person deems himself to be aggrieved by such determination.

Sec. 8. Minnesota Statutes 1971, Section 270.38, Subdivision 5, is amended to read:

Subd. 5. The owner of any timber lands made subject to sections 270.31 to 270.39 may at any time apply to withdraw any governmental subdivisions from taxation under sections 270.31 to 270.39. Such application made in writing and giving the reasons for withdrawal may be approved by the county board subject to the payment of all back taxes and penalties on the basis of ad valorem taxes in the area giving due credit for taxes paid under sections 270.31 to 270.39; provided that after an agreement has been in effect for more than (SIX) *ten* years, (NO) penalties (OR) *and* ad valorem taxes as above specified shall be assessed and the owner shall (NOT) be required to pay such penalties (OR) *and* ad valorem taxes *only for the ten years prior to the date of withdrawal from the agreement.* If approved, the lands shall be deemed to be withdrawn from taxation under sections 270.31 to 270.39 and shall be returned to taxation under the general real property tax law beginning with the calendar year next immediately following the date upon which the withdrawal was approved by the county board.

Sec. 9. [EFFECTIVE DATE.] Sections 7 and 8 are effective for taxable years beginning January 1, 1974 and thereafter.

Sec. 10. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 4. [IRON ORE.] Newly discovered iron ore shall be entered on the assessment books for the six years immediately preceding the year of discovery and taxed as omitted property. The tax on such omitted property shall be determined by applying the rates of levy for the respective years in which the property was omitted. This subdivision shall not apply to any iron ore discovered in the course of mining operations, which has not been known to exist by drillings or operations in previous years, provided that the company that would otherwise be taxed therefor is not a company that would be disqualified from receiving discount credits pursuant to Minnesota Statutes, Section 298.031, Subdivision 3.

Sec. 11. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 5. Any taxpayer having paid real estate taxes on valuations of iron ore, considered to be commercially mineable, which was believed to have existed, and was subsequently determined not to exist, may apply to the commissioner of revenue for a refund of taxes paid thereon, as provided herein. Such application for refund shall be filed in the year in which it is determined that the iron ore does not exist. No refund shall be made for taxes paid or payable more than six years previous to the date of said application. The refunds shall be paid from the special fund established in subdivision 6 of this section, and so much as is needed to pay such refunds is hereby appropriated.

Sec. 12. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 6. The taxes collected in accordance with subdivision 4 of this section shall be transmitted by the county treasurer to the state treasurer and deposited in a special fund. There shall be paid from this special fund the amount of refunds determined in accordance with subdivision 5 of this section. In the event the amount in such fund is not sufficient to pay such refunds, the refunds shall be paid as soon as sufficient amounts are available in the fund.

The balance in such fund shall be distributed at the end of each fiscal year to the iron range resources and rehabilitation commission account.

Sec. 13. Sections 10 to 12 are effective for the calendar year 1974 and subsequent years.

Sec. 14. Minnesota Statutes, 1973 Supplement, 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 (WHERE SUCH PROPERTY IS HELD BY THE SAME OWNER, BY THE SURVIVING SPOUSE OF A DECEASED OWNER, OR BY A SURVIVING JOINT TENANT, FOR A PERIOD OF ONE YEAR PRIOR TO ANY ASSESSMENT DATE), 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 percent; the excess (not exceeding five percent of the latest assessors market valuation (OR THE FULL AMOUNT OF THE EXCESS IF THE PROPERTY IS NO LONGER HELD BY THE SAME OWNER, BY THE SURVIVING SPOUSE OF A DECEASED OWNER, OR BY A SURVIVING JOINT TENANT)) may be entered in the following years assessment, notwithstanding the provisions of section 273.17.

Sec. 15. [EFFECTIVE DATE.] Section 14 is effective for the calendar year 1974 and thereafter.

Sec. 16. Minnesota Statutes, 1973 Supplement, 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 \$12,000, 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 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 the 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 \$12,000, 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 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. 17. Section 16 is effective for taxes levied in 1974 and payable in 1975 and thereafter.

Sec. 18. Minnesota Statutes 1971, Section 290.02, is amended to read:

290.02 [INCOME TAX ON CORPORATIONS; IMPOSITION, MEASUREMENT.] An annual (EXCISE) *income tax* is hereby imposed upon every domestic corporation, except those included within section 290.03, for the privilege of existing as a corporation during any part of its taxable year, and upon every foreign corporation *doing business within this state*, except those included within section 290.03, *including but not limited to railroad companies* for the grant to it of the privilege of transacting or for the actual transaction by it of any local business within this state during any part of its taxable year, in corporate or organized form.

The tax so imposed shall be measured by such corporations' taxable net income for the taxable year for which the tax is imposed, and computed in the manner and at the rates provided in this chapter.

The legislature finds that the income tax imposed by this section is not a tax or assessment upon real estate, roads, rolling stock, or other personal property of railroad companies within the contemplation of Article IV, Section 32(a) of the Minnesota Constitution.

Sec. 19. [EFFECTIVE DATE.] Section 18 is effective for taxable years beginning January 1, 1975.

Sec. 20. Minnesota Statutes 1971, Section 290.086, is amended by adding a subdivision to read:

Subd. 9. The commissioner shall not require reimbursement or restitution of any such credits or refunds previously granted, where such recipients were legally entitled thereto under laws in effect at the time such claim was filed by the applicant, or to seek recovery of any such amounts by legal action.

Sec. 21. [EFFECTIVE DATE.] Section 20 is effective on the day following final enactment.

Sec. 22. Minnesota Statutes 1971, Section 297.31, Subdivision 2, is amended to read:

Subd. 2. (a) "Tobacco products" means cigars; *little cigars as defined herein*; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but shall not include cigarettes as defined in Minnesota Statutes, Section 297.01, Subdivision 2.

(b) *"Little cigar" means any roll for smoking, made wholly or in part of tobacco, which has a factory list price not exceeding \$12 per thousand, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made wholly or in part of tobacco, and where such roll weighs not more than three pounds per thousand.*

Sec. 23. Minnesota Statutes 1971, Section 297.32, Subdivision 1, is amended to read:

297.32 [TAX ON TOBACCO PRODUCTS.] Subdivision 1. A tax is hereby imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof, at the rate of 20 percent of the wholesale sales price of such tobacco products *except little cigars as defined in section 297.31, subdivision 2, clause (b). Little cigars shall be subject to the same rate of tax imposed on cigarettes in section 297.02, subdivision 1, clause (1), subject to the discount provided in section 297.35, subdivision 1.* Such tax shall be imposed at the time the distributor (1) brings, or causes to be brought, into this state from without the state tobacco products for sale; (2) makes, manufactures, or fabricates tobacco products in this state for sale in

this state; or (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

Sec. 24. Minnesota Statutes 1971, Section 297.32, Subdivision 2, is amended to read:

Subd. 2. A tax is hereby imposed upon the use or storage by consumers of tobacco products in this state, and upon such consumers, at the rate of 20 percent of the cost of such tobacco products, *except little cigars as defined in section 297.31, subdivision 2, clause (b). Little cigars shall be subject to the same rate of tax imposed on cigarettes in section 297.22, subdivision 1, clause (1).*

The tax imposed by this subdivision shall not apply if the tax imposed by subdivision 1 on such tobacco products has been paid.

This tax shall not apply to the use or storage of tobacco products in quantities of:

1. Not more than 50 cigars;
2. Not more than 10 oz. snuff or snuff powder;
3. Not more than 1 lb. smoking or chewing tobacco or other tobacco products not specifically mentioned herein, in the possession of any one consumer.

Sec. 25. [EFFECTIVE DATE.] *Sections 22 to 24 shall be effective on the day following final enactment, and shall apply to little cigars as defined in section 22, in the possession of distributors, as defined in Minnesota Statutes, Section 297.01, Subdivision 7, on the effective date.*

Sec. 26. Minnesota Statutes 1971, Section 297A.251, is amended to read:

297A.251 [TACONITE PLANT MATERIAL; EXEMPTIONS.] Notwithstanding the provisions of chapter 297A, there shall be exempt from the tax imposed therein, all materials and supplies or equipment consumed in constructing or incorporated into the construction of a new taconite plant or the expansion of an existing plant the construction of which is commenced prior to (JULY) *February 1, (1974) 1975*, which are purchased and used or consumed in connection with such construction, or incorporated into such taconite plant prior to July 1, 1978, provided that in the case of the expansion of an existing plant, such construction results in an increase in productive capacity of at least 10 percent.

Sec. 27. Minnesota Statutes 1971, Section 298.03, is amended to read:

298.03 [VALUE OF ORE; HOW ASCERTAINED.] The valuation of iron or other ores for the purposes of determining the amount of tax to be paid under the provisions of section 298.01 shall be ascertained by subtracting from the value of such ore, at the place where the same is brought to the surface of the earth, such value to be determined by the commissioner of (TAXATION) *revenue*:

(1) The reasonable cost of supplies used and labor performed at the mine in separating the ore from the ore body, including hoisting, elevating, or conveying the same to the surface of the earth;

(2) If the ore is taken from an open pit mine, an amount for each ton of ore mined or produced during the year equal to the cost of removing the overburden, divided by the number of tons of ore uncovered, the number of tons of ore uncovered in each case to be determined by the commissioner of (TAXATION) *revenue*;

(3) If the ore is taken from an underground mine, an amount for each ton of ore mined or produced during the year equal to the cost of sinking and constructing shafts and running drifts, divided by the number of tons of ore that can be advantageously taken out through such shafts and drifts, the number of tons of ore that can be advantageously taken out in each case to be determined by the commissioner of (TAXATION) *revenue*;

(4) The amount of royalties paid on the ore mined or produced during the year;

(5) A percentage of the ad valorem taxes levied for such year against the realty in which the ore is deposited equal to the percentage that the tons mined or produced during such year bears to the total tonnage in the mine;

(6) In the case of taconite, semi-taconite and iron sulphide operations, the tax payable under Minnesota Statutes, Sections 298.24 and 298.35, on the concentrates produced in said year and any taxes paid under Laws 1955, Chapters 391, 429, 514, 576 or 540, or any other law imposing on such taconite operations a specific tax for school or other governmental purposes;

(7) The amount or amounts of all the foregoing subtractions shall be ascertained and determined by the commissioner of (TAXATION) *revenue*. *Deductions for interest on plant investment shall not exceed the greater of (a) four percent of book value, or (b) the amount actually paid but not exceeding six percent of book value. No subtraction shall be allowed for shrinkage of iron ore, except that which can be measured in a manner determined by the commissioner of revenue. In no case shall the shrinkage subtraction exceed one fourth of one percent of the value of the ore.*

Sec. 28. [EFFECTIVE DATE.] Except as provided herein, the provisions of this act shall be effective on July 1, 1974."

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

"A bill for an act relating to taxation; imposing certain credits on taxes measured by net income; eliminating the tax on oleomargarine; providing for stumpage values in computing certain taxes; providing for omitted taxes on iron ore; imposing an income tax on certain corporations; establishing the means for valuing certain real property and property owned by certain disabled persons; imposing taxes on certain tobacco products; providing for taconite taxes; and waiving the collection of credits or refunds of certain taxes; amending Minnesota Statutes 1971, Sections 33.10, Subdivision 1, and by adding a subdivision; 270.35; 270.38, Subdivision 5; 273.02, by adding subdivisions; 290.02; 290.06, by adding a subdivision; 290.086, by adding a subdivision; 297.31, Subdivision 2; 297.32, Subdivisions 1 and 2; 297A.251; 298.03; and Minnesota Statutes, 1973 Supplement, Sections 273.11, Subdivision 2; and 273.13, Subdivision 7."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: R. PAVLAK, MARTIN OLAV SABO, IRVIN N. ANDERSON, DOUGLAS J. JOHNSON, and AUBREY W. DIRLAM.

Senate Conferees: NICHOLAS D. COLEMAN, GEORGE R. CONZEMIUS, WINSTON W. BORDEN, ALEC G. OLSON, and MEL FREDERICK.

Johnson, D., moved that the report of the Conference Committee on H. F. No. 3707 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 122, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Bennett	Braun	Carlson, D.
Andersen, R.	Becklin	Berg	Brinkman	Carlson, L.
Anderson, D.	Belisle	Berglin	Carlson, A.	Casserly
Anderson, G.	Bell	Biersdorf	Carlson, B.	Clifford

Connors	Hagedorn	LaVoy	Ohnstad	Sherwood
Culhane	Hanson	Lemke	Ojala	Sieben, H.
Cummiskey	Haugerud	Lindstrom, E.	Parish	Sieben, M.
DeGroat	Heinitz	Lindstrom, J.	Patton	Skaar
Dieterich	Hook	Lombardi	Pavlak, R.	Smith
Dirlam	Jacobs	Mann	Pavlak, R. L.	Spanish
Eckstein	Jaros	McArthur	Pehler	Stanton
Eken	Johnson, D.	McCarron	Peterson	Swanson
Enebo	Johnson, J.	McCauley	Pieper	Tomlinson
Erdahl	Johnson, R.	McEachern	Pleasant	Vanasek
Erickson	Jopp	McMillan	Prahl	Vento
Esau	Jude	Menke	Quirin	Voss
Faricy	Kahn	Miller, D.	Resner	Weaver
Ferderer	Kelly	Miller, M.	Rice	Wenzel
Fjoslien	Kempe	Moe	Ryan	Wigley
Forsythe	Knickerbocker	Mueller	St. Onge	Wohlwend
Fudro	Knoll	Munger	Salchert	Wolcott
Fugina	Kostohryz	Myrah	Samuelson	Mr. Speaker
Graba	Kvam	Nelson	Sarna	
Graw	Laidig	Newcome	Savelkoul	
Growe	Larson	Norton	Schreiber	

Those who voted in the negative were:

Klaus	McFarlin	Niehaus	Schulz	Searle
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The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2928

March 26, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2928, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recedes from its amendments and that H. F. No. 2928 be amended as follows:

Page 1, line 15, strike "and II".

Page 1, line 16, strike "\$140,000" and insert in lieu thereof "\$30,000".

Page 1, line 18, within the blank insert "150,000".

Page 1, before line 19 insert:

"The board of regents, prior to legislative consideration of any request for new money for buildings or planning of buildings

on the Minneapolis campus, shall complete a comprehensive and detailed study of present and future utilization of existing and proposed space and land use on the Minneapolis campus. A report of the findings, alternatives and recommendations of the comprehensive and detailed study shall be submitted to the house appropriations and senate finance committees no later than February 15, 1975."

Page 1, strike lines 19 and 20.

Page 1, strike lines 24 and 25.

Renumber subdivisions in section 2.

Page 1, line 29, strike "\$50,000" and insert "\$40,000".

Page 2, line 2, strike "January" and insert "February".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: HOWARD E. SMITH, RODNEY N. SEARLE, and RAY W. FARICY.

Senate Conferees: EDWARD G. NOVAK, ROBERT O. ASHBACH, and ROBERT J. TENNESSEN.

Smith moved that the report of the Conference Committee on H. F. No. 2928 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Esau	Jacobs	Laidig
Andersen, R.	Carlson, L.	Faricy	Jaros	Larson
Anderson, D.	Cassery	Ferderer	Johnson, D.	LaVoy
Anderson, G.	Clifford	Fjoslien	Johnson, J.	Lemke
Anderson, I.	Connors	Forsythe	Johnson, R.	Lindstrom, E.
Becklin	Culhane	Fudro	Jopp	Lindstrom, J.
Belisle	Cummiskey	Fugina	Jude	Lombardi
Bell	DeGroat	Graba	Kahn	Mann
Bennett	Dieterich	Graw	Kelly	McArthur
Berg	Dirlam	Grove	Kempe	McCarron
Berglin	Eckstein	Hagedorn	Klaus	McCauley
Biersdorf	Eken	Hanson	Knickerbocker	McEachern
Brinkman	Enebo	Haugerud	Knoll	McMillan
Carlson, A.	Erdahl	Heinitz	Kostohryz	Menke
Carlson, B.	Erickson	Hook	Kvam	Miller, D.

Miller, M.	Parish	Resner	Sherwood	Vento
Moe	Patton	Rice	Sieben, H.	Voss
Munger	Pavlak, R.	Ryan	Sieben, M.	Weaver
Myrah	Pavlak, R. L.	St. Onge	Skaar	Wenzel
Nelson	Pehler	Salchert	Smith	Wigley
Newcome	Peterson	Samuelson	Spanish	Wohlwend
Niehaus	Pieper	Sarna	Stanton	Wolcott
Norton	Pleasant	Savelkoul	Swanson	Mr. Speaker
Ohnstad	Prahl	Schreiber	Tomlinson	
Ojala	Quirin	Searle	Vanasek	

Those who voted in the negative were:

Braun Schulz

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2964

March 25, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2964, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 254A.02, is amended by adding a subdivision to read:

Subd. 11. "Native American" means a person of one quarter or more Indian blood.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 254A.03, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.] *Subdivision 1.* There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities and allocate funds in accordance with the comprehensive state plan;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals for the provisions of comprehensive program services;

(i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source(.);

(j) with respect to alcohol and other drug abuse programs serving the native American community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the native American community.

Subd. 2. [OFFICE OF NATIVE AMERICAN PROGRAMS.]
There is hereby created, within the alcohol and drug abuse section of the department of public welfare, the position of special assistant for native American programs on alcoholism and drug abuse and an assistant to that position. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the native American community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant with the approval of the director shall:

(a) Administer funds appropriated for native American groups, organizations and reservations within the state for native American alcoholism and drug abuse programs,

(b) Establish policies and procedures for such native American programs with the assistance of the citizens advisory council created by Minnesota Statutes, 1973 Supplement, Section 254A.04, and the native American advisory board.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The department of public welfare may make grants to community mental health boards for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and non-profit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 4. The sum of \$35,000 is appropriated from the general fund to the alcohol and drug abuse section of the department of public welfare for the purposes of sections 1, 2, and 3.

Sec. 5. Sections 1 to 4 are effective on April 1, 1974.

Sec. 6. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.065] [VENEREAL DISEASE TREATMENT CENTERS.] *The state board of health shall assist local health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate regulations relative to the composition of such services and shall establish a method of providing funds to local health agencies and organizations which offer such services. The state board of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area.*

Sec. 7. There is hereby appropriated to the board of health from the general fund the sum of \$100,000 to be available for the biennium ending June 30, 1975, for the purposes of section 6.

Sec. 8. Subdivision 1. To the extent of the appropriation for this specific purpose, the commissioner shall provide emergency supplementary grants to recipients of aid to dependent children for major home repairs, repair of major home appliances, and supplemental dietary needs medically authorized, but not covered by medical assistance. The commissioner shall immediately by rule and regulation:

(a) Establish procedures for determination of need and verification of proper payment of supplementary grants authorized by this section; and

(b) Establish procedures for the proration among the counties of the funds appropriated for supplementary grants; and

(c) Establish fiscal procedures to assure the sufficiency of the funds appropriated for supplementary grants until June 30, 1975. These emergency rules and regulations shall be promulgated immediately by the commissioner pursuant to the provisions of Minnesota Statutes 1971, Section 15.0412, Subdivision 5.

This shall be a final and nonrecurring appropriation and shall expire June 30, 1975. The commissioner shall submit quarterly reports to the subcommittee on welfare-corrections of finance in the senate and the welfare-corrections division of appropria-

tions in the house regarding expenditures for supplementary grants.

Subd. 2. There is appropriated to the commissioner of public welfare from the general fund the sum of \$250,000 for the purposes of subdivision 1.

Subd. 3. This section is effective July 1, 1974.

Sec. 9. Subdivision 1. The sums hereinafter stated, or so much thereof as may be necessary, are hereby appropriated to the commissioner of public welfare from the general fund in the state treasury not otherwise appropriated; to be expended for the purposes specified in this section, to be available for the biennium ending June 30, 1975.

Subd. 2. There is appropriated from the general fund the sum of \$3,900,000 or so much thereof as may be necessary for medical assistance to the needy, supplemental payments for Supplemental Security Income recipients, and aid to families with dependent children. This appropriation shall be added to the appropriations made in Laws 1973, Chapter 765, Section 2, Subdivision 8.

Subd. 3. There is appropriated from the general fund the sum of \$700,000 for daytime activity centers for the mentally retarded. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 12. None of the moneys appropriated by this subdivision shall be used to supplant county funds.

Subd. 4. There is appropriated from the general fund the sum of \$20,000 for Red Lake band of Chippewa Indians. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 15.

Subd. 5. There is appropriated from the general fund the sum of \$200,000 for contingent funds for state institutions. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 9.

Subd. 6. To provide for day care services to children of migrant workers utilizing Title IV-A funds there is appropriated to the division of social services in the department of public welfare from the general fund in the state treasury the sum of \$60,000.

Subd. 7. There is appropriated from the general fund the amount of \$20,000 for regional library for the blind. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 21(c).

Sec. 10. Any unexpended balance not to exceed \$235,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 2, for special computer projects, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 11. Subdivision 1. This appropriation shall be available to allocate and to finance statewide operations formerly funded in whole or in part under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; provided that the recipient municipality or other public body shall have expended all funds received under Title II, Section 221 of the Economic Opportunity Act of 1964, as amended, that no agency or program receiving funds hereunder shall receive more than 20 percent annually of the amount of money received under the last year of funding under the Economic Opportunity Act, and provided further that the recipient agency or program certifies that it has appropriated a sum of no less than 50 percent of the amount to be disbursed to the agency or program by the state.

Subd. 2. A portion of these funds may be expended in those counties currently without economic opportunity programs.

Subd. 3. The funds appropriated by this section shall not be available until the economic opportunity program requests have been reviewed by the welfare-corrections subcommittee on finance in the Senate and the welfare-corrections division of appropriations in the House. At least 30 days before action by the legislative advisory committee the commissioner shall submit the individual project requests to the respective committees enumerated above for review.

Subd. 4. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Subd. 5. Any unexpended balance not to exceed \$300,000 remaining on June 30, 1974, from the appropriation made in Laws 1973, Chapter 765, Section 8, Subdivision 1, is hereby reappropriated to the commissioner of administration for the biennium ending June 30, 1975.

Subd. 6. The sum of \$900,000 is appropriated to the commissioner of administration for economic opportunity programs from the general fund of the state treasury for the purposes of this section.

Sec. 12. Commencing July 1, 1974, the department of public welfare shall not reimburse any county for administrative expenses appropriated by Laws 1973, Chapter 650, Article XXI, Section 31, until such county is participating in a food stamp quality control system. The department of public welfare shall certify the acceptability of each county plan. No county may discontinue its food stamp program to avoid state sanctions. The

department of public welfare shall not be granted additional complement or funds as a result of this section.

Sec. 13. There is appropriated to the commissioner of public welfare from the general fund the sum of \$50,000 for the purpose of providing a grant-in-aid to the Bridge Runaway Youth Inc. of Minneapolis, Minnesota for their activities to assist runaway youth in reestablishing useful associations with their families. The funds shall be expended subject to the direction of the commissioner of public welfare in accordance with the purposes of this act. Notwithstanding Minnesota Statutes, 1973 Supplement, Section 16.17 or other law, this appropriation expires June 30, 1975. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Sec. 14. Minnesota Statutes 1971, Section 641.11, is amended to read:

641.11 [COMPENSATION FOR BOARDING PRISONERS.] Every sheriff in charge of a county jail shall receive from the county compensation for board and washing for prisoners, as follows:

On the last day of each month he shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. The pay shall be determined by the county board of commissioners but shall not be less than (\$2.50) \$3.50 a day nor more than (\$3.50) \$4.50 for each day or fractional day for each prisoner. In every county where the sheriff's compensation for board of prisoners is fixed by special law it shall so continue unless the county board by unanimous vote shall elect to come under the general law after which it shall be governed by this section provided that the provisions of this section shall not apply to any county in this state now or hereafter having a population of more than 100,000.

Sec. 15. Subdivision 1. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for individuals receiving medical assistance while confined in any skilled nursing home or intermediate care facility in this state shall not be less than \$25 per month.

Subd. 2. Neither the skilled nursing home, the intermediate care facility nor the department of public welfare shall withhold or deduct any amount of this allowance for any purpose contrary to this section.

Sec. 16. In addition to the personal allowance established in section 15, any handicapped or mentally retarded recipient of medical assistance confined in a skilled nursing home or intermediate care facility shall also be permitted a special personal allowance drawn solely from earnings from any productive employment under an individual plan of rehabilitation. This special

personal allowance shall not exceed (1) the limits set therefor by the commissioner, or (2) the amount of disregarded income the individual would have retained had he or she been a recipient of aid to the disabled benefits in December, 1973, whichever amount is lower.

Sec. 17. Sections 15 and 16 are effective the day following final enactment; however, the personal allowance established in section 15 shall be allowed retroactive to January 1, 1974, and the accumulated amount shall be prorated over the six months immediately following final enactment.

Sec. 18. Minnesota Statutes 1971, Section 256.73, is amended by adding a subdivision to read:

Subd. 5. For the purposes of section 256.72 to 256.87, dependent children shall include the unborn during the final three months of pregnancy and, insofar as possible, the provisions applicable to dependent children shall also be applicable to the unborn during the final three months of pregnancy. The commissioner of public welfare shall promulgate, pursuant to the administrative procedures act, regulations to implement this subdivision.

Sec. 19. The sum of \$20,000 is appropriated from the general fund to the Indian affairs commission for the expenses of operation for the current biennium ending June 30, 1975. This sum shall be in addition to sums previously appropriated.

Sec. 20. Except as otherwise provided for in this act, the provisions hereof are in effect upon final enactment."

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

"A bill for an act relating to the organization, operation and financing of the state government; appropriating and reappropriating money for various programs relating to public welfare including supplementary aids; authorizing the establishment of alcohol and drug abuse programs for native Americans; providing for venereal disease treatment centers; prescribing fees for boarding prisoners; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 256.73, by adding a subdivision; 641.11; Minnesota Statutes, 1973 Supplement, Sections 254A.02, by adding a subdivision; 254A.03; and 254A.07, Subdivision 2."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: ROGER D. MOE, BILL MCCUTCHEON, WILLIAM G. KIRCHNER, and JOHN L. OLSON.

House Conferees: DONALD B. SAMUELSON, WALTER R. HANSON, JAMES I. RICE, M. J. MCCAULEY, and MARY M. FORSYTHE.

Samuelson moved that the report of the Conference Committee on S. F. No. 2964 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Sarna
Andersen, R.	Eken	Kahn	Mueller	Savelkoul
Anderson, D.	Enebo	Kelly	Munger	Schreiber
Anderson, G.	Erdahl	Kempe	Myrah	Schulz
Anderson, I.	Erickson	Klaus	Nelson	Searle
Becklin	Esau	Knickerbocker	Newcome	Sherwood
Belisle	Faricy	Knoll	Niehaus	Sieben, H.
Bell	Ferderer	Kostohryz	Norton	Sieben, M.
Bennett	Fjoslien	Kvam	Ohnstad	Skaar
Berg	Forsythe	Laidig	Ojala	Smith
Berglin	Fudro	Larson	Parish	Spanish
Biersdorf	Fugina	LaVoy	Patton	Stanton
Braun	Graba	Lemke	Pavlak, R.	Swanson
Brinkman	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, A.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, B.	Hagedorn	Lombardi	Peterson	Vento
Carlson, D.	Hanson	Mann	Pieper	Voss
Carlson, L.	Haugerud	McArthur	Pleasant	Weaver
Casserly	Heinitz	McCarron	Prahl	Wenzel
Clifford	Hook	McCauley	Quirin	Wigley
Connors	Jacobs	McEachern	Resner	Wohlwend
Culhane	Jaros	McFarlin	Rice	Wolcott
Cummiskey	Johnson, D.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Salchert	
Dirlam	Jopp	Miller, M.	Samuelson	

The bill was repassed, as amended by Conference, and its title agreed to.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 452

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 452, 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. 452 be further amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [TITLE.] This act shall be known as the Minnesota crime victims reparations act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) workmen's compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

- (b) a dependent who has incurred economic loss;
- (c) the estate of a deceased victim if the estate has incurred economic loss;
- (d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a) (i) and (a) (ii) for a victim;
- (e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

- (a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;
- (b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;
- (c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise required in a particular case;
- (d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or
- (e) no claim was filed with the board within one year of victim's injury or death;
- (f) the claim is less than \$100.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

- (1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;
- (2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims and by the first \$100 of economic loss; and
- (3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$10,000.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the department of public safety, for budgetary and administrative purposes, the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be six years except that of the members first appointed one each shall serve for terms of six, four, and two years. Any person appointed to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

- (a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;
- (b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;
- (c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;
- (d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;
- (e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;
- (f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;
- (g) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and
- (h) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his

reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within 30 days after receipt of the report of the decision of the board member to whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within 30 days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [DEPARTMENT OF CORRECTIONS; RESTITUTION.] The department of corrections may, as a means of

assisting in the rehabilitation of persons committed to their care, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts.

Sec. 14. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 15. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply of all forms necessary for the preparation and presentation of claims.

Sec. 16. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 17. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted on or after July 1, 1974.

Sec. 18. [APPROPRIATIONS.] The sum of \$100,000 is hereby appropriated from the general fund in the state treasury to the department of public safety for the organization, operation, administration and staffing of the crime victim reparation board effective July 1, 1974."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: BRUCE F. VENTO, RAY W. FARICY, and MARY M. FORSYTHE.

Senate Conferees: JOSEPH T. O'NEILL, RALPH R. DOTY, and HUBERT H. HUMPHREY.

Vento moved that the report of the Conference Committee on H. F. No. 452 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jopp	Miller, D.	Salchert
Andersen, R.	Eken	Jude	Miller, M.	Samuelson
Anderson, D.	Enebo	Kahn	Moe	Sarna
Anderson, G.	Erdahl	Kelly	Mueller	Savelkoul
Anderson, I.	Erickson	Kempe	Munger	Schreiber
Beckdin	Esau	Klaus	Myrah	Schulz
Belisle	Faricy	Knickerbocker	Nelson	Searle
Bell	Ferderer	Knoll	Newcome	Sherwood
Bennett	Fjoslien	Kostohryz	Niehaus	Sieben, H.
Berg	Forsythe	Kvam	Norton	Sieben, M.
Berglin	Fudro	Laidig	Ohnstad	Skaar
Biersdorf	Fugina	Larson	Ojala	Smith
Braun	Graba	LaVoy	Parish	Spanish
Carlson, A.	Graw	Lemke	Patton	Stanton
Carlson, B.	Grove	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, D.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, L.	Hanson	Lombardi	Pehler	Vanasek
Casserly	Haugerud	Mann	Peterson	Vento
Clifford	Heinitz	McArthur	Pieper	Voss
Connors	Hook	McCarron	Pleasant	Weaver
Culhane	Jacobs	McCauley	Prahl	Wenzel
Cummiskey	Jaros	McEachern	Quirin	Wigley
DeGroat	Johnson, D.	McFarlin	Resner	Wohlwend
Dieterich	Johnson, J.	McMillan	Ryan	Wolcott
Dirlam	Johnson, R.	Menke	St. Onge	Mr. Speaker

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 974

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 974, 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. 974, the typewritten bill, be amended as follows:

Page 4, line 4, strike "1971" and insert "1973 Supplement".

Page 4, line 4, after "144.60," insert "Subdivision 1,".

Page 4, line 17, strike "21" and insert "18".

Page 5, after line 5, insert:

"Sec. 5. Minnesota Statutes 1971, Section 144.60, Subdivisions 2 and 3 are amended to read:"

Page 6, line 15, strike "1971" and insert ", 1973 Supplement".

Page 6, line 24, strike "Upon request,".

Page 6, line 25, after "shall" insert "not".

Page 6, line 25, before "ambulance" insert "newly established".

Page 6, line 26, strike "of Minnesota if" and insert "unless".

Page 6, line 27, after "144.806" insert "and the applicant has demonstrated to the satisfaction of the state board of health at a public hearing that the public convenience and necessity require the proposed ambulance service".

Page 9, line 14, strike "1971" and insert ", 1973 Supplement".

Page 9, line 14, after "149.03," insert "Subdivision 1,".

Page 9, line 28, strike "21" and insert "18".

Page 10, after line 19, insert:

"Sec. 10. Minnesota Statutes 1971, Section 149.03, Subdivisions 2 and 3, are amended to read:"

Page 14, strike lines 3 through 10.

Page 14, line 11, strike "1971" and insert ", 1973 Supplement".

Page 14, line 14, strike "desiring" and insert "not already licensed under sections 156A.01 to 156A.08 who desires".

Page 14, line 24, after "paid." insert "When the board has approved the application, the applicant shall take an examination given by the board.".

Page 14, strike lines 25 through 28.

Page 15, strike lines 1 through 11.

Page 23, line 7, strike "1974" and insert "1975".

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 8, after "144.60" insert ", Subdivisions 2 and 3".

Page 1, line 8, strike "144.802;".

Page 1, line 8, after "149.03" insert ", Subdivisions 2 and 3".

Page 1, line 9, strike "156A.03, Subdivision 2;".

Page 1, line 10, strike "156A.07, Subdivisions 1 and 3;".

Page 1, line 13, after "section" insert "; and Minnesota Statutes, 1973 Supplement, Section 144.60, Subdivision 1; 144.802; 149.03, Subdivision 1; and 156A.07, Subdivision 1".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JAMES C. SWANSON, LYNDON R. CARLSON, and O. J. HEINITZ.

Senate Conferees: B. ROBERT LEWIS, GEORGE R. CONZEMIUS, and ROBERT J. BROWN.

Swanson moved that the report of the Conference Committee on H. F. No. 974 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 974, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Bennett	Braun	Carlson, D.
Andersen, R.	Becklin	Berg	Brinkman	Carlson, L.
Anderson, D.	Belisle	Berglin	Carlson, A.	Casserly
Anderson, G.	Bell	Biersdorf	Carlson, B.	Clifford

Connors	Hagedorn	Larson	Newcome	Savelkoul
Culhane	Hanson	LaVoy	Niehaus	Schreiber
Cummiskey	Haugerud	Lemke	Norton	Schulz
DeGroat	Heinitz	Lindstrom, E.	Ohnstad	Sherwood
Dieterich	Hook	Lindstrom, J.	Ojala	Sieben, H.
Dirlam	Jacobs	Lombardi	Parish	Sieben, M.
Eckstein	Jaros	Mann	Patton	Skaar
Eken	Johnson, D.	McArthur	Pavlak, R.	Smith
Enebo	Johnson, J.	McCarron	Pavlak, R. L.	Spanish
Erdahl	Johnson, R.	McCauley	Pehler	Stanton
Erickson	Jopp	McEachern	Peterson	Swanson
Esau	Jude	McFarlin	Pieper	Tomlinson
Faricy	Kahn	McMillan	Pleasant	Vanasek
Ferderer	Kelly	Menke	Prahl	Vento
Fjoslien	Kempe	Miller, D.	Quirin	Voss
Forsythe	Klaus	Miller, M.	Resner	Wenzel
Fudro	Knickerbocker	Moe	Rice	Wigley
Fugina	Knoll	Mueller	Ryan	Wohlwend
Graba	Kostohryz	Munger	St. Onge	Wolcott
Graw	Kvam	Myrah	Salchert	Mr. Speaker
Growe	Laidig	Nelson	Sarna	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2349

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2349, 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. 2349 be amended as follows:

Page 1, line 6, after "Section 1." insert "Subdivision 1."

Page 1, line 10, strike "Sec. 2." and insert in lieu thereof "Subd. 2."

Page 1, line 10, delete "act" and insert in lieu thereof "section".

Page 1, after section 1 add a new section to read:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. [SALES; WHERE FORBIDDEN.] No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one half mile of such campus except as hereinafter otherwise provided by charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;
- (6) At any place on the east side of the Mississippi river within (ONE) *one tenth* mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; (AND WITHIN ONE MILE OF THE KIRBY STUDENT CENTER BUILDING OF THE UNIVERSITY OF MINNESOTA, DULUTH BRANCH;) a license may be issued under this clause notwithstanding any local law to the contrary;
- (7) Within 1,500 feet of any state college, except as herein provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state college, and at Southwest state college and in determining the distance the measurement shall be along the most direct line from the nearest corner of the administration building of the college to the main entrance of the licensed premises; as to the Valley campus of the Mankato state college in the city of Mankato when the place of sale is within 1,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato, or between the Valley campus and Highland campus or within 1,500 feet of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision."

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

"A bill for an act relating to intoxicating liquor; authorizing the issuance of an additional license in Virginia and eliminating the prohibition of the sale of liquor in certain places; amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: PETER X. FUGINA, THOMAS W. NEWCOME, and JOHN J. SALCHERT.

Senate Conferees: SAM G. SOLON and RICHARD W. FITZSIMONS.

Fugina moved that the report of the Conference Committee on H. F. No. 2349 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2349, A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 79, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Forsythe	Johnson, R.	McCarron
Andersen, R.	Cassery	Fudro	Jude	McEachern
Anderson, I.	Clifford	Fugina	Kahn	McMillan
Belisle	Connors	Graba	Kelly	Menke
Bell	Cummiskey	Graw	Kempe	Miller, D.
Bennett	Dieterich	Growe	Knickerbocker	Moe
Berg	Dirlam	Hanson	Knoll	Mueller
Berglin	Eckstein	Heinitz	Kostohryz	Nelson
Biersdorf	Enebo	Jacobs	LaVoy	Newcome
Brinkman	Faricy	Jaros	Lemke	Ojala
Carlson, A.	Ferderer	Johnson, D.	McArthur	Parish

Patton	Pieper	St. Onge	Spanish	Voss
Pavlak, R.	Prahl	Salchert	Stanton	Wigley
Pavlak, R. L.	Quirin	Sarna	Tomlinson	Wohlwend
Pehler	Resner	Sieben, H.	Vanasek	Mr. Speaker
Peterson	Ryan	Sieben, M.	Vento	

Those who voted in the negative were:

Anderson, D.	Eken	Johnson, J.	Lombardi	Ohnstad
Anderson, G.	Erdahl	Jopp	Mann	Savelkoul
Becklin	Erickson	Klaus	McCauley	Schreiber
Braun	Esau	Kvam	McFarlin	Searle
Carlson, D.	Fjoslien	Laidig	Myrah	Sherwood
Culhane	Haugerud	Larson	Niehaus	Skaar
DeGroat	Hook	Lindstrom, E.	Norton	Wenzel

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2236

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2236, 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. 2236 be further amended as follows:

Page 1, line 11, delete "\$27,500" and insert "\$23,500".

Page 1, line 17, delete "The".

Page 1, delete all of lines 18 and 19 and insert in lieu thereof the following:

"Sec 2. Nothing contained in section 1 shall be construed as requiring any reduction in the salary of any judge in office on the date of enactment of this act."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: R. PAVLAK, ROBERT D. CULHANE, JOHN S. BIERSDORF, ARTHUR M. BRAUN, and RODNEY N. SEARLE.

Senate Conferees: STANLEY N. THORUP, CARL A. JENSEN, MYRTON O. WEGNER, and ROGER D. MOE.

Pavlak, R., moved that the report of the Conference Committee on H. F. No. 2236 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2236, A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 95, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Menke	Ryan
Andersen, R.	Enebo	Jude	Miller, D.	St. Onge
Anderson, I.	Fariacy	Kahn	Miller, M.	Salchert
Bell	Ferderer	Kempe	Moe	Sarna
Bennett	Fjoslien	Knoll	Mueller	Savelkoul
Berg	Forsythe	Kostohryz	Munger	Schreiber
Berglin	Fudro	Laidig	Nelson	Searle
Biersdorf	Fugina	Larson	Newcome	Sieben, H.
Braun	Graba	LaVoy	Norton	Sieben, M.
Brinkman	Graw	Lindstrom, E.	Ohnstad	Smith
Carlson, B.	Growe	Lindstrom, J.	Ojala	Stanton
Carlson, D.	Hanson	Lombardi	Parish	Swanson
Carlson, L.	Heinitz	Mann	Patton	Tomlinson
Cassery	Hook	McArthur	Pavlak, R.	Vanasek
Clifford	Jacobs	McCarron	Pavlak, R. L.	Vento
Connors	Jaros	McCauley	Pehler	Wigley
Culhane	Johnson, D.	McEachern	Pleasant	Wohlwend
Cummiskey	Johnson, J.	McFarlin	Quirin	Wolcott
DeGroat	Johnson, R.	McMillan	Resner	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Dirlam	Esau	Myrah	Sherwood
Anderson, G.	Eckstein	Hagedorn	Niehaus	Skaar
Becklin	Eken	Kelly	Peterson	Spanish
Behlisle	Erdahl	Klaus	Pieper	Voss
Carlson, A.	Erickson	Knickerbocker	Prahl	Wenzel

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3090

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3090, re-

port 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. 3090 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. In the beginning stage of the planning process, and before preparation of any detailed technical plans for the extension of municipal services into an unincorporated area, a city shall meet at least once with the town board of the affected area and the county planning commission, in joint session, to review the plans and consider the comments of the town board and the county planning commission. The city may thereafter proceed to undertake the proposed extension in accordance with applicable law. Any duly organized sewer district or sanitary district created pursuant to special law or pursuant to chapters 115, 116A, or 473C, or section 378.31, is not affected by this act.

Sec. 2. For the purposes of this act, "municipal service" means sewer, water, electrical, or other utility service.

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

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

"A bill for an act relating to local government; requiring a city to meet jointly with a town board and county planning commission before extending certain municipal services into the area governed by the town."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JOE T. NIEHAUS, AL PATTON, and JACK H. LAVOY.

Senate Conferees: ROBERT G. DUNN, JOHN J. BERNHAGEN, and GERALD L. WILLET.

Niehaus moved that the report of the Conference Committee on H. F. No. 3090 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3090, A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Miller, M.	Salchert
Andersen, R.	Eken	Kahn	Moe	Sarna
Anderson, D.	Enebo	Kelly	Mueller	Savelkoul
Anderson, G.	Erdahl	Kempe	Munger	Schreiber
Anderson, I.	Erickson	Klaus	Myrah	Schulz
Becklin	Esau	Knickerbocker	Nelson	Searle
Belisle	Faricy	Knoll	Newcome	Sherwood
Bell	Ferderer	Kostohryz	Niehaus	Sieben, H.
Bennett	Fjoslien	Kvam	Norton	Sieben, M.
Berg	Forsythe	Laidig	Ohnstad	Skaar
Berglin	Fudro	Larson	Ojala	Smith
Biersdorf	Fugina	LaVoy	Parish	Spanish
Braun	Graba	Lemke	Patton	Stanton
Brinkman	Graw	Lindstrom, E.	Pavlak, R.	Swanson
Carlson, A.	Growe	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, D.	Hagedorn	Lombardi	Pehler	Vanasek
Carlson, L.	Hanson	Mann	Peterson	Vento
Casserly	Haugerud	McArthur	Pieper	Voss
Clifford	Heinitz	McCarron	Pleasant	Wenzel
Connors	Hook	McCauley	Prahl	Wigley
Culhane	Jacobs	McEachern	Quirin	Wohlwend
Cummiskey	Jaros	McFarlin	Resner	Wolcott
DeGroat	Johnson, J.	McMillan	Rice	Mr. Speaker
Dieterich	Johnson, R.	Menke	Ryan	
Dirlam	Jopp	Miller, D.	St. Onge	

The bill was repassed, as amended by Conference, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

RESOLUTION

Whereas, those named below are members of the House of Representatives; and

Whereas, they incurred legal fees and costs in suits concerning the validity of their being members of the House of Representatives;

Now, therefore, be it resolved, By the Committee on Rules and Legislative Administration that these members be reimbursed from the Legislative Expense Fund of the House of Representatives for such expenses as follows:

Tony Bennett	\$2,642.73
Robert L. Pavlak	\$2,642.73
Donald M. Moe	\$3,762.30

The question was taken on the adoption of the report and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Jude	Miller, M.	Savelkoul
Andersen, R.	Enebo	Kahn	Mueller	Schreiber
Anderson, D.	Erdahl	Kelly	Munger	Schulz
Anderson, G.	Erickson	Kempe	Myrah	Searle
Anderson, I.	Esau	Klaus	Nelson	Sherwood
Becklin	Fariey	Knickerbocker	Newcome	Sieben, H.
Belisle	Ferderer	Knoll	Niehaus	Sieben, M.
Bell	Fjoslien	Kostohryz	Norton	Skaar
Berg	Forsythe	Kvam	Ohnstad	Smith
Berglin	Fudro	Laidig	Ojala	Spanish
Biersdorf	Fugina	Larson	Parish	Stanton
Brinkman	Graba	LaVoy	Patton	Swanson
Carlson, A.	Graw	Lemke	Pavlak, R.	Tomlinson
Carlson, B.	Growe	Lindstrom, E.	Pehler	Vanasek
Carlson, D.	Hagedorn	Lindstrom, J.	Peterson	Vento
Carlson, L.	Hanson	Lombardi	Pieper	Voss
Casserly	Haugerud	Mann	Pleasant	Wenzel
Clifford	Heinitz	McArthur	Prahl	Wigley
Connors	Hook	McCarron	Quirin	Wohlwend
Culhane	Jacobs	McCauley	Resner	Wolcott
Cummiskey	Jaros	McEachern	Rice	Mr. Speaker
DeGroat	Johnson, D.	McFarlin	Ryan	
Dieterich	Johnson, J.	McMillan	St. Onge	
Dirlam	Johnson, R.	Menke	Salchert	
Eckstein	Jopp	Miller, D.	Sarna	

The report was adopted.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Salchert was excused between the hours of 2:00 p.m. and 4:30 p.m.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration House File No. 2785:

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Quirin moved that the House accede to the request of the Senate for the return of H. F. No. 2785 for further consideration by the Senate. The motion prevailed.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of S. F. No. 3308.

S. F. No. 3308, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Menke	St. Onge
Andersen, R.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, G.	Enebo	Kahn	Miller, M.	Sarna
Anderson, I.	Erdahl	Kelly	Moe	Schreiber
Bell	Erickson	Kempe	Munger	Schulz
Bennett	Faricy	Klaus	Niehaus	Sherwood
Berg	Ferderer	Knoll	Norton	Sieben, H.
Berglin	Forsythe	Kostohryz	Ohnstad	Smith
Biersdorf	Fudro	LaVoy	Parish	Stanton
Brinkman	Graba	Lemke	Patton	Swanson
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, L.	Growe	Lindstrom, J.	Pavlak, R. L.	Vento
Casserly	Hanson	Mann	Pehler	Voss
Clifford	Haugerud	McArthur	Pieper	Wenzel
Connors	Heinitz	McCarron	Pleasant	Wohlwend
Culhane	Jacobs	McCauley	Prahl	Wolcott
Cummiskey	Johnson, D.	McEachern	Quirin	Mr. Speaker
DeGroat	Johnson, J.	McFarlin	Rice	
Dieterich	Johnson, R.	McMillan	Ryan	

Those who voted in the negative were:

Anderson, D.	Eken	Laidig	Myrah	Savelkoul
Becklin	Fjoslien	Larson	Peterson	Skaar
Belisle	Kvam	Lombardi	Resner	Vanasek

The bill was passed and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 988.

S. F. No. 988, A bill for an act relating to inheritance taxes; providing for notification of certain transfers resulting in inheritance tax liability or potential inheritance tax liability; amending Minnesota Statutes 1971, Section 291.20, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	Eckstein	Forsythe
Andersen, R.	Berg	Casserly	Eken	Fudro
Anderson, D.	Berglin	Connors	Enebo	Fugina
Anderson, G.	Biersdorf	Culhane	Erdahl	Graba
Anderson, I.	Brinkman	Cummiskey	Erickson	Graw
Becklin	Carlson, A.	DeGroat	Faricy	Growe
Belisle	Carlson, B.	Dieterich	Ferderer	Hanson
Bell	Carlson, D.	Dirlam	Fjoslien	Haugerud

Hook	Laidig	Miller, M.	Pleasant	Skaar
Jacobs	Larson	Moe	Prahl	Smith
Jaros	LaVoy	Mueller	Quirin	Spanish
Johnson, D.	Lemke	Munger	Resner	Stanton
Johnson, J.	Lindstrom, E.	Myrah	Rice	Swanson
Johnsos, R.	Lindstrom, J.	Nelson	Ryan	Tomlinson
Jopp	Lombardi	Niehaus	St. Onge	Vanasek
Jude	Mann	Norton	Samuelson	Vento
Kahn	McArthur	Ohnstad	Sarna	Voss
Kelly	McCarron	Parish	Savelkoul	Wenzel
Kempe	McCauley	Patton	Schreiber	Wigley
Klaus	McEachern	Pavlak, R.	Schulz	Wohlwend
Knickerbocker	McFarlin	Pavlak, R. L.	Searle	Wolcott
Knoll	McMillan	Pehler	Sherwood	Mr. Speaker
Kostohryz	Menke	Peterson	Sieben, H.	
Kvam	Miller, D.	Pieper	Sieben, M.	

The bill was passed and its title agreed to.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 530, A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

The Senate has appointed as such committee Messrs. Chenoweth; Hanson, R.; and Arnold.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3342.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3342, A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minne-

sota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, and by adding a subdivision.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3342 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Anderson, I., moved that the rules of the House be so far suspended that S. F. No. 3342 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3342 was read for the second time.

S. F. No. 3342, A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minnesota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jopp	Miller, M.	Sarna
Anderson, D.	Eken	Jude	Moe	Savelkoul
Anderson, G.	Enebo	Kahn	Munger	Schreiber
Anderson, I.	Erdahl	Kelly	Myrah	Schulz
Becklin	Erickson	Kempe	Nelson	Searle
Belisle	Faricy	Klaus	Niehaus	Sherwood
Bell	Ferderer	Knickerbocker	Norton	Sieben, H.
Bennett	Fjoslien	Knoll	Ohnstad	Sieben, M.
Berg	Forsythe	Kostohryz	Ojala	Skaar
Berglin	Fudro	Laidig	Parish	Smith
Biersdorf	Fugina	LaVoy	Patton	Spanish
Brinkman	Graba	Lemke	Pavlak, R.	Stanton
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Swanson
Carlson, B.	Grove	Lindsrom, J.	Pehler	Tomlinson
Carlson, D.	Hagedorn	Mann	Peterson	Vanasek
Carlson, L.	Hanson	McArthur	Pieper	Vento
Cassery	Haugerud	McCarron	Prahl	Voss
Connors	Heinitz	McCauley	Quirin	Wenzel
Culhane	Jacobs	McEachern	Resner	Wohlwend
Cummiskey	Jaros	McFarlin	Ryan	Wolcott
DeGroat	Johnson, D.	McMillan	St. Onge	Mr. Speaker
Dieterich	Johnson, J.	Menke	Salchert	

Those who voted in the negative were:

Clifford Kvam Lombardi Pleasant

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3580

March 27, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3580, report

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

Strike everything after the enacting clause and insert:

“Section 1. The sum of \$177,360 appropriated from the general fund for the legislative service commission by Laws 1973, Chapter 720, Section 2, Subdivision 3, is cancelled.

Sec. 2. There is hereby transferred from the appropriation to the commissioner of administration made in Laws 1973, Chapter 778, Section 6, Subdivision 1, Clause (3) for capitol complex building and remodeling the sum of \$19,500 to the house of representatives, salaries, supplies and expense account for the fiscal year 1973-1974. Such sum is hereby appropriated.

Sec. 3. The appropriations made in Laws 1973, Chapter 720, Section 13, Subdivision 3, and in Laws 1973, Chapter 720, Section 20, Subdivision 3, shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 4. There is appropriated to the state boxing commission from the general fund the sum of \$5,000, or so much thereof as may be required, for the purpose of carrying out the duties of the commission during the fiscal year commencing July 1, 1974 and ending June 30, 1975. Funds appropriated by this section are in addition to any other funds appropriated by law.

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 82.34, Subdivision 15, is amended to read:

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sums shall be allocated exclusively for the purposes provided in this section. *All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.*

Sec. 6. Notwithstanding the provisions of Laws 1973, Chapter 720, Section 43, Subdivision 14, or any other law to the contrary there is appropriated to the Arrowhead regional development commission from the natural resource federal reimbursement account the sum of \$50,000 for the development of a water quality management plan for the Lake Superior basin.

Sec. 7. There is appropriated from the general fund to the joint coordinating committee for the legislative reference library the sum of \$216,350 for the biennium ending June 30, 1975.

Sec. 8. [TRANSFER OF FUNDS, COMMISSIONER OF FINANCE.] The commissioner of finance shall transfer to the

general fund the sum of \$32,285.47 from the state airports fund to reimburse the general fund for the appropriation made in Laws 1973, Chapter 300, Section 2, Subdivision 21.

Sec. 9. The appropriation to the department of natural resources made in Laws 1971, Extra Session Chapter 3, Section 48, Subdivision 6 (f) (4), Bonanza Valley deep water survey \$15,000 for the biennium 1971-1973, is hereby reappropriated to the department of natural resources for the same purpose for the biennium ending June 30, 1975.

Sec. 10. There is appropriated to the department of agriculture from the general fund \$35,000 for the fiscal year ending June 30, 1974 and \$35,000 for the fiscal year ending June 30, 1975 for crop and livestock statistical reporting. Such amounts to be added to the appropriations made by Laws 1973, Chapter 720, Section 33.

Publications resulting from the reporting of crop and livestock statistics and not required by the department for its own use and the use of public agencies shall be sold and distributed by the documents section of the department of administration.

Sec. 11. Any unexpended balance not to exceed \$5,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 720, Section 16, Subdivision 2, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 12. There is appropriated to the supreme court from the general fund the sum of \$70,000 for the biennium ending June 30, 1975 for the purchase of furniture and equipment for the remodeled supreme court quarters.

Sec. 13. There is appropriated from the general fund to the university of Minnesota for fiscal year 1974-1975 the sum of \$62,000 which is to be added to the appropriation for that year made in Laws 1973, Chapter 768, Section 11, Subdivision 1.

Sec. 14. Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6, are repealed.

Sec. 15. Minnesota Statutes 1971, Section 176.611, is amended by adding a subdivision 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 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 \$1,960,986.88 heretofore appropriated from the general fund totals \$2,470,000 and constitutes the revolving fund.

Sec. 16. There is appropriated from the general fund, the sum of \$98,000 to the state planning agency for fiscal year 1974-1975 to be added to the appropriation made in Laws 1973, Chapter 720, Section 4, Subdivision 1, for grant administration of Lawcon, Hud, and natural resources acceleration funds.

Sec. 17. There is appropriated from the general fund, the sum of \$300,000 to the department of agriculture, livestock and grain account for the fiscal year ending June 30, 1974 for grain inspection services. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 33.

Sec. 18. There is appropriated from the general fund the sum of \$100,000 to the general contingent account. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 2, Subdivision 9.

Sec. 19. There is appropriated from the general fund for fiscal year 1973-1974 the sum of \$180,224 to the attorney general for the Minnesota peace officers training board-reimbursements to local government. This is in addition to the appropriation of \$100,000 in fiscal year 1971-1972 made by Laws 1971, Extra Session Chapter 3, Section 12, Subdivision 4 (c). This appropriation and moneys heretofore appropriated shall cancel to the general fund on June 30, 1974.

Sec. 20. There is appropriated to the department of commerce from the general fund for fiscal year 1974-1975 the sum of \$20,000 for the administration of "no fault" insurance.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry the sum of \$5,000 for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to at least \$5,000 in monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund the difference between the amounts actually paid for such dependency benefits and \$5,000; but in no event shall the employer pay the commissioner of the department of labor and industry less than \$1,000;

(2) When an employee shall suffer personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or dependents to compensation under sections 176.101 or 176.111, the employer shall in addition to compensation provided therein, pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund a lump sum without interest deduction equal to seven percent of such total compensation, as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties and such amount is approved by the commissioner of the department of labor and industry.

The provisions of clause (1) and clause (2) of this subdivision shall apply to all workmen's compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

The seven percent of the total compensation required to be paid by the employer to the commissioner of the department of labor and industry for the benefit of the special compensation fund as provided in clause (2) of this subdivision shall remain fixed at said seven percent for the period from June 1, 1971, to June 1, 1972. Effective June 1, 1972, and thereafter on June 1, of each subsequent year, the rate shall be adjusted on the following basis: if the balance in the special compensation fund as of April 30 in any year is below \$1,000,000, the rate of payment shall be increased by two percent over the then prevailing rate. If the balance is at least \$1,000,000 but below \$1,500,000, the rate will be increased by one percent. If the balance is at least \$1,500,000 but below \$2,000,000, there shall be no change. If the balance is at least \$2,000,000 but less than \$2,500,000, the rate shall be decreased by one percent. If the balance is at least \$2,500,000, the rate shall be decreased by two percent.

Such sums as are paid to the commissioner of the department of labor and industry pursuant to the provisions hereof, shall be by it deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by chapter 176. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the workmen's compensation division and the workmen's compensation commission in cases before it shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if de-

posit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit under order of the workmen's compensation division or the workmen's compensation commission. There is appropriated to the persons entitled to such refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department of labor and industry for the accounting and legal procedures necessary for administration of the programs financed by the special compensation fund shall (COME FROM THE FUND DURING EACH BIENNIUM COMMENCING JULY 1, 1971 WITH THE SPECIAL COMPENSATION FUND BEING REIMBURSED FROM GENERAL FUND IN THE NEXT REGULAR SESSION OF THE LEGISLATURE) *be paid from the moneys biennially appropriated to the department and not from the special compensation fund.*

Sec. 22. Minnesota Statutes, 1973 Supplement, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. Upon a warrant prepared by the commissioner of the department of labor and industry and approved by the commissioner of finance, and in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of the department of labor and industry shall certify to the state treasurer and to the legislature at the end of each biennium the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a(, INCLUDING THE NECESSARY EXPENSES AND SALARY WHICH THE ATTORNEY GENERAL INCURS IN INVESTIGATING, DEFENDING AND IN MAINTAINING ANY CAUSE OF ACTION AGAINST ANY EMPLOYER). The state treasurer shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section, and the funds required for the purpose of making such reimbursement are hereby annually appropriated.

Sec. 23. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-1975 the sum of \$120,000 for administration of programs financed by the special compensation fund.

Sec. 24. There is appropriated to the commissioner of personnel for the job clarification program from the general fund for fiscal year 1974-1975, the sum of \$75,439 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 1, and the sum of \$7,500 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 2.

The complement of the department of personnel is increased in fiscal year 1974-1975 from 64 to 71.

Sec. 25. There is appropriated to the board of investment from the general fund the sum of \$21,000 for fiscal year 1973-1974 and the sum of \$140,000 for fiscal year 1974-1975. These are to be added to the appropriations made in Laws 1973, Chapter 720, Section 21, Subdivision 1.

The complement of the investment board is increased to 20 for fiscal year 1974 and 22 for fiscal year 1975.

Sec. 26. There is appropriated to the governor the sum of \$40,000 from the general fund for the biennium ending June 30, 1975, for the purpose of hosting the 1974 Midwest governor's conference.

Sec. 27. Laws 1973, Chapter 595, Section 1, is amended to read:

Section 1. [DOVER, EYOTA AND ST. CHARLES AREA SANITARY DISTRICT; ADVANCE OF STATE FUNDS.] At any time after the organization of the sanitary sewer board of the Dover, Eyota and St. Charles area sanitary district as may be provided for by law, the (STATE AUDITOR) *commissioner of finance*, at the request of the board, shall advance to the board for its use in accordance with the purposes specified in section 2, the sum of \$100,000 from moneys on hand in the general fund of the state and not needed for use on or before January 1, (1975) 1976, and such amount is appropriated for this purpose.

Sec. 28. Laws 1973, Chapter 595, Section 2, is amended to read:

Sec. 2. [USE OF FUNDS; REPAYMENT.] The money so advanced shall be used by the sanitary sewer board to carry out its powers and duties to provide for the collection, treatment and disposal of sewage in the Dover, Eyota and St. Charles area sanitary sewer district. The board shall include all expenditures made or to be made from the moneys advanced under section 1 in its 1973 and 1974 budget. All moneys so advanced shall be repaid by the board to the (STATE AUDITOR) *commissioner of finance* on or before January 1, (1975) 1976, with interest from the date of the advance to the date of repayment at the rate of six percent per annum, for deposit in the general fund.

Sec. 29. Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7, is amended to read:

Subd. 7. [APPROPRIATION.] There is annually appropriated to the (COMMISSIONER OF ADMINISTRATION) *personnel board* from the general fund \$10,000 per fiscal year to carry out the functions of the (COMPENSATION REVIEW)

personnel board (UNDER THE PROVISIONS OF SECTION 9). Funds not expended in the first year of a biennium shall not cancel but shall be available in the second year of the biennium. This appropriation shall expire June 30, 1975.

Sec. 30. Minnesota Statutes, 1973 Supplement, Section 176.601, is repealed.

Sec. 31. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.602] *The state treasurer shall only pay from the state compensation revolving fund the awards of compensation and the expenses of other benefits to an employee or his dependent.*

Sec. 32. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.603] *The annual cost to the commissioner of the department of labor and industry of administering this chapter in relation to state employees and the necessary expenses which the department of labor and industry or the attorney general incurs in investigating and defending a claim against the state for compensation shall be paid from the moneys biennially appropriated to the department and not from the state compensation revolving fund.*

Sec. 33. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-75 the sum of \$80,000 for administration of the program financed by the state compensation revolving fund. The complement of the department of labor and industry is increased by 17 positions.

Sec. 34. Minnesota Statutes 1971, Chapter 3, is amended by adding a section to read:

[3.98] [FISCAL NOTES.] *Subdivision 1. The head or chief administrative officer of each department or agency of the state government shall prepare a fiscal note at the request of the chairman of the standing committee to which a bill has been referred, or the chairman of the house appropriations committee, or the chairman of the senate committee on finance.*

Subd. 2. The fiscal note, where possible, shall: (1) cite the effect in dollar amounts; (2) cite the statutory provisions affected; (3) estimate the increase or decrease in revenues or expenditures; (4) include the costs which may be absorbed without additional funds; and (5) specify the long range implication if any. The fiscal note may comment on technical or mechanical defects in the bill but shall express no opinions concerning the merits of the proposal.

Subd. 3. A copy of the fiscal note shall be delivered to the chairman of the committee of appropriations of the house of representatives, the chairman of the committee of finance of the senate, the chairman of the standing committee to which the bill has been referred, to the chief author of the bill and the commissioner of administration.

Subd. 4. The commissioner of administration shall prescribe a uniform procedure to govern the departments and agencies of the state in complying with the requirements of this section.

Sec. 35. Minnesota Statutes, 1973 Supplement, Section 15A.083, is amended by adding a subdivision to read:

Subd. 4. Tax court

Salaries of members of the tax court \$10,500

Sec. 36. Minnesota Statutes 1971, Section 271.01, Subdivision 4a, is amended to read:

Subd. 4a. Each member of the tax court shall receive (AS FULL) compensation for time spent in the performance of his duties(, THE SUM OF \$9,000 PER YEAR). He shall also receive his actual and necessary expenses paid or incurred in the performance of his duties as provided in Minnesota Statutes, 1973 Supplement, Section 15A.211.

Sec. 37. There is appropriated from the general fund to the tax court for the period beginning April 1, 1974 and ending June 30, 1975, the sum of \$5,625. This sum is to be added to the appropriation provided in Laws 1973, Chapter 720, Section 12, Subdivision 1.

Sec. 38. The appropriation made in Laws 1973, Chapter 620, Section 7 shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 39. The sum of \$440,000 is appropriated from the general fund to the department of administration for the purpose of preventive maintenance in the capitol complex. This appropriation shall be for the biennium ending June 30, 1975.

Sec. 40. The sum of \$110,000 is appropriated from the general fund to the department of administration for the purchase of fuel for the capitol complex. This appropriation shall be added to the appropriation for the period ending June 30, 1974 made in Laws 1973, Chapter 720, Section 20, Subdivision 1.

Sec. 41. The sum of \$200,000 is appropriated from the general fund to the department of finance for the fiscal year ending June 30, 1974 to complete the implementation of the statewide accounting system.

Sec. 42. Minnesota Statutes 1971, Section 16.07, is amended by adding a subdivision to read:

Subd. 15. In recognition of the state's current energy crisis, the commissioner of administration, until July 1, 1977, and with the approval of the executive council, may annually establish by regulation categories of supplies, materials, equipment or services which may be purchased in the open market, provided that the commissioner shall first conduct investigations and certify to the executive council that he cannot obtain competitive bids therefor. Regulations promulgated pursuant to this act shall not be subject to the administrative procedure act. The executive council may withdraw its approval of any such category or commodity therein at any time and thereupon purchases thereof shall be made in the manner otherwise provided by law.

Sec. 43. Minnesota Statutes, 1973 Supplement, Section 16.15, Subdivision 1, is amended to read:

16.15 Subdivision 1. [WHEN TO BE SUBMITTED.] The governor shall, within three weeks after the first Monday in January in each odd-numbered year, submit the budget to the legislature. *It shall include recommendations as to capital expenditure.* The budget shall include two parts.

Sec. 44. [16.874] After July 30, 1974, the Fort Snelling Chapel, located within the boundaries of Fort Snelling State Park, shall not be available for use except upon the payment of a rental fee. The commissioner of administration shall establish rental fees for both public and private use. The rental fee for private use by any organizations or individual shall reflect the reasonable value of equivalent rental space. Rental fees collected pursuant to this section shall be deposited in the general fund.

Sec. 45. [PUBLIC POLICY.] Subdivision 1. The legislature of the state of Minnesota hereby declares that it is an important purpose and function of state government to preserve the people's appreciation of the heritage of the state and to promote and enrich their knowledge and understanding of the government and political tradition of the state; and that there is an urgent need to further these goals by: supporting research; developing resource materials and workshops for public and nonpublic high school students, college interns, and teachers; and utilizing the unique talents and experience of the members of the legislative, executive and judicial branches of the state government.

Subd. 2. [MINNESOTA HISTORY AND GOVERNMENT LEARNING CENTER.] (a) There is hereby established a Minnesota history and government learning center.

(b) The center shall be co-sponsored by the Minnesota historical society, the Minnesota state college board and the Minnesota state board of education.

(c) The headquarters of the center shall be the Minnesota historical society.

(d) The director of the Minnesota historical society shall appoint the administrator of the center after consultation with the executive council of the Minnesota historical society, the chancellor of the state college board and the commissioner of education.

(e) High school and college students selected for workshops sponsored by the center shall be apportioned evenly among the legislative districts of the state.

Subd. 3. [APPROPRIATION.] There is hereby appropriated to the Minnesota historical society the sum of \$50,000 from the general fund to carry out the purposes of this section.

Sec. 46. Notwithstanding the provisions of Laws 1973, Chapter 718, Section 10 or any other law to the contrary, the commissioner of highways is authorized to acquire by gift, purchase or condemnation proceeding a building and land at Wells, Minnesota to be used for field maintenance. Moneys for the purchases shall come from the appropriation made in section 10 of the before mentioned laws.

Sec. 47. Notwithstanding any other law to the contrary, the commissioner of administration shall, effective July 1, 1974 or as soon thereafter as practicable, charge state employees for any parking facilities which are used by them and furnished for their use pursuant to any lease entered into between the state of Minnesota and the lessor of any privately owned property situated in the seven county metropolitan area.

Sec. 48. There is appropriated to the state planning agency from the general fund the sum of \$246,000 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 342, Section 9, for the operation of the environmental quality council.

Sec. 49. There is appropriated to the commissioner of agriculture from the general fund the sum of \$30,000 for the fiscal year ending June 30, 1974 and \$30,000 for the fiscal year ending June 30, 1975 for the purpose of paying rent. These amounts are to be added to the appropriations made in Laws 1973, Chapter 720, Section 33.

Sec. 50. There is appropriated to the traffic safety contingent account from the trunk highway fund the sum of \$250,000 for the biennium ending June 30, 1975. This amount is to be

added to the appropriation made in Laws 1973, Chapter 720, Section 2, Subdivision 14.

Sec. 51. There is appropriated to the commissioner of highways from the trunk highway fund the sum of \$235,000. This amount is to be added to the appropriation made in Laws 1973, Chapter 718, Section 10, for buildings and improvements.

Sec. 52. Laws 1973, Chapter 720, Section 31, Subdivision 2, is amended to read:

Subd. 2. Advertising and publications.

1974	\$300,000.	1975	\$300,000.
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Not more than \$15,000 each year may be expended *through contract or by state employees* for promotional expense.

Sec. 53. There is appropriated to the criminal justice contingent account from the general fund the sum of \$133,068 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 720, Section 2.

Sec. 54. There is appropriated from the general fund to the university of Minnesota the sum \$403,935 for maintenance and operations for the fiscal year ending June 30, 1974 and \$125,000 for general research for the fiscal year ending June 30, 1975. These appropriations are in addition to those made by Laws 1973, Chapter 768, Sections 4, Subdivision 1; and 11, Subdivision 6, respectively.

Sec. 55. All powers, duties, and responsibilities of the state auditor with respect to state bonds, except those conferred by the constitution, have been transferred to the commissioner of finance as successor to the state auditor by Laws 1973, Chapter 492. Whenever in any law adopted by the 68th legislature any such powers, duties, or responsibilities are stated to be conferred or imposed upon the state auditor, they shall be deemed to be conferred and imposed upon the commissioner of finance.

Sec. 56. Notwithstanding any provision of law to the contrary, the commissioner of administration shall not approve any contract for cleaning or food services in or for state buildings until June 30, 1975 which will result in the layoff or termination of employees in the classified service.

Sec. 57. Subdivision 1. The director of the state planning agency shall conduct or cause to be conducted within state government studies of the transportation of grain: (1) from northwestern Minnesota to Duluth, Minnesota and (2) from Minneapolis to the gulf of Mexico region. The studies shall examine the feasibility and advantages or disadvantages of all possible meth-

ods of transportation including barge transportation on the Mississippi river of such grain. The director shall report to the legislature the results of his study no later than December 31, 1974.

Subd. 2. [APPROPRIATION.] The sum of \$25,000 is appropriated from the general fund to the state planning agency for the biennium ending June 30, 1975 for the purposes of this act.

Sec. 58. Minnesota Statutes 1971, Section 268.071, is amended by adding a subdivision to read:

Subd. 7. If the Federal-State Extended Unemployment Compensation Act of 1970 is amended so as to authorize this state to pay benefits for an extended benefit period in a manner other than that currently provided by this section, then, and in such case, all the terms and conditions contained in the amended provisions of such federal law shall become a part of this section to the extent necessary to authorize the payment of benefits to eligible individuals as permitted under such amended provision.

Sec. 59. In order to reimburse the city of Staples for the loss of gross earnings aids for the year 1973 as a result of the use of an inadequate valuation formula, the sum of \$12,730 is appropriated to the city of Staples from the general fund in the state treasury.

Sec. 60. Minnesota Statutes 1971, Section 145.123, Subdivision 1, is amended to read:

145.123 [PUBLIC HEALTH AND HOME HEALTH SERVICES.] Subdivision 1. [CHARGING OF FEES.] The county board of any county providing public health and home health services under Minnesota Statutes, Sections 145.08 and 145.12, and the governing body of a nursing district formed under section 145.08, subdivision 3, may charge and collect fees for such health services furnished to (ILL OR DISABLED) persons within the county or the nursing district. Payment, in whole or in part, for such services may be accepted from any person. Payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief.

Sec. 61. The state department of corrections, upon the request of the Reverend Francis J. Miller Memorial Foundation, Incorporated, is empowered and directed to return to said foundation the unexpended balance of moneys heretofore given to the state as a gift by said foundation for the purpose of constructing a memorial chapel at the Minnesota state prison, Still-

water, Minnesota. Such moneys as are necessary to carry out the provisions of this section are hereby appropriated to the state department of corrections.

Sec. 62. The appropriation contained in Laws 1973, Chapter 778, Section 6, Subdivision 1, Clause (9) may also be expended by the commissioner of administration to remodel and improve the state owned property located at 671 North Robert Street, St. Paul, Minnesota.

Sec. 63. Minnesota Statutes, 1973 Supplement, Section 1.36, Subdivision 1, is amended to read:

1.36 [COMPENSATION AND REIMBURSEMENT FOR EXPENSES.] Subdivision 1. Members of the commission (AND MEMBERS OF THE ADVISORY COMMITTEE) shall serve without compensation, but the actual and necessary expenses incurred by any member thereof in the performance of his duties shall be reimbursed from the appropriations made for the support of the commission by the state of Minnesota.

Sec. 64. [WORTHINGTON; CITY OF; APPROPRIATION FOR SPECIAL ASSESSMENTS.] The sum of \$2,088.74 is appropriated from the general fund to the city of Worthington to pay special assessments levied against Worthington community college for street improvements on streets abutting its property.

Sec. 65. The sum of \$200,000 is appropriated from the general fund to the governor for the purpose of distributing to the Minnesota American revolution bicentennial commission to match federal funds to be given to the commission by the national bicentennial commission, for the biennium ending June 30, 1975.

Sec. 66. Subdivision 1. [SHADE TREE DISEASE CONTROL.] As used in subdivisions 1 to 12 the terms defined in this subdivision shall have the meanings given them.

(a) "Metropolitan area" means the area comprising the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver. (b) "Commissioner" means the commissioner of agriculture. (c) "Municipality" means any city or any town exercising municipal powers pursuant to Minnesota Statutes, Section 368.01, or any general or special law, located in the metropolitan area or any special park district as organized under Minnesota Statutes, Chapter 398, or any special purpose park district organized under the city charter of a city of the first class located in the metropolitan area, or any portion of a county in such metropolitan area located outside the geographic boundaries of a city or town exercising municipal powers and any municipality located outside the metropolitan area which petitions

to and has consent of the commissioner to come within the provisions of this section.

(d) "Shade tree disease" means Dutch elm disease or oak wilt disease.

Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner shall adopt and from time to time may amend, rules and regulations relating to shade tree disease control in the metropolitan area in accordance with Minnesota Statutes, Sections 15.0411 to 15.0422. Such rules and regulations shall prescribe control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) a definition of shade tree, (b) qualifications for tree inspectors, (c) methods of identifying diseased shade trees, (d) procedures for giving reasonable notice of inspection of private real property, (e) measures for the treatment and removal of any shade tree which may contribute to the spread of shade tree disease, and (f) such other matters as shall be determined to be necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this section. In accordance with the rules and regulations adopted by the commissioner, and reasonable notice of inspection having been given to the owner of the real property, diseased shade trees shall be removed or treated by the owner of the real property on which such diseased shade trees are located within a period of time as may be established by the commissioner. In the case of the expense of removing or treating diseased shade trees located on street terraces or boulevards, not more than 50 percent of such expense may be assessed to the abutting properties by the municipality which expense shall become a lien on the property. Trees which are not removed or treated shall be declared a public nuisance and removed by the municipality which may assess the total expense or any part thereof to the property which expense shall become a lien on the property.

Subd. 3. The rules and regulations of the commissioner shall apply in a municipality unless the municipality adopts an ordinance which is determined by the commissioner to be more stringent than the rules and regulations of the commissioner. The rules and regulations of the commissioner or the more stringent ordinance of the municipality shall be in effect 60 days from the effective date of this section.

Subd. 4. (a) A municipality may provide subsidies to private property owners for the treatment or removal of diseased shade trees provided, however, that the cost to the municipality for providing such subsidies shall be within the limitations set forth in Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.56.

(b) Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a

municipality to provide protection against the cost of treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or treatment under such terms and conditions as may be determined by the governing body of the municipality.

Subd. 5. (a) [TREE INSPECTOR.] Within 75 days from the effective date of this act, the governing body of each municipality shall appoint a qualified person to administer the rules and regulations of the commissioner or the more stringent shade tree disease control ordinance who shall be known as the tree inspector. In accordance with the provisions of Minnesota Statutes, 1973 Supplement, Section 471.59, two or more municipalities may jointly appoint a tree inspector for the purpose of administering the regulations or ordinance within their communities. In those municipalities which have not appointed a tree inspector upon the expiration of 75 days from the effective date of this section, the commissioner may appoint a tree inspector to serve the municipality until the municipality has made an appointment. If the commissioner is unable to make such appointment he may assign a qualified employee of the department of agriculture to perform the duties of the tree inspector. The expense of a tree inspector appointed by the commissioner shall be paid by the municipality. If an employee of the department of agriculture performs such duties the expense shall be billed to the municipality and paid into the state treasury and credited to the general fund.

(b) Upon a determination by the commissioner that a candidate for the position of the inspector is qualified, he shall issue a certificate to the tree inspector that he is so qualified. Any person certified as a tree inspector by the commissioner is authorized upon prior notification to enter and inspect any public or private property which might harbor diseased shade trees.

(c) [DECERTIFICATION.] The commissioner may upon notice and hearing, decertify any tree inspector when it appears to him that said tree inspector has failed to act competently or in the public interest in the performance of his duties. Such notice shall be provided and the hearing conducted in accordance with the provisions of Minnesota Statutes, Chapter 15, governing contested case proceedings. Nothing in this clause shall limit or otherwise affect the authority of a municipality to dismiss or suspend a tree inspector at its discretion; except as otherwise provided by law.

Subd. 6. [TAX LEVIES.] Except as provided in subdivision 4, the costs to a municipality implementing this act including removal or treatment of trees from municipally or privately owned property shall be deemed a "special levy" and may be outside all existing tax levy limitations including those contained in Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.56.

Subd. 7. [FINANCING.] (a) A municipality may collect the amount assessed against the property as a special assessment and may issue obligations as provided in Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1, provided that a municipality as its option make any assessment levied payable with interest in installments not to exceed five years from the date of the assessment.

(b) After a contract for the removal or treatment of trees on private property has been let, or the work commenced, the municipality may issue obligations to defray the expense of any such work financed by special assessments imposed upon private property. Minnesota Statutes, Section 429.091 shall apply to such obligations with the following modifications:

(1) Such obligations shall be payable not more than five years from the date of issuance; and

(2) No election shall be required.

Obligations issued under the provisions of this clause shall not be considered bonded indebtedness for the purposes of Minnesota Statutes, 1973 Supplement, Sections 273.13, Subdivisions 6 and 7. The certificates shall not be included in the net debt of the issuing municipality.

Subd. 8. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any certificates of indebtedness issued under subdivisions 6 and 7 shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this section.

Subd. 9. [DIAGNOSTIC LABORATORY.] The commissioner of agriculture shall operate a diagnostic laboratory for culturing diseased trees for positive identification of diseased shade trees.

Subd. 10. [COOPERATION BY UNIVERSITY.] The university of Minnesota college of agriculture shall cooperate with the department of agriculture in control of shade tree disease. The college of agriculture shall also conduct research into means for identifying diseased shade trees, shall develop and evaluate control measures, shall develop means for disposing of and utilizing diseased shade trees.

Subd. 11. [REPORT TO THE LEGISLATURE.] On or before January 31 of each succeeding year, the commissioner shall report to the legislature on the preceding year's plans and control programs which have been implemented for shade tree diseases in the metropolitan area.

Subd. 12. [APPROPRIATION.] There is appropriated to the regents of the university of Minnesota the sum of \$35,000 and to the commissioner of agriculture the sum of \$65,000 for the fiscal year ending June 30, 1975, from the general fund, for the purposes of this section.

Subd. 13. The provisions of Minnesota Statutes, Sections 18.021 to 18.022, which are inconsistent with this act are hereby superseded for any municipality as defined in subdivision 1, clause (c), of this section.

Sec. 67. The restriction imposed by Laws 1971, Chapter 864, Section 3, to the appropriation made to the Minneapolis library board by Laws 1973, Chapter 720, Section 43, Subdivision 2, Clause (j), is hereby rescinded. The appropriation referred to however shall not be used to collect or catalogue unpublished personal papers or manuscripts or records or other material properly in the scope of the duties of the Minnesota historical society or subject to the laws on archives.

Sec. 68. [ADVISORY COMMISSION ON FLUCTUATING SCHOOL ENROLLMENTS; CREATION.] Subdivision 1. There is hereby created an advisory commission to the legislature and the state board of education which shall be known as the advisory commission on fluctuating school enrollments, hereinafter referred to as the commission.

Subd. 2. (a) [MEMBERSHIP.] The commission shall be composed of 11 members to be appointed by the governor with the advice and consent of the senate, and shall consist of:

- (1) One certified elementary or secondary education school teacher;
- (2) One certified special education school teacher;
- (3) One elementary or secondary school administrator;
- (4) One superintendent of schools;
- (5) One representative of the Minnesota state high school league;
- (6) One current member of a school board; and
- (7) Five public members, two of whom shall have demonstrated expertise in the field of school finance.

No two commission members shall reside in the same school district.

(b) [EX OFFICIO MEMBERS.] One designee of the chairman of the senate committee on education, one designee of the chairman of the house of representatives committee on education and one designee of the state board shall serve as non-voting members of the commission.

(c) [TERMS.] All members shall serve a term of three years; however, every member shall continue in office until his successor has been duly named and qualified. When a vacancy occurs, it shall be filled within 30 days in the manner of the original appointment and all subsequent appointees must be qualified in the manner of the members they succeed.

(d) [COMPENSATION; EXPENSES.] Commission members shall be paid compensation of \$35 per day for each day spent in performance of their duties, plus ordinary and necessary expenses in the same amount and manner as state employees.

(e) [EXPIRATION.] Unless specifically renewed by the legislature, the authorization for this commission shall expire on June 30, 1977.

Subd. 3. [POWERS AND DUTIES OF THE COMMISSION.]

(a) The commission shall meet and organize within 30 days of its appointment. It shall elect from its membership a chairman and such other officers as it deems necessary.

(b) The commission shall examine, by whatever means it deems appropriate, the impact of fluctuating school enrollments and their consequential effect on the quality and cost of education.

(c) The commission shall make any investigations and conduct any hearings necessary to accomplish its purposes.

(d) The commission may employ such professional, clerical, and technical assistants as it deems necessary in order to accomplish its purposes.

(e) In carrying out its objectives, the commission shall have the right to confer with state officials and other governmental units, and to have access to such records as are necessary to obtain needed information. The commission shall also have the right to call upon and receive from various state departments, agencies, and institutions such technical advice and service as are reasonably needed to fulfill the purposes of the commission.

(f) Before January 15, 1976, the commission shall present to the legislature and the state board its preliminary findings and recommendations regarding incentives for additional coop-

eration among school districts, the optimal size of regional units of cooperation and appropriate teacher-pupil ratios. The commission shall present its final report to the legislature and the state board before January 15, 1977.

(g) Recommendations of the commission shall be given to all school boards and school districts at the time they are presented to the legislature and the state board.

Subd. 4. The provisions of Minnesota Statutes, Section 363.01, Subdivision 10, shall not apply to separation, based on sex, of athletic programs of educational institutions. This section shall expire July 1, 1975.

Subd. 5. There is hereby appropriated from the general fund the sum of \$30,000 for use by the commission to carry out the purposes of this section. This appropriation shall be available until expended or until the purposes of this section are completed.

Subd. 6. Subdivisions 1 to 5 shall be effective on June 1, 1974.

Sec. 69. Minnesota Statutes 1971, Chapter 3, is amended by adding a section to read:

[3.965] [COMMITTEE TO REVIEW ADMINISTRATIVE RULES.] *Subdivision 1. [COMPOSITION; MEETINGS.] A legislative joint committee for review of administrative rules defined pursuant to sections 15.0411 to 15.0422, consisting of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives shall be appointed. The committee shall meet at the call of its chairman or upon a call signed by two of its members or signed by five members of the legislature. The joint committee chairmanship shall alternate between the two houses of the legislature every two years.*

Subd. 2. [REVIEW OF RULES BY COMMITTEE.] The committee shall promote adequate and proper rules by agencies and an understanding upon the part of the public respecting them. It may hold public hearings to investigate complaints with respect to rules if it considers the complaints meritorious and worthy of attention and may, on the basis of the testimony received at the public hearings, suspend any rule complained of by the affirmative vote of at least six members provided the provisions of subdivision 4 have been met. If any rule is suspended, the committee shall as soon as possible place before the legislature, at the next year's session, a bill to repeal the suspended rule. If the bill is defeated, or fails of enactment in that year's session, the rule shall stand and the committee may not suspend it again. If the bill becomes law, the rule is repealed and shall not be enacted again unless a law specifically authorizes the adoption of that rule. The committee shall make a biennial report to the leg-

islature and governor of its activities and include therein its recommendations.

Subd. 3. [PUBLIC HEARINGS BY STATE DEPARTMENTS.] By a vote of a majority of its members, the committee may request any department issuing rules to hold a public hearing in respect to recommendations made pursuant to subdivision 2. The department shall give notice as provided in section 15.0412, subdivision 4 of a hearing thereon, to be conducted in accordance with section 15.0412. The hearing shall be held not more than 60 days after receipt of the request.

Subd. 4. [REVIEW BY STANDING COMMITTEES.] Before the committee suspends any rule, it shall request the speaker of the house and the president of the senate to refer the question of suspension of the given rule or rules to the appropriate committee or committees of the respective houses for the committees' recommendation. No suspension shall take effect until the recommendation is received, or 60 days after referral. However, the recommendation shall be advisory only.

Sec. 70. The city of Hanska may acquire, by purchase, gift, condemnation or otherwise, any real or personal property for the purpose of providing educational facilities to be leased to independent school districts Numbers 88, 837, and 840, or any combination thereof. The city council of the city of Hanska may provide for the acquisition of the property and for the construction, furnishing, and equipping of any buildings thereon in such manner and upon such terms and conditions as it deems appropriate. The city council may issue general obligation bonds of the city for the acquisition and betterment of any such property in accordance with Minnesota Statutes, Chapter 475; provided that, if the school districts agree to pay rentals to the city at the times and in the amounts required to provide funds sufficient to pay when due all principal and interest on the bonds, the bonds shall not be included in the net debt of the city for the purpose of any limitation on its indebtedness and except as otherwise provided herein an election shall not be required to authorize their issuance. The resolution of the city determining to issue the bonds shall be published in the official newspaper. If within 15 days after publication a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular city election is filed with the city clerk, the bonds shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. Any such agreement shall provide for payment of the required rentals by the school districts at least annually and the share of each district shall be based upon an equitable distribution formula agreed upon by the participating districts and approved by the commissioner of education.

Sec. 71. The sum of \$32,500 is appropriated from the general fund to the department of highways for the fiscal year end-

ing June 30, 1974 to partially reimburse the department for costs incurred in the implementation of the metropolitan car pooling program.

This appropriation is to be added to the appropriation made in Laws 1973, Chapter 718, Section 8 for the fiscal year ending June 30, 1974.

Sec. 72. Laws 1973, Chapter 380, Sections 6, 7, 10, 11, and 12; Laws 1973, Chapter 556, Section 1; and Laws 1973, Chapter 717, Sections 22 and 24, are repealed.

Sec. 73. Except as may be otherwise provided for herein, this act is in effect the day following its final enactment.”.

Further, strike the title in its entirety and insert in lieu thereof:

“A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; creating an advisory commission on school enrollments; establishing a joint legislative committee; establishing a shade tree disease control program; authorizing the issuance of certain local bonds; the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the preparation of fiscal notes; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 145.123, Subdivision 1; 176.611, by adding a subdivision; 268.071, by adding a subdivision; 271.01, Subdivision 4a; Chapters 3, by adding sections; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 1.36, Subdivision 1; 15A.083, by adding a subdivision; 16.15, Subdivision 1; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapter 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601; Laws 1973, Chapters 380, Sections 6, 7, 10, 11, and 12; 556, Section 1; and 717, Sections 22 and 24.”.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JEROME M. HUGHES, GERALD L. WILLET, RICHARD W. FITZSIMONS, J. A. JOSEFSON, and JACK DAVIES.

House Conferees: FRED C. NORTON, NEIL S. HAUGERUD, GORDON O. VOSS, DELBERT F. ANDERSON, and RICHARD A. ANDERSEN.

Norton moved that the report of the Conference Committee on S. F. No. 3580 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 94, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Sarna
Andersen, R.	Eken	Kelly	Munger	Schulz
Anderson, D.	Enebo	Klaus	Nelson	Searle
Anderson, G.	Erdahl	Knickerbocker	Newcome	Sherwood
Becklin	Erickson	Laidig	Niehaus	Sieben, M.
Belisle	Esau	Larson	Norton	Skaar
Bennett	Faricy	LaVoy	Ojala	Smith
Biersdorf	Forsythe	Lemke	Parish	Stanton
Braun	Fudro	Lindstrom, E.	Patton	Swanson
Brinkman	Fugina	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Mann	Pehler	Vanasek
Carlson, B.	Hagedorn	McArthur	Peterson	Vento
Carlson, L.	Hanson	McCarron	Quirin	Voss
Casserly	Haugerud	McCauley	Resner	Wenzel
Connors	Heinitz	McEachern	Rice	Wigley
Culhane	Jacobs	McFarlin	Ryan	Wohlwend
Cummskey	Johnson, D.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, J.	Miller, D.	Salchert	Mr. Speaker
Dirlam	Johnson, R.	Miller, M.	Samuelson	

Those who voted in the negative were:

Anderson, I.	Ferderer	Jopp	Lombardi	Pleasant
Bell	Fjoslien	Kahn	Menke	Prahl
Berg	Graw	Kempe	Myrah	Saveikoul
Berglin	Grove	Knoll	Ohnstad	Schreiber
Clifford	Hook	Kostohryz	Pavlak, R.	Sieben, H.
Dieterich	Jaros	Kvam	Pieper	

The motion prevailed.

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 118, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Eken	Jopp	Miller, M.	Sarna
Anderson, D.	Enebo	Jude	Moe	Savelkoul
Anderson, G.	Erdahl	Kahn	Munger	Schreiber
Anderson, I.	Erickson	Kelly	Myrah	Schulz
Becklin	Esau	Klaus	Nelson	Searle
Belisle	Faricy	Knickerbocker	Newcome	Sherwood
Bell	Ferderer	Knoll	Niehaus	Sieben, H.
Bennett	Fjoslien	Kostohryz	Norton	Sieben, M.
Berg	Forsythe	Kvam	Ohnstad	Skaar
Berglin	Fudro	Larson	Ojala	Smith
Biersdorf	Fugina	LaVoy	Parish	Stanton
Braun	Graba	Lemke	Patton	Swanson
Brinkman	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, A.	Growe	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, B.	Hagedorn	Lombardi	Pehler	Vento
Carlson, D.	Hanson	Mann	Peterson	Voss
Carlson, L.	Haugerud	McArthur	Pieper	Wenzel
Casserly	Heinitz	McCarron	Quirin	Wigley
Connors	Hook	McCauley	Resner	Wohlwend
Culhane	Jacobs	McEachern	Rice	Wolcott
Cummiskey	Jaros	McFarlin	Ryan	Mr. Speaker
DeGroat	Johnson, D.	McMillan	St. Onge	
Dieterich	Johnson, J.	Menke	Salchert	

Those who voted in the negative were:

Clifford Kempe Pleasant

The bill was repassed, as amended by Conference, and its title agreed to.

UNANIMOUS CONSENT

Anderson, I., and Dirlam requested unanimous consent to introduce a resolution. The request was granted.

Anderson, I., and Dirlam introduced House Concurrent Resolution No. 15 and moved its adoption.

SUSPENSION OF RULES

Anderson, I., and Dirlam moved that the rules of the House be so far suspended that House Concurrent Resolution No. 15 be now considered and placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 15

A house concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that on adjournment sine die of the 68th regular

session of the Legislature, bills shall be presented to the Governor in conformity with the provisions of this resolution and as follows:

(a) That the Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment;

(b) That the Chief Clerk of the House of Representatives and the Secretary of the Senate in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration shall carefully engross and enroll each bill and make delivery thereof to the Governor in the same manner as each bill is engrossed and enrolled and delivered to the Governor prior to the adjournment of the Legislature sine die;

(c) That the Revisor of Statutes shall continue to assist in all of the functions relating to the engrossment and enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die;

(d) That this concurrent resolution is enacted in accordance with the requirements of the Constitution, Article IV, Section 11; and

Be It Further Resolved, that the Chief Clerk of the House of Representatives deliver a copy of this Resolution to the Governor, and the Secretary of State.

The question was taken on the adoption of the resolution, and the resolution was adopted.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 862

March 28, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 862, 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. 862 be further amended as follows:

Page 2, after line 5, insert: "*Farm trailers with a gross weight of less than 10,000 pounds and used exclusively for transporting agricultural products from farm to market shall not be required to be equipped with brakes.*"

Page 4, line 21, delete "*vehicles exempted by section 169.43*" and insert in lieu thereof "*trucks with gate, loading rack or partition carried in any manner on any part of the exterior of the truck where the top and bottom of the gate, loading rack or partition is securely attached to the truck so as to prevent swinging or becoming loose, or to trucks with a tail gate or tail-board hanging down or projecting from the vehicle while the vehicle is being loaded or unloaded when the load on the tail-board renders impossible the closing of the tail-board*".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: JAMES PEHLER, GORDON O. VOSS, and GARY W. LAIDIG.

Senate Conferees: ROBERT D. NORTH, FLORIAN CHMIELEWSKI, and JOHN L. OLSON.

Pehler moved that the report of the Conference Committee on H. F. No. 862 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 54, and nays 65, as follows:

Those who voted in the affirmative were:

Andersen, R.	Brinkman	Clifford	Heinitz	Knickerbocker
Bell	Carlson, A.	Cummiskey	Jacobs	Knoll
Bennett	Carlson, B.	Dieterich	Jaros	Kostohryz
Berg	Carlson, L.	Enebo	Johnson, D.	Laidig
Berglin	Cassery	Fugina	Kahn	LaVoy

Mann	Miller, D.	Ojala	Quirin	Swanson
McArthur	Moe	Parish	Resner	Tomlinson
McCarron	Munger	Patton	Rice	Vento
McCauley	Nelson	Pavliak, R.	Salchert	Voss
McFarlin	Newcome	Pehler	Sieben, H.	Mr. Speaker
McMillan	Norton	Pleasant	Sieben, M.	

Those who voted in the negative were:

Adams, J.	Eken	Haugerud	Lombardi	Savelkoul
Anderson, D.	Erdahl	Hook	McEachern	Schreiber
Anderson, G.	Erickson	Johnson, J.	Miller, M.	Schulz
Anderson, I.	Esau	Jopp	Mueller	Searle
Becklin	Faricy	Jude	Myrah	Sherwood
Belisle	Ferderer	Kelly	Niehaus	Smith
Biersdorf	Fjoslien	Kempe	Ohnstad	Spanish
Braun	Fudro	Klaus	Peterson	Stanton
Carlson, D.	Graba	Kvam	Pieper	Vanasek
Culhane	Graw	Larson	Prahl	Wenzel
DeGroat	Growe	Lemke	St. Onge	Wigley
Dirlam	Hagedorn	Lindstrom, E.	Samuelson	Wohlwend
Eckstein	Hanson	Lindstrom, J.	Sarna	Wolcott

The bill was not repassed, as amended by Conference.

MOTION FOR RECONSIDERATION

Anderson, I., moved that the vote whereby H. F. No. 862 was not passed today, as amended by Conference, be now reconsidered. The motion prevailed.

Pehler moved that the action whereby the House adopted the Conference Committee Report on H. F. No. 862 be now reconsidered. The motion prevailed.

Pehler moved that the present House Conference Committee on H. F. No. 862 be continued, and that the bill be returned to the Conference Committee. The motion prevailed.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3334, A bill for an act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 3334 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3334, A bill for an act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 4.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Moe	Sarna
Andersen, R.	Eckstein	Jude	Mueller	Savelkoul
Anderson, D.	Eken	Kahn	Myrah	Schreiber
Anderson, G.	Enebo	Kelly	Nelson	Schulz
Anderson, I.	Erdahl	Kempe	Newcome	Searle
Becklin	Erickson	Knickerbocker	Niehaus	Sherwood
Belisle	Esau	Knoll	Norton	Sieben, H.
Bell	Faricy	Kostohryz	Ohnstad	Sieben, M.
Bennett	Ferderer	Kvam	Ojala	Skaar
Berg	Fjoslien	Laidig	Parish	Smith
Berglin	Fudro	Larson	Patton	Spanish
Biersdorf	Fugina	LaVoy	Pavlak, R.	Stanton
Braun	Graba	Lemke	Pavliak, R. L.	Swanson
Brinkman	Graw	Lindstrom, E.	Pehler	Tomlinson
Carlson, A.	Growe	Lombardi	Peterson	Vento
Carlson, B.	Hagedorn	Mann	Pieper	Voss
Carlson, D.	Hanson	McArthur	Pleasant	Wenzel
Carlson, L.	Haugerud	McCarron	Prahl	Wigley
Casserly	Heinitz	McCauley	Quirin	Wohlwend
Clifford	Hook	McEachern	Resner	Wolcott
Connors	Jacobs	McFarlin	Rice	Mr. Speaker
Culhane	Jaros	McMillan	Ryan	
Cummiskey	Johnson, D.	Menke	St. Onge	
DeGroat	Johnson, J.	Miller, D.	Salchert	
Dieterich	Johnson, R.	Miller, M.	Samuelson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1728, A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1728

March 27, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1728, 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. 1728 be amended as follows:

Page 1, before line 6, insert:

"Section 1. Minnesota Statutes 1971, Chapter 550, is amended by adding a section to read:

[550.041] [EXECUTION OF SMALL MONEY JUDGMENTS ON DEBTS.] *When a judgment creditor proposes to make execution on a judgment debt of not more than \$2,500 from money owed to the judgment debtor by a third party, the execution may be made by the attorney for the judgment creditor or sheriff through a registered or certified letter to the third party containing the information prescribed by section 550.14. Upon receipt, the third party shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. The attorney shall be allowed no costs from any party other than the judgment creditor for execution in accordance with this section."*

Page 1, line 13, strike "commissioner".

Page 1, line 13, strike "or other".

Page 1, line 15, strike "commissioner, or other".

Page 1, line 21, strike "commissioner" and insert in lieu "head of the department or agency".

Renumber the remaining section.

Further, amend the title, line 2, after "employees;" insert "and executions;"

In line 3, after "1971," insert "Chapter 550, by adding a section; and".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: JACK DAVIES, JAMES LORD, and HOWARD A. KNUTSON.

House Conferees: RAY W. FARICY, WILLIAM R. OJALA, and ROBERT W. JOHNSON.

Faricy moved that the report of the Conference Committee on S. F. No. 1728 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1728, A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jopp	Miller, D.	St. Onge
Andersen, R.	Eken	Jude	Miller, M.	Salchert
Anderson, D.	Enebo	Kahn	Moe	Samuelson
Anderson, G.	Erdahl	Kelly	Mueller	Sarna
Anderson, I.	Erickson	Kempe	Munger	Savelkoul
Becklin	Esau	Klaus	Myrah	Schreiber
Belisle	Faricy	Knickerbocker	Nelson	Schulz
Bell	Ferderer	Knoll	Newcome	Searle
Bennett	Fjoslien	Kostohryz	Niehaus	Sherwood
Berg	Forsythe	Kvam	Norton	Sieben, H.
Berglin	Fudro	Laidig	Ohnstad	Sieben, M.
Biersdorf	Fugina	Larson	Ojala	Skaar
Braun	Graba	LaVoy	Parish	Smith
Brinkman	Graw	Lemke	Patton	Spanish
Carlson, A.	Growe	Lindstrom, E.	Pavlak, R.	Stanton
Carlson, B.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Swanson
Carlson, D.	Hanson	Lombardi	Pehler	Tomlinson
Carlson, L.	Haugerud	Mann	Peterson	Vento
Cassery	Heinitz	McArthur	Pieper	Voss
Clifford	Hook	McCarron	Pleasant	Wenzel
Connors	Jacobs	McCauley	Prahl	Wigley
Culhane	Jaros	McEachern	Quirin	Wohlwend
DeGroat	Johnson, D.	McFarlin	Resner	Wolcott
Dieterich	Johnson, J.	McMillan	Rice	Mr. Speaker
Dirlam	Johnson, R.	Menke	Ryan	

The bill was repassed, as amended by Conference, and its title agreed to.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2866

March 27, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 2866, report that we have agreed upon the items in dispute and recommend as follows:

That the House accedes to the Senate amendments and that H. F. No. 2866 be further amended as follows:

On page 2 of the Senate amendment proposed by Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs and adopted by the Senate, line 14, delete "15/100" and insert "10/100" and on the same page, line 24, delete "45/100" and insert "20/100".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: BRUCE F. VENTO, NEIL B. DIETERICH, and ROBERT L. PAVLAK.

Senate Conferees: ROBERT D. NORTH, NICHOLAS D. COLEMAN, and JOSEPH T. O'NEILL.

Vento moved that the report of the Conference Committee on H. F. No. 2866 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the adoption of the report and the roll being called, there were yeas 55, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Moe	Resner
Andersen, R.	Eckstein	Knoll	Munger	Rice
Anderson, G.	Enebo	Kostohryz	Nelson	Ryan
Anderson, I.	Ferderer	LaVoy	Norton	St. Onge
Bennett	Fudro	Lemke	Ojala	Samuelson
Berglin	Fugina	Mann	Parish	Sarna
Brinkman	Growe	McCarron	Patton	Sieben, M.
Carlson, B.	Hanson	McEachern	Pavlak, R. L.	Stanton
Casserly	Jacobs	McMillan	Pehler	Tomlinson
Cummiskey	Jaros	Menke	Prahl	Vento
Dahl	Johnson, D.	Miller, D.	Quirin	Wenzel

Those who voted in the negative were:

Anderson, D.	Dirlam	Johnson, R.	Miller, M.	Sieben, H.
Becklin	Eken	Jopp	Mueller	Skaar
Belisle	Erdahl	Kelly	Myrah	Smith
Bell	Erickson	Kempe	Newcome	Spanish
Berg	Esau	Klaus	Niehaus	Swanson
Biersdorf	Faricy	Knickerbocker	Ohnstad	Vanasek
Braun	Fjoslien	Kvam	Pavlak, R.	Voss
Carlson, A.	Forsythe	Laidig	Peterson	Wigley
Carlson, D.	Graba	Larson	Pieper	Wohlwend
Carlson, L.	Graw	Lindstrom, E.	Pleasant	Wolcott
Clifford	Hagedorn	Lindstrom, J.	Savelkoul	Mr. Speaker
Connors	Heinitz	Lombardi	Schreiber	
Culhane	Hook	McArthur	Schulz	
DeGroat	Johnson, J.	McFarlin	Sherwood	

The motion did not prevail and the report was not adopted.

Vento moved that the present House Conference Committee on H. F. No. 2866 be continued, and that the bill be returned to the Conference Committee. The motion prevailed.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2918, A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Carlson, B., moved that the House concur in the Senate amendments to H. F. No. 2918 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2918, A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

The bill was read for third time, as amended by the Senate, and placed upon its final repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Miller, D.	Salchert
Andersen, R.	Dirlam	Jude	Miller, M.	Samuelson
Anderson, D.	Eckstein	Kahn	Moe	Sarna
Anderson, G.	Eken	Kelly	Munger	Savelkoul
Anderson, I.	Enebo	Kempe	Myrah	Schreiber
Becklin	Erdahl	Klaus	Nelson	Schulz
Belisle	Erickson	Knickerbocker	Newcome	Sherwood
Bell	Esau	Knoll	Niehaus	Sieben, H.
Bennett	Faricy	Kostohryz	Norton	Sieben, M.
Berg	Ferderer	Kvam	Ohnstad	Skaar
Berglin	Fjoslien	Laidig	Ojala	Smith
Biersdorf	Forsythe	Larson	Parish	Spanish
Braun	Fudro	LaVoy	Patton	Stanton
Brinkman	Fugina	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graba	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hagedorn	Lombardi	Peterson	Vento
Carlson, L.	Hanson	Mann	Pieper	Voss
Casserly	Heinitz	McArthur	Pleasant	Wenzel
Clifford	Hook	McCarron	Prahl	Wigley
Connors	Jacobs	McCauley	Quirin	Wohlwend
Culhane	Jaros	McEachern	Resner	Wolcott
Cummiskey	Johnson, D.	McFarlin	Rice	Mr. Speaker
Dahl	Johnson, J.	McMillan	Ryan	
DeGroat	Johnson, R.	Menke	St. Onge	

The bill was repassed, as amended by the Senate, and its title agreed to.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 530

March 28, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives
Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 530, report that we have agreed upon the items in dispute and recommend as follows:

That the House accedes to the Senate amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: BRUCE F. VENTO and WILLARD M. MUNGER.

Senate Conferees: JOHN C. CHENOWETH, ROGER HANSON, and NORBERT ARNOLD.

Vento moved that the report of the Conference Committee on H. F. No. 530 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 69, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kahn	Munger	Sarna
Andersen, R.	Faricy	Kelly	Norton	Searle
Bell	Ferderer	Kempe	Parish	Sherwood
Bennett	Forsythe	Knickerbocker	Patton	Sieben, H.
Berg	Graba	Knoll	Pavlak, R.	Sieben, M.
Berglin	Growe	Kostohryz	Pavlak, R. L.	Stanton
Carlson, A.	Hanson	LaVoy	Pehler	Swanson
Carlson, L.	Haugerud	McArthur	Peterson	Tomlinson
Casserly	Heinitz	McCarron	Pleasant	Vanasek
Clifford	Jacobs	McEachern	Quirin	Vento
Connors	Jaros	McMillan	Resner	Voss
Cummiskey	Johnson, J.	Menke	Rice	Wolcott
Dahl	Johnson, R.	Miller, D.	Ryan	Mr. Speaker
Dieterich	Jude	Moe	St. Onge	

Those who voted in the negative were:

Anderson, D.	Eckstein	Johnson, D.	McCauley	Savelkoul
Anderson, G.	Eken	Jopp	McFarlin	Schreiber
Anderson, I.	Erdahl	Klaus	Miller, M.	Schulz
Becklin	Erickson	Kvam	Mueller	Skaar
Belisle	Esau	Laidig	Myrah	Smith
Biersdorf	Fjoslien	Larson	Newcome	Spanish
Braun	Fudro	Lemke	Niehaus	Weaver
Carlson, B.	Fugina	Lindstrom, E.	Ohnstad	Wenzel
Carlson, D.	Graw	Lindstrom, J.	Pieper	Wigley
DeGroat	Hagedorn	Lombardi	Prahl	Wohlwend
Dirlam	Hook	Mann	Samuelson	

The motion prevailed.

H. F. No. 530, A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 82, and nays 42, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Nelson	Sarna
Andersen, R.	Enebo	Kempe	Newcome	Savelkoul
Becklin	Faricy	Knickerbocker	Norton	Searle
Belisle	Ferderer	Knoll	Parish	Sherwood
Bell	Forsythe	Kostohryz	Patton	Sieben, H.
Bennett	Graba	Laidig	Pavlak, R.	Sieben, M.
Berg	Graw	LaVoy	Pavlak, R. L.	Stanton
Berglin	Grove	Lindstrom, E.	Pehler	Swanson
Brinkman	Hanson	Lombardi	Peterson	Tomlinson
Carlson, A.	Haugerud	McArthur	Pieper	Vanasek
Carlson, L.	Heinitz	McCarron	Pleasant	Vento
Casserly	Jacobs	McEachern	Quirin	Voss
Clifford	Jaros	McMillan	Resner	Wolcott
Connors	Johnson, J.	Menke	Rice	Mr. Speaker
Cummiskey	Johnson, R.	Miller, D.	Ryan	
Dahl	Jude	Moe	St. Onge	
Dieterich	Kahn	Munger	Salchert	

Those who voted in the negative were:

Anderson, D.	Eken	Jopp	Myrah	Smith
Anderson, G.	Erdahl	Klaus	Niehaus	Spanish
Anderson, I.	Erickson	Kvam	Ohnstad	Weaver
Biersdorf	Esau	Larson	Ojala	Wenzel
Braun	Fjoslien	Lemke	Prahl	Wigley
Carlson, B.	Fugina	Lindstrom, J.	Samuelson	Wohlwend
Carlson, D.	Hagedorn	Mann	Schreiber	
Culhane	Hook	McFarlin	Schulz	
DeGroat	Johnson, D.	Miller, M.	Skaar	

The bill was repassed, as amended by Conference, and its title agreed to.

UNANIMOUS CONSENT

Faricy, Newcome, Berg, and Weaver requested unanimous consent to introduce a resolution. The request was granted.

Faricy, Newcome, Berg, and Weaver introduced House Resolution No. 40 and moved its adoption.

HOUSE RESOLUTION NO. 40

A house resolution relating to Gentle Neil Haugerud.

Whereas, Gentle Neil Haugerud has of sound mind and body been the defender of the non-lawyers against the onslaught of the trained animals of the legal world;

And Whereas, Gentle Neil has through perserverence, a keen mind, a light heart, and a heavy hand become the champion of the oppressed;

And Whereas, Gentle Neil has tirelessly labored to free the common mind from the legal jibberish that so baffles and befuddles us:

Now Therefore, Be It Resolved: That Gentle Neil be dispensed from his agrarian duties for one day each year in order that he may share his earthy legal approach with hundreds, yea, thousands of eager law students.

Be It Further Resolved That: On April 1st of each year Gentle Neil be commissioned to lecture at the University of Minnesota Law School on the subject, "Everything You Always Wanted to Know About Probate Reform But Were Afraid to Ask Your Lawyer."

The question was taken on the adoption of the resolution, and the resolution was adopted.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1123, A bill for an act relating to insurance; non-resident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3470, A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3507, A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2996, 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 to a current funding basis; granting certain powers to school districts and the state board of education; establishing early childhood identification and education pilot programs and a transitional year procedure; school district contracts; educational assessment; appropriating money; amending Laws 1969, Chapter 775, Section 4, Subdivision 3; amending Minnesota Statutes 1971, Chapter 121, by adding a section; Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.223; 124.30, Subdivisions 2; and 275.125, Subdivisions 2a and 3; repealing Minnesota Statutes 1971, Section 124.13.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3707, A bill for an act relating to taxation; imposing certain credits on taxes measured by net income; eliminating the tax on oleomargarine; providing for stumpage values in computing certain taxes; providing for omitted taxes on iron ores; imposing an income tax on certain corporations; establishing the means for valuing certain real property and property owned by certain disabled persons; imposing taxes on certain tobacco products; providing for taconite taxes; and waiving the collection of credits or refunds of certain taxes; amending Minnesota Statutes 1971, Sections 33.10, Subdivision 1, and by adding a subdivision; 270.35; 270.38, Subdivision 5; 273.02, by adding subdivisions; 290.02; 290.06, by adding a subdivision; 290.086, by adding a subdivision; 297.31, Subdivision 2; 297.32, Subdivisions 1 and 2; 297A.251; 298.03; and Minnesota Statutes, 1973 Supplement, Sections 273.11, Subdivision 2; and 273.13, Subdivision 7.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1810, A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 951, A bill for an act relating to ethics in government; regulating lobbyists, public officials and candidates; conflicts of interest and the financing of elections; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2349, A bill for an act relating to intoxicating liquor; authorizing the issuance of an additional license in Virginia and eliminating the prohibition of the sale of liquor in certain places; amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3310, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending

Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, 10, and by adding a subdivision; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

The Senate has appointed as such committee Messrs. Chenoweth, Stokowski and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2338, A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hanson moved that the House concur in the Senate amendments to H. F. No. 2338 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2338, A bill for an act relating to motor vehicle noise regulations; making it a petty misdemeanor to operate a motor vehicle in violation of noise regulations adopted by the pollution control agency; amending Minnesota Statutes 1971, Chapter 169, by adding a section; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 95, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Faricy	Jaros	Kostohryz
Andersen, R.	Carlson, B.	Ferderer	Johnson, D.	Laidig
Anderson, I.	Carlson, L.	Forsythe	Johnson, J.	LaVoy
Becklin	Casserly	Fudro	Johnson, R.	Lindstrom, E.
Belisle	Connors	Fugina	Jopp	Lombardi
Bell	Culhane	Graw	Jude	McArthur
Bennett	Cummiskey	Grove	Kahn	McCauley
Berg	Dahl	Hanson	Kelly	McFarlin
Berglin	Dieterich	Haugerud	Kempe	McMillan
Biersdorf	Eken	Hook	Knickerbocker	Menke
Brinkman	Enebo	Jacobs	Knoll	Miller, D.

Miller, M.	Pavlak, R.	Resner	Schreiber	Tomlinson
Moe	Pavlak, R. L.	Rice	Schulz	Vento
Munger	Pehler	Ryan	Sherwood	Voss
Nelson	Peterson	St. Onge	Sieben, H.	Weaver
Norton	Pieper	Salchert	Sieben, M.	Wenzel
Ojala	Pleasant	Samuelson	Smith	Wohlwend
Parish	Prahl	Sarna	Stanton	Wolcott
Patton	Quirin	Savelkoul	Swanson	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Eckstein	Fjoslien	Myrah	Skaar
Anderson, G.	Erdahl	Hagedorn	Niehaus	Wigley
DeGroat	Erickson	Klaus	Ohnstad	
Dirlam	Esau	Kvam	Searle	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 47, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 47 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 47, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1, or Article IX, Section 1 of the proposed revised constitution; providing the majority necessary to pass constitutional amendments.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 93, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Biersdorf	Carlson, L.	Culhane
Andersen, R.	Bennett	Braun	Casserly	Cummiskey
Anderson, I.	Berg	Brinkman	Clifford	Dahl
Belisle	Berglin	Carlson, A.	Connors	DeGroat

Dieterich	Johnson, D.	McCauley	Pavlak, R.	Sieben, H.
Dirlam	Johnson, J.	McEachern	Pehler	Sieben, M.
Eckstein	Jopp	McFarlin	Peterson	Smith
Eken	Jude	McMillan	Pieper	Spanish
Enebo	Kahn	Menke	Prahl	Stanton
Ferderer	Kelly	Miller, D.	Quirin	Swanson
Forsythe	Knickerbocker	Miller, M.	Resner	Tomlinson
Fudro	Knoll	Moe	Rice	Vento
Fugina	Kostohryz	Munger	Ryan	Voss
Graba	Laidig	Nelson	St. Onge	Weaver
Growe	LaVoy	Newcome	Saichert	Wenzel
Haugerud	Lemke	Norton	Samuelson	Wohlwend
Heinitz	Lindstrom, E.	Ojala	Sarna	Mr. Speaker
Jacobs	Mann	Parish	Schulz	
Jaros	McCarron	Patton	Sherwood	

Those who voted in the negative were:

Anderson, D.	Faricy	Johnson, R.	Myrah	Schreiber
Anderson, G.	Fjoslien	Kempe	Niehaus	Searle
Becklin	Graw	Klaus	Ohnstad	Skaar
Erdahl	Hagedorn	Kvam	Pavlak, R. L.	Wigley
Erickson	Hanson	Larson	Pleasant	
Esau	Hook	Lombardi	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3054, A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide free admission for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 3054 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3054, A bill for an act relating to education; providing that the conduct of all students under 21 years of age attending a public secondary school shall be governed by a single set of reasonable rules and regulations promulgated by the local board of education; amending Minnesota Statutes 1971, Section 120.06, Subdivision 1.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 3, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Johnson, J.	Menke	St. Onge
Andersen, R.	Eckstein	Johnson, R.	Miller, D.	Salchert
Anderson, D.	Eken	Jopp	Miller, M.	Samuelson
Anderson, G.	Enebo	Jude	Munger	Sarna
Anderson, I.	Erdahl	Kelly	Myrah	Savelkoul
Becklin	Erickson	Kempe	Nelson	Schreiber
Belisle	Esau	Klaus	Newcome	Schulz
Bell	Faricy	Knickerbocker	Niehaus	Searle
Bennett	Ferderer	Knoll	Norton	Sherwood
Berg	Fjoslien	Kostohryz	Ohnstad	Sieben, H.
Biersdorf	Forsythe	Kvam	Ojala	Sieben, M.
Braun	Fudro	Laidig	Parish	Skaar
Brinkman	Fugina	Larson	Patton	Smith
Carlson, A.	Graba	LaVoy	Pavlak, R.	Stanton
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Swanson
Carlson, D.	Grove	Lindstrom, E.	Pehler	Tomlinson
Carlson, L.	Hagedorn	Lindstrom, J.	Peterson	Vento
Casserly	Hanson	Lombardi	Pieper	Voss
Clifford	Haugerud	Mann	Pleasant	Wenzel
Connors	Heinitz	McArthur	Frahl	Wigley
Culhane	Hook	McCarron	Quirin	Wohlwend
Dahl	Jacobs	McEachern	Resner	Wolcott
DeGroat	Jaros	McFarlin	Rice	Mr. Speaker
Dieterich	Johnson, D.	McMillan	Ryan	

Those who voted in the negative were:

Berglin Cummiskey Kahn

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3335, A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 3335 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3335, A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, M.	Samuelson
Andersen, R.	Eckstein	Jude	Moe	Sarna
Anderson, D.	Eken	Kahn	Mueller	Savelkoul
Anderson, G.	Enebo	Kelly	Munger	Schreiber
Anderson, I.	Erdahl	Kempe	Myrah	Schulz
Becklin	Erickson	Klaus	Nelson	Searle
Belisle	Esau	Knickerbocker	Newcome	Sherwood
Bell	Faricy	Knoll	Niehaus	Sieben, H.
Bennett	Ferderer	Kostohryz	Norton	Sieben, M.
Berg	Fjoslien	Kvam	Ohnstad	Skaar
Berglin	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Spanish
Braun	Fugina	LaVoy	Patton	Stanton
Brinkman	Graba	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vento
Carlson, D.	Hagedorn	Lombardi	Peterson	Voss
Carlson, L.	Hanson	Mann	Pieper	Weaver
Casserly	Haugerud	McArthur	Pleasant	Wenzel
Clifford	Heinitz	McCarron	Prahl	Wigley
Connors	Hook	McCauley	Quirin	Wohlwend
Culhane	Jacobs	McEachern	Resner	Wolcott
Cummiskey.	Jaros	McFarlin	Rice	Mr. Speaker
Dahl	Johnson, D.	McMillan	Ryan	
DeGroat	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1991, A bill for an act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 1991 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1991, A bill for an act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, M.	Samuelson
Andersen, R.	Eckstein	Jude	Moe	Sarna
Anderson, D.	Eken	Kahn	Mueller	Savelkoul
Anderson, G.	Enebo	Kelly	Munger	Schreiber
Anderson, I.	Erdahl	Kempe	Myrah	Schulz
Becklin	Erickson	Klaus	Nelson	Searle
Belisle	Esau	Knickerbocker	Newcome	Sherwood
Bell	Faricy	Knoll	Niehaus	Sieben, H.
Bennett	Ferderer	Kostohryz	Norton	Sieben, M.
Berg	Fjoslien	Kvam	Ohnstad	Skaar
Berglin	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Stanton
Braun	Fugina	LaVoy	Patton	Swanson
Brinkman	Graba	Lemke	Pavliak, R.	Tomlinson
Carlson, A.	Graw	Lindstrom, E.	Pavliak, R. L.	Vanasek
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vento
Carlson, D.	Hagedorn	Lombardi	Peterson	Voss
Carlson, L.	Hanson	Mann	Pieper	Weaver
Casserly	Haugerud	McArthur	Pleasant	Wenzel
Clifford	Heinitz	McCarron	Prahl	Wigley
Connors	Hook	McCauley	Quirin	Wohlwend
Culhane	Jacobs	McEachern	Resner	Wolcott
Cummiskey	Jaros	McFarlin	Rice	Mr. Speaker
Dahl	Johnson, D.	McMillan	Ryan	
DeGroat	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and

4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dieterich moved that the House concur in the Senate amendments to H. F. No. 1634 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Miller, M.	Samuelson
Andersen, R.	Eckstein	Jude	Moe	Sarna
Anderson, D.	Eken	Kahn	Mueller	Savelkoul
Anderson, G.	Enebo	Kelly	Munger	Schreiber
Anderson, I.	Erdahl	Kempe	Myrah	Schulz
Becklin	Erickson	Klaus	Nelson	Searle
Belisle	Esau	Knickerbocker	Newcome	Sherwood
Bell	Faricy	Knoll	Niehaus	Sieben, H.
Bennett	Ferderer	Kostohryz	Norton	Sieben, M.
Berg	Fjoslien	Kvam	Ohnstad	Skaar
Berglin	Forsythe	Laidig	Ojala	Smith
Biersdorf	Fudro	Larson	Parish	Spanish
Braun	Fugina	LaVoy	Patton	Stanton
Brinkman	Graba	Lemke	Pavlak, R.	Swanson
Carlson, A.	Graw	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Carlson, B.	Growe	Lindstrom, J.	Pehler	Vanasek
Carlson, D.	Hagedorn	Lombardi	Peterson	Vento
Carlson, L.	Hanson	Mann	Pieper	Voss
Cassery	Haugerud	McArthur	Pleasant	Weaver
Clifford	Heinitz	McCarron	Prahl	Wenzel
Connors	Hook	McCauley	Quirin	Wigley
Culhane	Jacobs	McEachern	Resner	Wohlwend
Cummiskey	Jaros	McFarlin	Rice	Wolcott
Dahl	Johnson, D.	McMillan	Ryan	Mr. Speaker
DeGroat	Johnson, J.	Menke	St. Onge	
Dieterich	Johnson, R.	Miller, D.	Salchert	

The bill was repassed, as amended by the Senate, and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Jopp was excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2236, A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3090, A bill for an act relating to local government; requiring a city to meet jointly with a town board and county planning commission before extending certain municipal services into the area governed by the town.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 974, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 3512, A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition;

amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; 360.119.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Quirin moved that the House concur in the Senate amendments to H. F. No. 2785 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; providing for the appointment of certain classified employees; amending Minnesota Statutes 1971, Sections 15.61;

and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 43.06; 43.09, Subdivision 6; 43.128; 43.20, by adding a subdivision; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, Subdivisions 2 and 3; 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 113, and nays 0, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Salchert
Anderson, D.	Eckstein	Jude	Miller, M.	Sarna
Anderson, G.	Eken	Kahn	Moe	Savelkoul
Anderson, I.	Enebo	Kelly	Munger	Schreiber
Becklin	Erdahl	Klaus	Myrah	Schulz
Belisle	Erickson	Knickerbocker	Nelson	Sherwood
Bell	Esau	Knoll	Newcome	Sieben, H.
Bennett	Faricy	Kostohryz	Niehaus	Sieben, M.
Berg	Ferderer	Kvam	Norton	Skaar
Berglin	Fjoslien	Laidig	Ohnstad	Smith
Biersdorf	Forsythe	Larson	Ojala	Spanish
Braun	Fudro	LaVoy	Parish	Stanton
Carlson, A.	Fugina	Lemke	Patton	Swanson
Carlson, B.	Graba	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, D.	Graw	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, L.	Growe	Lombardi	Pehler	Vento
Cassery	Hagedorn	Mann	Peterson	Voss
Connors	Hanson	McArthur	Pieper	Weaver
Culhane	Heinitz	McCarron	Prahl	Wenzel
Cummiskey	Hook	McCauley	Quirin	Wohlwend
Dahl	Jacobs	McFarlin	Resner	Mr. Speaker
DeGroat	Johnson, D.	McMillan	Rice	
Dieterich	Johnson, J.	Menke	St. Onge	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; and highway patrolmen retirement; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision

4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; and 352D.02, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 3400 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; highway patrolmen retirement; regulating severance pay; deferred compensation for political subdivision employees; building authorization for the public employees retirement association; appropriating money; increasing compensation for members of the legislature; and the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11, and by adding a subdivision; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; Chapter 352, by adding a section and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 16.027, Subdivision 8; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; 352D.02, Subdivisions 1 and 3; and 465.72; and Extra Session Laws 1971, Chapter 32, Section 22, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 30, and nays 89, as follows:

Those who voted in the affirmative were:

Andersen, R.	Carlson, A.	LaVoy	Ojala	St. Onge
Anderson, I.	Casserty	McMillan	Parish	Salchert
Bell	Cummiskey	Moe	Patton	Searle
Berg	Fudro	Mueller	Quirin	Smith
Berglin	Fugina	Nelson	Resnier	Voss
Braun	Kahn	Norton	Rice	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Eken	Johnson, D.	McArthur	Ryan
Anderson, G.	Enebo	Johnson, J.	McEachern	Samuelson
Becklin	Erdahl	Johnson, R.	McFarlin	Sarna
Belisle	Erickson	Jude	Menke	Savelkoul
Bennett	Esau	Kelly	Miller, D.	Schreiber
Biersdorf	Faricy	Kempe	Miller, M.	Schulz
Brinkman	Ferderer	Klaus	Munger	Sherwood
Carlson, B.	Fjoslien	Knickerbocker	Myrah	Sieben, H.
Carlson, D.	Forsythe	Knoll	Newcome	Sieben, M.
Carlson, L.	Graba	Kostohryz	Niehaus	Skaar
Clifford	Graw	Kvam	Ohnstad	Spanish
Connors	Growe	Laidig	Pavlak, R.	Stanton
Culhane	Hagedorn	Larson	Pavlak, R. L.	Tomlinson
Dahl	Hanson	Lemke	Pehler	Vanasek
DeGroat	Heinitz	Lindstrom, E.	Peterson	Vento
Dieterich	Hook	Lindstrom, J.	Pieper	Wenzel
Dirlam	Jacobs	Lombardi	Pleasant	Wigley
Eckstein	Jaros	Mann	Prahl	

The bill was not repassed, as amended by the Senate.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3347, A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

PATRICK E. FLHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 3347 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3347, A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 77, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kempe	Nelson	Schulz
Andersen, R.	Eckstein	Knickerbocker	Norton	Sieben, H.
Anderson, I.	Faricy	Knoll	Ojala	Sieben, M.
Bell	Ferderer	Kostohryz	Parish	Spanish
Bennett	Fudro	Kvam	Patton	Stanton
Berg	Fugina	Laidig	Pavliak, R.	Swanson
Berglin	Graba	LaVoy	Pavliak, R. L.	Tomlinson
Biersdorf	Grove	Lemke	Pehler	Vanasek
Braun	Hanson	Lindstrom, E.	Peterson	Vento
Brinkman	Hook	McArthur	Prahl	Voss
Carlson, A.	Jacobs	McFarlin	Quirin	Wigley
Carlson, B.	Jaros	McMillan	Resner	Wohlwend
Carlson, L.	Johnson, D.	Menke	Rice	Mr. Speaker
Cassery	Johnson, J.	Miller, D.	St. Onge	
Culhane	Kahn	Moe	Salchert	
Dahl	Kelly	Munger	Samuelson	

Those who voted in the negative were:

Anderson, D.	Eken	Graw	McEachern	Schreiber
Anderson, G.	Enebo	Hagedorn	Miller, M.	Skaar
Becklin	Erdahl	Johnson, R.	Niehaus	Wenzel
Belisle	Erickson	Jude	Ohnstad	Wolcott
Carlson, D.	Esau	Larson	Pieper	
Connors	Fjoslien	Mann	Pleasant	
DeGroat	Forsythe	McCauley	Savelkoul	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3368, A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 3368 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3368, A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; requiring notification of intent to discharge to be in writing; amending Minnesota Statutes 1971, Section 197.46.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 116, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Moe	Savelkoul
Andersen, R.	Eckstein	Kahn	Munger	Schreiber
Anderson, D.	Eken	Kelly	Myrah	Schulz
Anderson, G.	Enebo	Kempe	Nelson	Searle
Anderson, I.	Erdahl	Klaus	Niehaus	Sherwood
Becklin	Erickson	Knickerbocker	Norton	Sieben, H.
Belisle	Faricy	Knoll	Ojala	Sieben, M.
Bell	Ferderer	Kostohryz	Parish	Skaar
Bennett	Fjoslien	Laidig	Patton	Smith
Berg	Forsythe	Larson	Pavlak, R.	Spanish
Berglin	Fudro	LaVoy	Pavlak, R. L.	Stanton
Biersdorf	Fugina	Lemke	Pehler	Swanson
Braun	Graba	Lindstrom, E.	Peterson	Tomlinson
Brinkman	Graw	Lindstrom, J.	Pieper	Vanasek
Carlson, A.	Grove	Lombardi	Pleasant	Vento
Carlson, B.	Hagedorn	Mann	Prahl	Voss
Carlson, D.	Hanson	McArthur	Quirin	Wenzel
Carlson, L.	Heinitz	McCarron	Resner	Wohlwend
Cassery	Hook	McEachern	Rice	Wolcott
Clifford	Jacobs	McFarlin	Ryan	Mr. Speaker
Connors	Jaros	McMillan	St. Onge	
Culhane	Johnson, D.	Menke	Salchert	
Dahl	Johnson, J.	Miller, D.	Samuelson	
Dieterich	Johnson, R.	Miller, M.	Sarna	

Those who voted in the negative were:

DeGroat Ohnstad

The bill was repassed, as amended by the Senate, and its title agreed to.

MOTION FOR RECONSIDERATION

Samuelson moved that the vote whereby H. F. No. 3400 was not passed today, as amended by the Senate, be now reconsidered. The motion prevailed.

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; highway patrolmen retirement; regulating severance pay; deferred compensation for political subdivision employees; building authorization for the public employees retirement association; appropriating money; increasing compensation for members of the legislature; and the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision

11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11, and by adding a subdivision; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; Chapter 352, by adding a section and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 16.027, Subdivision 8; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; 352D.02, Subdivisions 1 and 3; and 465.72; and Extra Session Laws 1971, Chapter 32, Section 22, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 69, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Kahn	Newcome	Sarna
Andersen, R.	Cummiskey	Kelly	Norton	Searle
Anderson, I.	Dieterich	Knickerbocker	Ojala	Sieben, H.
Bell	Dirlam	Knoll	Parish	Smith
Bennett	Enebo	LaVoy	Patton	Swanson
Berg	Faricy	McCarron	Pavlak, R.	Tomlinson
Berglin	Fudro	McCauley	Pavlak, R. L.	Vanasek
Biersdorf	Fugina	McMillan	Quirin	Vento
Braun	Grove	Menke	Resner	Voss
Brinkman	Haugerud	Miller, D.	Rice	Wenzel
Carlson, A.	Jacobs	Moe	Ryan	Wohlwend
Carlson, B.	Jaros	Mueller	St. Onge	Wolcott
Carlson, L.	Johnson, D.	Munger	Salchert	Mr. Speaker
Cassery	Johnson, R.	Nelson	Samuelson	

Those who voted in the negative were:

Anderson, D.	Erdahl	Johnson, J.	Mann	Pleasant
Anderson, G.	Erickson	Jude	McArthur	Prahl
Becklin	Esau	Klaus	McEachern	Savelkoul
Belisle	Ferderer	Kostohryz	McFarlin	Schreiber
Carlson, D.	Fjoslien	Kvam	Miller, M.	Schulz
Clifford	Graba	Laidig	Myrah	Sherwood
Culhane	Graw	Larson	Niehaus	Sieben, M.
Dahl	Hagedorn	Lemke	Ohnstad	Skaar
DeGroat	Hanson	Lindstrom, E.	Pehler	Spanish
Eckstein	Heinitz	Lindstrom, J.	Peterson	Wigley
Eken	Hook	Lombardi	Pieper	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

HOUSE CONCURRENT RESOLUTION NO. 15

A Concurrent Resolution relating to the delivery of bills to the governor after final adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 530, A bill for an act relating to wild animals; providing for the management of threatened and endangered species of wild animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; providing a penalty; amending Minnesota Statutes 1971, Sections 97.488; 98.46, Subdivision 14; 99.25, Subdivision 7; 100.26, Subdivision 1; and 100.29, Subdivision 14.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3163

March 28, 1974

Honorable Alec G. Olson
President of the Senate
Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 3163, re-

port 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 in accordance therewith.

Senate Conferees: ROBERT D. NORTH, EDWARD G. NOVAK, and BILL MCCUTCHEON.

House Conferees: WALTER R. HANSON, TONY BENNETT, and RAY W. FARICY.

Hanson moved that the report of the Conference Committee on S. F. No. 3163 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 101, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jude	Munger	Sarna
Andersen, R.	Eckstein	Kahn	Nelson	Schulz
Anderson, G.	Enebo	Kelly	Newcome	Sieben, H.
Anderson, I.	Faricy	Kempe	Niehaus	Sieben, M.
Belisle	Ferderer	Knickerbocker	Norton	Smith
Bell	Forsythe	Knoll	Ojala	Spanish
Bennett	Fudro	Kostohryz	Parish	Stanton
Berg	Fugina	Laidig	Patton	Swanson
Berglin	Graba	LaVoy	Pavlak, R.	Tomlinson
Biersdorf	Graw	Lemke	Pavlak, R. L.	Vanasek
Braun	Growe	Lindstrom, E.	Pehler	Vento
Brinkman	Hagedorn	Lombardi	Peterson	Voss
Carlson, A.	Hanson	Mann	Pieper	Wenzel
Carlson, B.	Haugerud	McCarron	Prahl	Wigley
Carlson, L.	Heinitz	McCauley	Quirin	Wohlwend
Casserly	Hook	McFarlin	Resner	Wolcott
Clifford	Jacobs	McMillan	Rice	Mr. Speaker
Connors	Jaros	Menke	Ryan	
Culhane	Johnson, D.	Miller, D.	St. Onge	
Dahl	Johnson, J.	Moe	Salchert	
Dieterich	Johnson, R.	Mueller	Samuelson	

Those who voted in the negative were:

Anderson, D.	Erdahl	Klaus	Myrah	Sherwood
Becklin	Erickson	Kvam	Ohnstad	Skaar
Carlson, D.	Esau	Larson	Savelkoul	
DeGroat	Fjoslien	McEachern	Searle	

The bill was repassed, as amended by Conference, and its title agreed to.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, March 29, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, March 29, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-SIXTEENTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 29, 1974

The House convened at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Sarna
Andersen, R.	Dirlam	Johnson, R.	Miller, M.	Savelkoul
Anderson, D.	Eckstein	Jopp	Moe	Schreiber
Anderson, G.	Eken	Jude	Munger	Schulz
Anderson, I.	Enebo	Kelly	Myrah	Sherwood
Becklin	Erdahl	Kempe	Nelson	Sieben, H.
Belisle	Erickson	Klaus	Newcome	Sieben, M.
Bell	Esau	Knickerbocker	Niehaus	Skaar
Bennett	Faricy	Knoll	Ohnstad	Smith
Berg	Ferderer	Kostohryz	Ojala	Spanish
Berglin	Fjoslien	Kvam	Parish	Stanton
Biersdorf	Forsythe	Laidig	Patton	Swanson
Braun	Fudro	Larson	Pavlak, R.	Tomlinson
Brinkman	Fugina	LaVoy	Pavlak, R. L.	Vanasek
Carlson, A.	Graba	Lemke	Pehler	Vento
Carlson, B.	Graw	Lindstrom, E.	Peterson	Voss
Carlson, D.	Growe	Lombardi	Pieper	Wenzel
Carlson, L.	Hagedorn	Mann	Pleasant	Wigley
Casserly	Hanson	McArthur	Prahl	Wohlwend
Clifford	Haugerud	McCarron	Quirin	Wolcott
Connors	Heinitz	McCauley	Resner	Mr. Speaker
Culhane	Hook	McEachern	Rice	
Cummiskey	Jacobs	McFarlin	Ryan	
Dahl	Jaros	McMillan	St. Onge	
DeGroat	Johnson, D.	Menke	Salchert	

A quorum was present.

Adams, S.; Cleary; Johnson, C.; Kahn; Lindstrom, J.; Long; Mueller; Norton; Samuelson; Searle; Stangeland; Ulland; and Weaver were excused.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Esau, the further reading was dispensed with and the Journal was approved as corrected.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
423		266	March 27	March 27
526		267	March 27	March 27
919		268	March 27	March 27
1253		269	March 27	March 27
1887		270	March 27	March 27
2004		271	March 27	March 27
2084		272	March 27	March 27
2161		273	March 27	March 27
2177		274	March 27	March 27
2457		275	March 27	March 27
2515		276	March 27	March 27
2661		277	March 27	March 27
2668		278	March 27	March 27
2716		279	March 27	March 27
2814		280	March 27	March 27

116th Day]

FRIDAY, MARCH 29, 1974

7155

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2820		281	March 27	March 27
2871		282	March 27	March 27
2878		283	March 27	March 27
2971		284	March 27	March 27
2977		285	March 27	March 27
2984		286	March 27	March 27
3017		287	March 27	March 27
3023		288	March 27	March 27
3033		289	March 27	March 27
3046		290	March 27	March 27
3048		291	March 27	March 27
3075		292	March 27	March 27
3079		293	March 27	March 27
3129		294	March 27	March 27
3175		295	March 27	March 27

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
3176		296	March 27	March 27
3208		297	March 27	March 27
3247		298	March 27	March 27
3276		299	March 27	March 27
3325		300	March 27	March 27
3408		301	March 27	March 27
3409		302	March 27	March 27
3417		303	March 27	March 27
3422		304	March 27	March 27
3467		305	March 27	March 27

Sincerely,

ARLEN I. ERDAHL
Secretary of State

Senator Solon, for the Committee to inform the House, reported that the Senate was about to adjourn sine die.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved, that a committee of five members be appointed by the Speaker to advise the Senate that the House is about to adjourn sine die and ascertain if there is any business pending.

The question was taken on the adoption of the report, and the report was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to advise the Senate that the House is about to adjourn sine die:

Carlson, B.; Peterson; Menke; Forsythe; and Johnson, R.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved, that the Committee on Rules and Legislative Administration shall contract for necessary printing of the House of Representatives for the 69th regular session and any extra sessions held prior to the 70th regular session; and, be it

Further resolved, that the Committee on Rules and Legislative Administration be and hereby is assigned, during the interim following final adjournment, all functions within its usual jurisdiction.

The question was taken on the adoption of the report and the roll being called, there were yeas 116, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Savelkoul
Andersen, R.	Dirlam	Jopp	Miller, M.	Schreiber
Anderson, D.	Eckstein	Jude	Moe	Schulz
Anderson, G.	Eken	Kelly	Munger	Sherwood
Anderson, I.	Enebo	Kempe	Myrah	Sieben, H.
Belisle	Erdahl	Klaus	Nelson	Sieben, M.
Bell	Erickson	Knickerbocker	Newcome	Skaar
Bennett	Esau	Knoll	Niehaus	Smith
Berg	Faricy	Kostohryz	Ohnstad	Spanish
Berglin	Ferderer	Kvam	Ojala	Stanton
Biersdorf	Fjoslien	Laidig	Parish	Swanson
Braun	Fudro	Larson	Patton	Tomlinson
Brinkman	Fugina	LaVoy	Pavlak, R.	Vanasek
Carlson, A.	Graba	Lemke	Pavlak, R. L.	Vento
Carlson, B.	Graw	Lindstrom, E.	Pehler	Voss
Carlson, D.	Growe	Lombardi	Pieper	Wenzel
Carlson, L.	Hagedorn	Mann	Prahl	Wigley
Casserly	Hanson	McArthur	Quirin	Wohlwend
Clifford	Haugerud	McCarron	Resner	Wolcott
Connors	Heinitz	McCauley	Rice	Mr. Speaker
Culhane	Hook	McEachern	Ryan	
Cummiskey	Jacobs	McFarlin	St. Onge	
Dahl	Jaros	McMillan	Salchert	
DeGroat	Johnson, D.	Menke	Sarna	

The report was adopted.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved, that the Chief Clerk of the House be and he is hereby authorized to correct and approve the Journal of the House for the last day of the 68th Regular Session; and, be it

Further resolved, that the Chief Clerk of the House be and he is hereby authorized to include in the Journal for the last day any proceedings and any legislative interim committees or commissions created or appointments made pursuant thereto by legislative action or by law.

The question was taken on the adoption of the report, and the report was adopted.

Carlson, B., for the Committee to inform the Senate, reported that the Senate has no further business pending and has adjourned sine die.

MOTIONS AND RESOLUTIONS

Anderson, I., and Dirlam introduced:

House Resolution No. 41, A house resolution congratulating Speaker Martin O. Sabo on his election as a national officer of the National Legislative Conference.

SUSPENSION OF RULES

Anderson, I., and Dirlam moved that the rules of the House be so far suspended that House Resolution No. 41 be now considered and placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 41

A house resolution congratulating Speaker Martin O. Sabo on his election as a national officer of the National Legislative Conference.

Whereas, the outstanding ability of our Speaker, Martin O. Sabo has been recognized nationally by his election as vice president of the National Legislative Conference; now, therefore,

Be it resolved, by the House of Representatives of the State of Minnesota that its congratulations and esteem be expressed to Speaker Martin O. Sabo.

Anderson, I., and Dirlam moved that House Resolution No. 41 be now adopted.

The question was taken on the adoption of the resolution, and the resolution was adopted.

MOTION TO ADJOURN SINE DIE

Anderson, I., moved that the House adjourn sine die. The motion prevailed, and the Speaker declared the House stands adjourned sine die.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

THE FOLLOWING COMMUNICATIONS AND ANNOUNCEMENTS
WERE RECEIVED SUBSEQUENT TO ADJOURNMENT SINE DIE

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 29, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 102, An act relating to the legislature; providing for the continuation in or return of members to their employment after legislative sessions; providing for restoration to their position of employment and all other rights incident to employment; providing for enforcement; amending Minnesota Statutes 1971, Section 3.087; and Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085; and 3.086.

H. F. No. 2675, An act relating to energy; establishing the Minnesota energy agency; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

H. F. No. 3506, An act relating to the department of public safety; advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

H. F. No. 3556, An act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 3, 1974

The Honorable Martin O. Sabo
Speaker of the House

Sir:

I am returning H. F. No. 3400, the bill that includes increased salaries for our state legislators, without my signature.

I am convinced that the legislators of both parties who voted for this bill were sincere in their conviction that it was necessary to insure a future legislature of excellence.

But the public response to the salary increase has been unprecedented and almost entirely negative. The people of Minnesota have said "No" to a salary increase at this time. They have said it politely, but they have said it very directly and very firmly.

Under those circumstances, I believe it is the responsibility of all elected officials to respond to their judgment. The message has been very clear, and I have no doubt of its sincerity.

Nevertheless, I veto this legislation with reluctance and regret.

The performance of the 68th Minnesota Legislature, both in 1973 and 1974, has been outstanding. The flexible session arrangement has greatly increased the time that conscientious legislators must spend—and should spend—on the state's business.

The entire legislature responded to that increased workload with willingness and the commitment to serve our people well. They have my deep appreciation, and, I am sure, the appreciation of the people of our state.

There is no doubt that this increased demand on legislators will continue in the future. Present salaries are inadequate to

compensate for that demand. We have a high-quality citizen legislature, and I believe we are in danger of losing excellent members who are truly representative of our people and responsive to them.

I hope that the members of the Legislature will accept today's judgment by the people, as I have done. And I hope that you will work with renewed determination to convince our citizens of the need for adequate legislative salaries. With careful preparation, I believe the public can be made more sensitive to this problem in the future.

I want you to know that I intend to sign H. F. 2785, which provides that our state personnel board will submit recommendations for legislative salaries. As soon as the bill takes effect, I will ask the board to begin its study of the issue. Their recommendations will be before you and the people of the state before you meet again in 1975.

With warmest regards.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 10, 1974

The Honorable Martin O. Sabo
Speaker of the House

Dear 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 House Files:

H. F. No. 2950, An Act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes,

1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

H. F. No. 1951, An Act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area.

H. F. No. 3533, An Act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

H. F. No. 3329, An Act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

H. F. No. 3281, An Act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

H. F. No. 3190, An Act relating to the metropolitan transit taxing district; establishing the outer limits as existing on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

H. F. No. 3102, An Act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

H. F. No. 2796, An Act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

H. F. No. 2670, An Act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

H. F. No. 2668, An Act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

H. F. No. 2601, An Act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

H. F. No. 2200, An Act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

H. F. No. 773, An Act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

H. F. No. 2799, An Act relating to charitable organizations; exempting firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on the behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

H. F. No. 3267, An Act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

H. F. No. 3287, An Act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

H. F. No. 3045, An Act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

H. F. No. 2728, An Act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

H. F. No. 3157, An Act relating to real estate; disclosure of identity of owner and manager of rental property; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

H. F. No. 2773, An Act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

H. F. No. 3473, An Act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

H. F. No. 3242, An Act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 11, 1974

The Honorable Martin O. Sabo
Speaker of the House

Dear Mr. Speaker:

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 House Files:

H. F. No. 2525, An Act relating to Ramsey county; codifying the special laws relating to the county; . . . etc.

H. F. No. 2405, An Act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

H. F. No. 2848, An Act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Section 204.19, Subdivision 2.

H. F. No. 3335, An Act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

H. F. No. 1386, An Act relating to insurance; requiring insurance agents to issue written memoranda with respect to new or altered insurance coverage; providing a penalty; amending Minnesota Statutes 1971, Section 60A.17, by adding a subdivision.

H. F. No. 2065, An Act relating to the promotion of tourism in the state; providing for the financing of tourist and related recreational facilities; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision.

H. F. No. 1692, An Act relating to labor and industry; boiler and pressure vessel fees to be paid to the state of Minnesota; amending Minnesota Statutes 1971, Sections 183.545, Subdivisions 3 and 4; and 183.57, Subdivision 2.

H. F. No. 1192, An Act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

H. F. No. 1382, An Act relating to insurance, deposits by domestic insurance companies; defining the kind of securities which domestic insurance companies must keep on deposit for the protection of policyholders; requiring all securities to be deposited in a state or national bank in Minnesota; amending Minnesota Statutes 1971, Sections 60A.10, Subdivisions 1 and 4, and by adding a subdivision; 60A.19, Subdivision 5; 61A.41; 63.02; 65A.22; 66A.08, Subdivision 1; and 68A.01, Subdivision 3.

H. F. No. 3571, An Act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

H. F. No. 2837, An Act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

H. F. No. 2129, An Act relating to labor; regulating the employment of child labor; prescribing penalties; repealing Minnesota Statutes 1971, Sections 181.18 to 181.27; 181.31 to 181.51; 181.69; and 181.72.

H. F. No. 3325, An Act relating to taxation; assessment of real property; requiring towns to make certain payments to town assessors; permitting newly organized towns adequate time to employ a qualified assessor; amending Minnesota Statutes 1971, Section 270.50.

H. F. No. 3060, An Act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivision 8; and Minnesota Statutes,

1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

H. F. No. 1834, An Act relating to civil defense; changing the name of the division of civil defense to the division of emergency services; providing for the purchase of excess property by the state for civil defense purposes.

H. F. No. 2120, An Act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

H. F. No. 3398, An Act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee shares therefrom and transfer such shares to the highway patrolmen's retirement fund.

H. F. No. 2937, An Act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; 83.30, Subdivision 1; and 83.38, by adding a subdivision.

H. F. No. 2377, An Act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3, and by adding a subdivision.

H. F. No. 3372, An Act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

H. F. No. 3357, An Act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3356, An Act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

H. F. No. 3143, An Act relating to municipalities; authorizing the appropriation of money for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

H. F. No. 3089, An Act relating to the city of Detroit Lakes; authorizing the issuance of an on-sale liquor license.

H. F. No. 3048, An Act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioners; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

H. F. No. 3027, An act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 11; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

H. F. No. 1191, An Act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.35; 184.37; 184.41; and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

H. F. No. 3512, An Act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition; amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; 360.119.

H. F. No. 1835, An Act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; appropriating money; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and Chapter 216A, by adding a section.

H. F. No. 2992, An Act relating to probate; affairs of decedents, missing persons, minors, incapacitated persons and certain others and constituting the uniform probate code; consolidating and revising aspects of the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; requiring the final account of the representative to include a statement of attorney fees; providing for the determination of reasonable attorney fees and the removal of an attorney if a final decree is not filed within a certain time; amending

Minnesota Statutes 1971, Sections 525.48 and 525.515; and Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Sections 525.331, 525.481, 525.482, 525.485, 525.501, and 525.80; repealing Minnesota Minnesota Statutes 1971, Sections 525.222, 525.23, 525.231, 525.24, 525.241, 525.243, 525.244, 525.25, 525.251, 525.252, 525.273, 525.28, 525.281, 525.282, 525.29, 525.291, 525.292, 525.30, 525.301, 525.302, 525.303, 525.304, 525.31, 525.311, 525.312, 525.314, 525.315, 525.316, 525.32, 525.321, 525.322, 525.323, 525.324, 525.34, 525.35, 525.36, 525.37, 525.38, 525.40, 525.401, 525.47, 525.486, 525.49, 525.50, 525.502, 525.503, 525.504, 525.52, 525.805, 525.81, 525.82, 525.89, and 525.91.

H. F. No. 636, An Act relating to metropolitan government; prescribing powers and duties for the metropolitan council; establishing the metropolitan waste control commission and prescribing powers and duties; prescribing powers and duties of the metropolitan transit commission; etc.

H. F. No. 2764, An Act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method of payment of such obligations.

H. F. No. 2725, An Act relating to education; requiring a good faith attempt to make up time lost by school districts on account of calamity; amending Minnesota Statutes 1971, Section 124.16.

H. F. No. 3105, An Act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 12, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House File:

H. F. No. 951, An Act relating to conduct of public officers including campaigns for the offices; authorizing tax credits for campaign contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 12, 1974

The Honorable Martin O. Sabo
Speaker of the House

Dear Sir:

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

H. F. No. 1991, An Act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

H. F. No. 3151, An Act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

H. F. No. 3436, An Act relating to public safety; authorizing the commissioner of public safety to promulgate a uniform fire code; adopting the uniform fire code, 1973 edition, promulgated by the international conference of building officials and the western fire chiefs association, until the commissioner promulgates a code.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 12, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 2477, An Act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities.

H. F. No. 2051, An Act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

H. F. No. 452, An Act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims, appropriating money.

H. F. No. 2844, An Act relating to the Minnehaha creek watershed district; providing for taxes.

H. F. No. 2704, An act relating to the department of natural resources; appropriating money for the improvement of a certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

H. F. No. 978, An Act relating to tort liability of towns; extending governmental immunity from tort liability for certain towns; authorizing certain towns to purchase insurance and authorizing a levy of taxes therefor; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

H. F. No. 677, An Act relating to recreational motor vehicles; providing limitations on the operation of such vehicles while on property not owned by the operator; providing penalties; amending Minnesota Statutes 1971, Chapter 84, by adding a section.

H. F. No. 2980, An Act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

H. F. No. 3712, An Act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

H. F. No. 3334, An Act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 4.

H. F. No. 1316, An Act relating to the collection, security and dissemination of records and information by the state and its political subdivisions; providing a civil cause of action; providing penalties.

H. F. No. 3223, An Act relating to the governor's citizens council on aging; duties of council; authority over funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2; and 256.01, Subdivision 10.

H. F. No. 2163, An Act relating to register of deeds; fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

H. F. No. 1415, An Act relating to health; providing for grants to daytime activity centers for mentally retarded and cerebral palsied persons; amending Minnesota Statutes 1971, Sections 252.21; 252.23; 252.24, Subdivision 1; 252.25; 252.26; and Minnesota Statutes, 1973 Supplement, Sections 252.22 and 252.24, Subdivision 4.

H. F. No. 2974, An Act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

H. F. No. 2813, An Act relating to student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them, to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

H. F. No. 3140, An Act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

H. F. No. 3248, An Act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

H. F. No. 3230, An Act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

H. F. No. 1973, An Act relating to education, teacher certification; providing for the refund of renewal fees paid by mistake; amending Minnesota Statutes, 1973 Supplement, Section 125.08.

H. F. No. 3317, An Act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

H. F. No. 1716, An Act relating to wild animals; limiting the use of certain firearms in relation to firearm deer seasons; amending Minnesota Statutes 1971, Section 100.29, Subdivisions 3 and 9.

H. F. No. 568, An Act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a), or Article X, Section 7, of the proposed revised constitution; permitting the legislature to establish the rate and method of taxing railroads.

H. F. No. 2785, An Act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; providing for the appointment of certain classified employees; amending Minnesota Statutes 1971, Sections 15.61; and 43.03, by adding subdivisions; Chapter 43, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 43.06; 43.09, Subdivision 6; 43.128; 43.20, by adding a subdivision; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, Subdivisions 2 and 3; 15A.084, 15A.085, and 43.02; and Minnesota Statutes 1971, Section 15A.14.

H. F. No. 3707, An Act relating to taxation; imposing certain credits on taxes measured by net income; eliminating the tax on oleomargarine; providing for stumpage values in computing certain taxes; providing for omitted taxes on iron ore; imposing an income tax on certain corporation; establishing the means for valuing certain real property and property owned by certain disabled persons; imposing taxes on certain tobacco products; providing for taconite taxes; and waiving the collection of credits or refunds of certain taxes; amending Minnesota Statutes 1971, Sections 33.10, Subdivision 1, and by adding a subdivision; 270.35; 270.38, Subdivision 5; 273.02, by adding subdivisions; 290.02; 290.06, by adding a subdivision; 290.086, by adding a subdivision; 297.31, Subdivisions 1 and 2; 297A.251; 298.03; and Minnesota Statutes, 1973 Supplement, Sections 273.11, Subdivision 2; and 273.13, Subdivision 7.

H. F. No. 987, An Act creating a housing and redevelopment authority in Scott county; applying the provisions of the municipal housing and redevelopment act to Scott county.

H. F. No. 2338, An Act relating to motor vehicle noise regulations; making it a petty misdemeanor to operate a motor vehicle in violation of noise regulations adopted by the pollution control agency; amending Minnesota Statutes 1971, Chapter 169, by adding a section; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

H. F. No. 2605, An Act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2349, An Act relating to intoxicating liquor; authorizing the issuance of an additional license in Virginia and eliminating the prohibition of the sale of liquor in certain places; amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3.

H. F. No. 3340, An Act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3202, An Act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3013, An Act relating to the city of Beaver Bay; authorizing the issuance of on-sale liquor licenses.

H. F. No. 242, An Act relating to highway traffic regulations; television in motor vehicles; prohibiting the use of certain listening devices while operating a motor vehicle; amending Minnesota Statutes 1971, Section 169.471.

H. F. No. 1425, An Act relating to the supreme court; authorizing promulgation of rules of evidence by the supreme court.

H. F. No. 1123, An Act relating to insurance; non-resident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

H. F. No. 530, An Act relating to wild animals; providing for the management of threatened and endangered species of wild animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; providing a penalty; amending Minnesota Statutes 1971, Sections 97.488; 98.46, Subdivision 14; 99.25, Subdivision 7; 100.26, Subdivision 1; and 100.29, Subdivision 14.

H. F. No. 389, An Act relating to public safety; fines and forfeited bail money from persons apprehended by the highway patrol; providing for the distribution and use of such money; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

H. F. No. 3129, An Act relating to natural resources; authorizing the commissioner of natural resources to acquire conservation restrictions by gift, purchase or exchange.

H. F. No. 3285, An act appropriating money and authorizing the issuance of Minnesota state building bonds for the acquisition and betterment of public land, buildings, and capital improvements needed to provide facilities for Gillette children's hospital in conjunction with the Ramsey county hospital.

H. F. No. 2990, An Act relating to retirement; coverage for certain employees at state correctional institutions; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

H. F. No. 2589, An Act relating to professional corporations; including podiatrists and psychologists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

H. F. No. 3544, An Act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

H. F. No. 974, An Act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60, Subdivision 2 and 3; 144.61; 149.02; 149.03, Subdivisions 2 and 3; 149.04; 149.08; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 144.60, Subdivision 1; 144.802; 149.03, Subdivision 1; and 156A.07, Subdivision 1.

H. F. No. 210, An act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6, and by adding subdivisions; Minnesota Statutes, 1973 Supplement, Section 125.12, Subdivision 4.

H. F. No. 3479, An Act relating to retirement; benefits payable to certain retired elected state officials.

H. F. No. 3015, An Act relating to commercial law; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivisions 1, 2, 3, 3a, and 3b.

H. F. No. 268, An act relating to courts; initiation of paternity proceedings; amending Minnesota Statutes 1971, Section 257.253.

H. F. No. 2324, An act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, Subdivision 1.

H. F. No. 1136, An Act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes, 1973 Supplement, Section 268.09, Subdivision 1.

H. F. No. 3368, An Act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; requiring notification of intent to discharge to be in writing; amending Minnesota Statutes 1971, Section 197.46.

H. F. No. 2715, An act relating to elections; prohibiting the scheduling of certain activities on a political party precinct caucus day; granting employees time off from work during precinct caucuses; making public schools available for precinct caucuses.

H. F. No. 2608, An act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivision; 9, by adding a subdivision; and 13.

H. F. No. 2191, An Act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

H. F. No. 1292, An Act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental and educational fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

H. F. No. 2918, An Act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

H. F. No. 2900, An Act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

H. F. No. 3035, An Act relating to mass transit; approving the bus service expansion report and providing funds therefor;

setting bus fares; amending Minnesota Statutes 1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

H. F. No. 3164, An Act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

H. F. No. 1866, An Act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063.

H. F. No. 1634, An Act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Section 253A.02, Subdivision 3 and 4; 253A.07, Subdivision 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

H. F. No. 2334, An Act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

H. F. No. 3240, An Act relating to the legislature, Indian affairs commission; raising the per diem pay of members; amending Minnesota Statutes 1971, Section 3.922, Subdivision 3.

H. F. No. 2333, An Act relating to welfare; providing for mandatory certification to the commissioner of employment services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

H. F. No. 3029, An Act relating to public welfare; eligibility requirements for medical assistance for needy persons; defining county of financial responsibility in medical assistance; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

H. F. No. 1047, An Act relating to standards of weight and measure; providing for the gradual implementation and instruction concerning the metric system of weights and measures.

H. F. No. 234, An Act relating to taxation; increasing the rate of interest penalties on delinquent real estate taxes; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 279.01, and 297B.01, Subdivision 7.

H. F. No. 3470, An Act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

H. F. No. 2323, An Act relating to travel expenses of the state board of education; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Sections 121.02, Subdivision 1; and 197.09.

H. F. No. 3352, An Act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

H. F. No. 2996, 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 to a current funding basis; granting certain powers to school districts and the state board of education; establishing early childhood identification and education pilot programs and a transitional year procedure; school district contracts; educational assessment; appropriating money; amending Laws 1969, Chapter 775, Section 4, Subdivision 3; amending Minnesota Statutes 1971, Chapter 121, by adding a section; Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.223; 124.30, Subdivision 2; and 275.125, Subdivisions 2a and 3; repealing Minnesota Statutes 1971, Section 124.13.

H. F. No. 2928, An Act reappropriating moneys for capital and related improvements for university and college purposes.

H. F. No. 3313, An Act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

H. F. No. 3090, An Act relating to local government; requiring a city to meet jointly with a town board and county planning commission before extending certain municipal services into the area governed by the town.

H. F. No. 3002, An Act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

H. F. No. 3288, An Act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

H. F. No. 3239, An Act relating to aeronautics; appropriating and transferring certain funds.

H. F. No. 3030, An Act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

H. F. No. 3054, An Act relating to education; providing that the conduct of all students under 21 years of age attending a public secondary school shall be governed by a single set of reasonable rules and regulations promulgated by the local board of education; amending Minnesota Statutes 1971, Section 120.06, Subdivision 1.

H. F. No. 1810, An Act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the use of eminent domain; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to finance development programs; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

H. F. No. 1075, An Act relating to local government in Washington County and the town of Forest Lake; creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act in Washington county; exempting the town of Forest Lake from limitation on tax levies for fire protection.

H. F. 2680, An Act relating to the crime of prostitution; amending Minnesota Statutes 1971, Section 609.32, Subdivisions 2 and 4.

H. F. No. 485, An Act relating to the state junior college board; appropriating money for a special assessment.

H. F. No. 2930, An act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

H. F. No. 545, An act relating to the Willmar state junior college; appropriating money to the city of Willmar for costs incurred on behalf of the college.

H. F. No. 2125, An Act relating to education; providing for waiver of tuition for foreign students; appropriating money.

H. F. No. 3670, An Act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

H. F. No. 3507, An Act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

H. F. No. 798, An Act relating to the juvenile court, amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

H. F. No. 1662, An Act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2.

H. F. No. 2011, An Act relating to St. Louis county; authorizing tax levies for capital improvements and road and bridge purposes in excess of certain existing levy limits; establishing levy limits for capital improvements and road and bridge levies; authorizing the issuance of general obligation bonds in lieu of increased levies for road and bridge purposes.

H. F. No. 2458, An Act relating to soil and water conservation districts; authorizing membership in state and national associations; amending Minnesota Statutes 1971, Section 40.07, by adding a subdivision.

H. F. No. 2236, An Act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 12, 1974

The Honorable Martin O. Sabo
Speaker of the House

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 House Files:

H. F. No. 401, An Act relating to game and fish; authorizing angling with two lines through the ice; amending Minnesota Statutes 1971, Sections 97.40, Subdivision 32; 101.41, Subdivision 2, and 101.42, Subdivision 20.

H. F. No. 3074, An Act relating to labor; public employees; definitions; amending Minnesota Statutes 1971, Section 179.63, Subdivision 7.

H. F. No. 2745, An Act relating to municipalities; allowing municipalities to set minimum labor standards in awarding contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

H. F. No. 47, An Act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1, or Article IX, Section 1 of the proposed revised constitution; providing the majority necessary to pass constitutional amendments.

H. F. No. 3347, An Act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

H. F. No. 1839, An Act relating to workmens compensation; adjusting certain schedules of and provisions for compensation benefits; relating to injuries occurring out of state and occupation diseases; amending Minnesota Statutes 1971, Section 176.101, Subdivision 7; Chapter 176, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 176.021, Subdivision 3; and 176.101, Subdivisions 2 and 3; repealing Minnesota Statutes 1971, Section 176.041, Subdivision 5.

H. F. No. 3032, An Act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application

is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	102	306	March 28	March 28
	2675	307	March 28	March 28
	3506	308	March 28	March 28
	3556	309	March 28	March 28
162		310	March 28	March 28
707		311	March 28	March 28
735		312	March 28	March 28
852		313	March 28	March 28
1079		314	March 28	March 28
1149		315	March 28	March 28
1282		316	March 28	March 28
1231		317	March 28	March 28
1900		318	March 28	March 28

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
1977		319	March 28	March 28
2005		320	March 28	March 28
2347		321	March 28	March 28
2504		322	March 28	March 28
2516		323	March 28	March 28
2611		324	March 28	March 28
2621		325	March 28	March 28
2627		326	March 28	March 28
2669		327	March 28	March 28
2715		328	March 28	March 28
2739		329	March 28	March 28
2747		330	March 28	March 28
2779		331	March 28	March 28
2794		332	March 28	March 28
2830		333	March 28	March 28
2842		334	March 28	March 28
2850		335	March 28	March 28

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2954		336	March 28	March 28
2970		337	March 28	March 28
2995		338	March 28	March 28
3016		339	March 28	March 28
3024		340	March 28	March 28
3060		341	March 28	March 28
3105		342	March 28	March 28
3108		343	March 28	March 28
3160		344	March 28	March 28
3183		345	March 28	March 28
3193		346	March 28	March 28
3194		347	March 28	March 28
3233		348	March 28	March 28
3239		349	March 28	March 28
3355		350	March 28	March 28
3428		351	March 28	March 28
3464		352	March 28	March 28

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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

The Honorable Alec G. Olson
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<i>S.F.</i> No.	<i>H.F.</i> No.	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> 1974	<i>Date Filed</i> 1974
1879		353	March 29	March 29
3189		354	March 29	March 29

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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

The Honorable Alec G. Olson
President of the Senate

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<i>S.F.</i> No.	<i>H.F.</i> No.	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> 1974	<i>Date Filed</i> 1974
3580		355	March 30	March 30

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 Session of the State Legislature have been received

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	401	356	April 4	April 5

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 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 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
1735		357	April 9	April 10

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	773	358	April 5	April 11
	1951	359	April 10	April 11
	2200	360	April 5	April 11
	2601	361	April 5	April 11
	2668	362	April 5	April 11
	2670	363	April 5	April 11
	2728	364	April 9	April 11
	2773	365	April 9	April 11
	2796	366	April 5	April 11
	2799	367	April 9	April 11
	3045	368	April 9	April 11
	3102	369	April 5	April 11
	3157	370	April 10	April 11
	3190	371	April 5	April 11
	3242	372	April 9	April 11
	3267	373	April 9	April 11
	3281	374	April 5	April 11
	3287	375	April 9	April 11
	3329	376	April 5	April 11
	3473	377	April 9	April 11
	3533	378	April 5	April 11
1060		379	April 9	April 11

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
1104		380	April 5	April 11
1483		381	April 9	April 11
1679		382	April 5	April 11
1888		383	April 5	April 11
1985		384	April 9	April 11
2295		385	April 5	April 11
2477		386	April 9	April 11
2505		387	April 9	April 11

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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

The Honorable Alec G. Olson
President of the Senate

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2590		388	April 9	April 11
2641		389	April 9	April 11
2690		390	April 9	April 11
2817		391	April 5	April 11
2822		392	April 5	April 11

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2857		393	April 5	April 11
2918		394	April 9	April 11
2957		395	April 5	April 11
2975		396	April 5	April 11
3088		397	April 9	April 11
3163		398	April 9	April 11
3210		399	April 5	April 11
3246		400	April 9	April 11
3271		401	April 9	April 11
3280		402	April 9	April 11
3311		403	April 9	April 11
3342		404	April 9	April 11
3372		405	April 5	April 11
3477		406	April 9	April 11

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
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Speaker of the House of Representatives

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
67		407	April 10	April 11
96		408	April 11	April 11
1713		409	April 10	April 11
1800		410	April 10	April 11
1858		411	April 10	April 11
1963		412	April 10	April 11
2639		413	April 10	April 11
2640		414	April 10	April 11
2818		415	April 10	April 11
2973		416	April 10	April 11
3036		417	April 10	April 11
3123		418	April 10	April 11
3213		419	April 10	April 11
3272		420	April 10	April 11
3338		421	April 10	April 11
	636	422	April 11	April 11
	1191	423	April 10	April 11
	1192	424	April 10	April 11
	1382	425	April 10	April 11
	1386	426	April 10	April 11
	1692	427	April 10	April 11
	1834	428	April 10	April 11
	1835	429	April 11	April 11

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	2065	430	April 10	April 11
	2120	431	April 10	April 11
	2129	432	April 10	April 11
	2377	433	April 10	April 11
	2405	434	April 10	April 11
	2525	435	April 10	April 11
	2725	436	April 10	April 11
	2764	437	April 9	April 11

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	2837	438	April 10	April 11
	2848	439	April 10	April 11
	2937	440	April 10	April 11
	2950	441	April 10	April 11
	2992	442	April 11	April 11

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	3027	443	April 10	April 11
	3048	444	April 10	April 11
	3060	445	April 10	April 11
	3089	446	April 10	April 11
	3105	447	April 10	April 11
	3143	448	April 10	April 11
	3325	449	April 10	April 11
	3335	450	April 10	April 11
	3356	451	April 10	April 11
	3357	452	April 10	April 11
	3372	453	April 10	April 11
	3398	454	April 10	April 11
	3512	455	April 10	April 11
	3571	456	April 10	April 11

Sincerely,

ARLEN I. ERDAHL
Secretary of State

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	47	457	April 12	April 12
	210	458	April 11	April 12
	234	459	April 11	April 12
	242	460	April 11	April 12
	268	461	April 11	April 12
	389	462	April 11	April 12
	452	463	April 11	April 12
	485	464	April 11	April 12
	530	465	April 11	April 12
	545	466	April 11	April 12
	568	467	April 11	April 12
	677	468	April 11	April 12
	798	469	April 11	April 12
	951	470	April 12	April 12
	974	471	April 11	April 12
	978	472	April 11	April 12
	987	473	April 11	April 12
	1047	474	April 11	April 12
	1075	475	April 11	April 12
	1123	476	April 11	April 12
	1136	477	April 11	April 12
	1292	478	April 11	April 12
	1316	479	April 11	April 12

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	1415	480	April 11	April 12
	1425	481	April 11	April 12
	1634	482	April 11	April 12
	1662	483	April 11	April 12
	1716	484	April 11	April 12
	1810	485	April 11	April 12
	1839	486	April 12	April 12

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	1866	487	April 11	April 12
	1973	488	April 11	April 12
	1991	489	April 11	April 12
	2011	490	April 11	April 12
	2051	491	April 11	April 12
	2125	492	April 11	April 12

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	2163	493	April 11	April 12
	2191	494	April 11	April 12
	2236	495	April 11	April 12
	2323	496	April 11	April 12
	2324	497	April 11	April 12
	2333	498	April 11	April 12
	2334	499	April 11	April 12
	2338	500	April 11	April 12
	2349	501	April 11	April 12
	2458	502	April 11	April 12
	2477	503	April 11	April 12
	2589	504	April 11	April 12
	2605	505	April 11	April 12
	2608	506	April 11	April 12
	2680	507	April 11	April 12
	2704	508	April 11	April 12
	2715	509	April 11	April 12
	2745	510	April 12	April 12
	2785	511	April 11	April 12
	2813	512	April 11	April 12
	2844	513	April 11	April 12
	2900	514	April 11	April 12
	2918	515	April 11	April 12
	2928	516	April 11	April 12

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
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The Honorable Martin O. Sabo
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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	2930	517	April 11	April 12
	2974	518	April 11	April 12
	2980	519	April 11	April 12
	2990	520	April 11	April 12
	2996	521	April 11	April 12
	3002	522	April 11	April 12
	3013	523	April 11	April 12
	3015	524	April 11	April 12
	3029	525	April 11	April 12
	3030	526	April 11	April 12
	3032	527	April 12	April 12
	3035	528	April 11	April 12
	3054	529	April 11	April 12
	3090	530	April 11	April 12
	3129	531	April 11	April 12
	3140	532	April 11	April 12
	3151	533	April 12	April 12

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	3164	534	April 11	April 12
	3202	535	April 11	April 12
	3223	536	April 11	April 12
	3230	537	April 11	April 12
	3239	538	April 11	April 12
	3240	539	April 11	April 12
	3248	540	April 11	April 12
	3285	541	April 11	April 12
	3288	542	April 11	April 12
	3313	543	April 11	April 12
	3317	544	April 11	April 12
	3334	545	April 11	April 12
	3340	546	April 11	April 12
	3347	547	April 12	April 12

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
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ST. PAUL 55155

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

The Honorable Alec G. Olson
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JOURNAL OF THE HOUSE

7197

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
	3352	548	April 11	April 12
	3368	549	April 11	April 12
	3436	550	April 12	April 12
	3470	551	April 11	April 12
	3479	552	April 11	April 12
	3507	553	April 11	April 12
	3544	554	April 11	April 12
	3670	555	April 11	April 12
	3707	556	April 10	April 12
	3712	557	April 11	April 12
734		558	April 12	April 12
988		559	April 11	April 12
1225		560	April 11	April 12
1530		561	April 11	April 12
1728		562	April 11	April 12
1759		563	April 12	April 12
1769		564	April 11	April 12
2110		565	April 11	April 12
2128		566	April 11	April 12
2170		567	April 11	April 12
2231		568	April 11	April 12
2367		569	April 11	April 12
2447		570	April 11	April 12
2576		571	April 11	April 12

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2580		572	April 11	April 12
2703		573	April 11	April 12
2885		574	April 11	April 12
2964		575	April 11	April 12
3059		576	April 12	April 12
3281		577	April 11	April 12

Sincerely,

ARLEN I. ERDAHL
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

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

The Honorable Alec G. Olson
President of the Senate

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<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
3301		578	April 11	April 12
3308		579	April 11	April 12
3323		580	April 11	April 12
3350		581	April 11	April 12
3433		582	April 11	April 12
3434		583	April 11	April 12

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
3479		Resolution 2		April 12

Sincerely,

ARLEN I. ERDAHL
Secretary of State

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the following interim commissions and committees:

INTERIM COMMISSIONS AND COMMITTEE APPOINTMENTS 1974

Legislative Joint Review Committee on Administrative Rules, pursuant to the provisions of the Laws of Minnesota 1974, Chapter 355, Section 69: Haugerud; Anderson, I.; Voss; Dir-lam; and Forsythe.

Legislative Commission on Energy, pursuant to the provisions of the Laws of Minnesota 1974, Chapter 307: Munger, Kelly, and Andersen, R.

Legislative Commission to Study Organized Crime, pursuant to the Laws of Minnesota 1974, Chapter 579: McCarron; Lind-strom, J.; and Pavlak, R. L.

CERTIFICATE

I certify that the Journal of the House for Friday, March 29, 1974, including subsequent proceedings, has been corrected and is hereby approved.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

